



City Council Draft Minutes
Tuesday, February 13, 2024

1. Call to Order

President Lampke called the meeting to order at 6:02 pm.

2. Roll Call of Members

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

3. Pledge of Allegiance

4. Special Guest – Officer Ken Shawver and Canine Officer Pia

Chief Lewis introduced Officer Shawver and Canine Pia for a brief demonstration.

5. Public Hearing and Third Reading for Ordinance 04-24

- 1. Ordinance 04-24** to Amend Sections 1226.12, 1230.61, 1254.03, 1254.09, 1254.11 and 1254.13, of the Codified Ordinances of the City of Bexley, Planning and Zoning Code To Repeal Sections 1254.05, 1254.12 of the City's Codified Ordinances and Enact New Sections 1254.05 and 1254.12, and to Amend the Zoning Classification and Official Zoning Map for All Property Located in the Commercial Service (CS) District and Certain Property in the Low Density Multifamily Residential (R-12) District to Mixed-Use Commercial (MUC) and Livingston Avenue District (LA) Overlay introduced by Sam Marcellino on January 9, 2024.

Mr. Fishel read the ordinance and Mr. Marcellino thanked everyone for coming and then discussed the procedures for Public Hearings stating that Mayor Kessler and Ms. Cunningham will both present and then Mr. Marcellino will invite people in the audience to comment. Mr. Marcellino asked everyone to be respectful and to refrain from cheering, booing, clapping and such.

Mayor Kessler presented on the background of the ordinance, starting with the timeline of the Livingston Avenue zoning, covering key points in the Livingston Avenue Plan and rationale behind proposed zoning changes. Additional comments and clarification were provided by Megan Meyer, Director of Development and Administration and Kathy Rose, Director of Building and Zoning.

Mr. Marcellino reminded everyone of the time limits and process for comments and also shared the high likelihood of this ordinance being tabled to offer Council members time to consider received comments. Mr. Marcellino then started the public comment portion of the hearing.

Mr. Michael McKinney spoke in opposition to the ordinance.

Mr. Spencer Cahoon spoke in support of the ordinance.

Ms. Tiasha Letostak spoke in support of the ordinance.

Mr. Glen Zehr spoke, asking questions related to traffic and parking in the area.

Mr. Kevin Noesner expressed a neutral opinion of the ordinance but expressed concerns about the impact on the Ferndale/Mayfield area.

Mr. Alexander Dakovsky did not speak directly about the ordinance, but expressed concerns with the City's approach to the Ferndale/Mayfield area.

Mr. Larry Smith of Healthy Urban Communities did not speak directly about the ordinance, but shared concerns about the future of the Ferndale/Mayfield area.

Mr. Marcellino reminded the public that comments should specifically address the ordinance in question.

Mr. Sharon Nicol spoke in opposition to the ordinance.

Mr. Robert Singleterry spoke in opposition to the ordinance.

Mr. Bill Ferrell spoke in opