



City Council Minutes
Tuesday, September 10, 2024

1. Call to Order

Council President Lampke called the meeting to order at 6:03 pm.

2. Roll Call of Members

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

3. Pledge of Allegiance

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

None.

5. Ordinances with Visiting Presenters

- a. Ordinance 27-24** confirming the Mayor's appointments of members to the Board of Zoning Appeals and Planning and the Tree and Public Gardens Commission; and to amend Section 1220.03, Membership, Term and Organization of the Board of Zoning and Planning, introduced by Danny Hurley on August 27, 2024. This is the Second Reading of this ordinance.

i. Charlie Flower – Tree and Public Gardens Commission

Mr. Fishel read the ordinance and Dr. Flower spoke about his work in Delaware County with tree breeding and in emerald ash borer mitigation efforts. Mayor Kessler thanked Dr. Flower for his service. Mr. Silverman thanked him for being here. Mr. Price shared about Dr. Flower's work on the Jeffrey Park Woodlands Management Plan.

6. President's Report

Ms. Lampke reminded everyone of the upcoming September 11 anniversary and urged everyone to think of those who were lost. Ms. Lampke also mentioned the upcoming Drexel Gala which will honor Mayor Kessler for his work to champion the Drexel Theatre.

7. City Attorney Report

Mr. Fishel also spoke about the September 11 anniversary and urged everyone to consider how fortunate we all are. Mr. Fishel then shared an update on the lawsuit by the State of Ohio against the City of Athens regarding their single use plastics legislation. The court has found in favor of the State and this is likely to be appealed. He will keep Council posted but did state this does not currently have any impact on the City of Bexley legislation on this matter.

8. Auditor Report

Mr. McPeck shared that the City's audit is complete and available for review and invited any community members or Council members with questions to reach out.

9. Administrative Update

1. Police Department - Chief Gary Lewis

Mr. Markham shared his appreciation for the Chief's monthly update, especially the animal control section. Mayor Kessler also shared that he has recently reviewed some complaints against the police department on social media and reiterated that all safety statistics have improved under the leadership of Chief Lewis and that the City is more invested than ever in the Police Department. Ms. Saad also asked about a program at St. Charles with Officer Grimes, which Chief Lewis answered. Mr. Marcellino asked about Livingston Avenue and working with Columbus, which Chief Lewis answered. The chief then answered a question from Mr. Hurley regarding the calls for service. Ms. Feibel complimented Officer Grimes and his work at St. Charles and also complimented recent service officers provided to a child. Mr. Silverman also complimented Lieutenant Overly for her work on emergency preparation for events and asked if there was anything they needed. Mayor Kessler then complimented Chief Lewis on his two year anniversary at the City.

2. Building and Planning Department - Matt Klingler

Mr. Klingler provided some of the highlights of his report, including an update on commercial building permits. Mr. Hurley asked a question about permitting, which Mr. Klingler answered. Mr. Hurley also asked about The Community Builders and whether any updates or new plans have been submitted. Mr. Klingler and Mayor Kessler both confirmed there are no updated plans, though the CIC is meeting with The Community Builders and we will keep them posted. em. Mr. Marcellino also encouraged residents to reach out directly to Mr. Klingler to learn the

status of a permit whether than turning to social media. Mr. Klingler also answered a question about the dust and dirt in recent places. Ms. Lampke welcomed Mr. Klingler back to chambers and thanked them.

3. Recreation Department - Mike Price

Mr. Price shared that we will be slightly up in memberships at the pool and spoke briefly about the success of the pool season. Mr. Hurley asked for an update on the restrooms at Schneider Park and Ms. Saad asked about the four seasons shelter at Jeffrey Mansion, which is still in the design bid processes. Mr. Price answered these questions.

4. Mayor's Update

Mayor Kessler provided an update on the highlights of his report including details of upcoming events and workshops.

Mr. Hurley asked about the paving on Drexel which is scheduled to begin in the next two weeks. Mr. Hurley also asked about families from the JCC to make sure they are engaged in the upcoming Livingston Avenue meeting. Mr. Silverman also asked about One Bexley and what plans are happening next. Ms. Saad asked about upcoming events and asked about reaching out with to the survey respondents about the Land Use Strategy workshop. Mayor Kessler addressed these questions.

10. Consent Agenda (No Speaker Slip Required)

1. Meeting Minutes from August 27, 2024

Mr. Fishel read the item on the Consent Agenda.

Ms. Lampke moved to approve the Consent Agenda.

Mr. Marcellino seconded.

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

Motion passed 7-0.

11. Third Readings

1. **Ordinance 20-24** to amend the pay range for Deputy Chief of Police, introduced by Jess Saad on August 13, 2024.

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

Ms. Saad moved to approve Ordinance 20-24.

Mr. Marcellino seconded.

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

Motion passed 7-0.

2. **Ordinance 21-24** to reverse the 2024 appropriation of \$567,605 from the ARPA Fund into the Water Fund, and to approve the payment of public safety personnel expenses from the ARPA fund, introduced by Jess Saad on August 13, 2024.

Mr. Fishel read the ordinance and Ms. Saad spoke about the rationale and background sharing again that this was a recommendation from the auditors.

Ms. Saad moved to approve Ordinance 21-24.

Mr. Marcellino seconded.

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

Motion passed 7-0.

3. **Ordinance 22-24** to appropriate \$3,559.48 from the Road and Alley Fund; \$32,258.62 from the Water Fund; and \$6,957.74 from the Sewer Fund in order to provide debt service for the South Cassingham Road and Vernon Road Comprehensive Improvements Project, introduced by Jess Saad on August 13, 2024.

Mr. Fishel read the ordinance and Ms. Saad shared some of the background of the ordinance and plans to mitigate need for similar ordinances in the future.

Ms. Saad moved to approve Ordinance 22-24.

Mr. Marcellino seconded.

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

Motion passed 7-0.

4. **Ordinance 24-24** to create Section 452.24, Electric Vehicle Charger Metered Parking, in order to provide for the placement and enforcement of metered parking for on-street electric vehicle charging infrastructure, introduced by Alex Silverman on August 13, 2024.

Mr. Fishel read the ordinance and Mr. Silverman shared some of the background and rationale behind this ordinance and shared his intention to table this ordinance as we are waiting for some additional details. Mr. Silverman also shared that the sites are up and running and Mayor Kessler also shared some additional detail about the project and next steps. Mr. Marcellino

asked a question about some of the language in the ordinance regarding Mayoral authority, which Mayor Kessler answered.

Mr. Silverman moved to table Ordinance 24-24.

Mr. Marcellino seconded.

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

Motion passed 7-0.

5. **Resolution 5-24** adopting the 2024 recommendations of the Bexley Tax Incentive Review Council regarding tax-abated properties in the City of Bexley, introduced by Jess Saad on August 13, 2024.

Mr. Fishel read Resolution 5-24 and Ms. Saad shared the background and rationale.

Ms. Saad moved to approve Resolution 5-24.

Mr. Marcellino seconded.

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

Motion passed 7-0.

6. **Ordinance 23-24** to amend Section 262.02(c)(9)(B), Non-Exempt Employees; Section 262.02(c)(9)(B)(3), Compensatory Time; Section 262.02(c)(11), Regular Work Period and Hours of Work; and Section 262.02(c)(12)(B)(1), Sick Leave Accrual, introduced by Jess Saad on August 13, 2024.

Mr. Fishel read the ordinance and Ms. Saad provided some background on this ordinance. Ms. Feibel shared a small typographical error. Mr. Fishel clarified this will need an amendment.

Ms. Feibel moved to amend the ordinance with the time clarification noted.

Ms. Lampke seconded.

All in Favor.

Motion Passes.

Ms. Saad moved to approve Amended Ordinance 23-24.

Mr. Marcellino seconded.

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

Motion passed 7-0.

12. Second Readings (Speaker Slip Required)

1. **Ordinance 25-24** to add chapter 1478 to the codified ordinances of the city of Bexley, Ohio, entitled "securing and fencing of construction sites," to require the securing and fencing of building sites during construction activities, introduced by Sam Marcellino on August 27, 2024.

Mr. Fishel read the ordinance and Mr. Marcellino provided some background and rationale behind this ordinance. Mr. Silverman asked a clarifying question about the type of project that would require fencing. Council continued to discuss this with Mayor Kessler.

2. **Ordinance 26-24** to establish the position of Assistant Finance Director and to establish the pay range at \$28.35 per hour to \$43.28 per hour; to reduce appropriations in the "Contract Professional" line item of the Auditor's Office Account by \$10,000; to appropriate \$10,000 into the "Salaries and Wages" line item of the Auditor's Office Account; and to declare an emergency, introduced by Jess Saad on August 27, 2024

Mr. Fishel read the ordinance and Ms. Saad briefly discussed the background of this ordinance. This ordinance will be included in the Consent Agenda at the next meeting.

13. First Readings (Speaker Slip Required)

1. **Resolution 6-24** approving the petition for special assessments for special energy improvement projects and affidavit under Ohio revised code chapter 1710 and declaring the necessity of acquiring, constructing, installing, equipping, and improving certain public improvements in the city of Bexley, Ohio in cooperation with the columbus regional energy special improvement district, and declaring it an emergency (Bexley Gateway project), introduced by Jess Saad on September 10, 2024.

Mr. Fishel read the Resolution and Ms. Saad invited Mayor Kessler to provide an overview of this ordinance. Mayor Kessler then shared a PACE update and overview.

2. **Ordinance 28-24** approving the Necessity of Certain Public Improvements in the City of Bexley, Ohio; Determining to Proceed With Those Improvements; Levying Special Assessments for the Purpose of Paying the Costs of Those Improvements; Approving a Cooperative Agreement and a Special Assessment MOU with Respect to the Special Assessments; and Dispensing With Three Readings, introduced by Jess Saad on September 10, 2024.

Mr. Fishel read the ordinance and Ms. Saad briefly explained before inviting Mr. Klingler to provide some additional detail behind the need for the ordinance, which he did.

3. **Ordinance 29-24** to transfer \$55,000 in appropriations from the Personal Services portion of the Building and Zoning Department account to the Other Expenditures portion of the account, and to appropriate \$65,000 from the General Fund in order to provide supplemental appropriations to Operating Expenses within the Building Department Account, introduced by Jess Saad on September 10, 2024.

Mr. Fishel read the ordinance and Ms. Saad briefly reviewed the background and purpose of this ordinance.

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 16-24** to amend Chapter 474.02(j) to add protective helmet requirements in instances of persons under 16 years of age to wear a protective helmet while operating an electric bicycle, skateboard, scooter, roller skates, hoverboard or similar vehicle on any city street, alley, park, recreational path, or sidewalk, introduced by Danny Hurley on May 28, 2024.
3. **Ordinance 17-24** to authorize the Mayor to execute an Access Easement between the City of Bexley and CAG Bexley Apts, LLC, in order to provide for cross-access to and from the Bexley City Hall site (parcel #020- 001825) and the adjacent property to the west at 2200 East Main Street (parcel #020-00350), introduced by Sam Marcellino on June 11, 2024.

No action at this time.

15. Finance Committee – Jessica Saad, Chair

Ms. Saad provided a brief update on the budgeting process, and then asked for a moment of silence for Johnny Gaudreau and his family.

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

Ms. Feibel has no report.

17. Service and Environmental Committee – Alex Silverman, Chair

1. Noise Ordinance Discussion

Mr. Silverman spoke about the upcoming Smoke & Fire Festival and the survey being sent out regarding a potential future noise ordinance.

18. Zoning and Development Committee – Sam Marcellino, Chair

Mr. Marcellino spoke about the upcoming ARB meeting.

19. Strategic and Health Committee – Danny Hurley, Chair

Mr. Hurley also shared that the CIC is doing great work managing properties and projects and spoke about the Land Use Strategy workshop and spoke about his upcoming officer hours. Mr. Hurley also spoke about suicide prevention month.

20. Safety Committee – Troy Markham, Chair

Mr. Markham spoke about the Council pay ordinance discussion from a couple of weeks ago, and after researching with Mr. Fishel and thinking on it, he felt it wasn't necessary given that the existing ordinance will handle his concern with OPERS for the next four years. He also spoke about the Library Birthday Bash.

21. Public Comments (No Speaker Slip Required)

Ms. Constance Lewis of 663 Euclaire asked about a neighbor who is interested in installing their own charging station and asked if PACE would interest them, which Mayor Kessler shared is unfortunately not applicable for residential chargers due to state regulations.

Mr. Don Lewis of 663 Euclaire spoke about ribbons being taken down asked about antisemitism, which Mayor Kessler explained is to bring the City within compliance of an existing ordinance that prohibits ribbons, stickers, and other such attachments in the City right of way.

22. Adjourn

President Lampke adjourned the meeting at 8:00 pm.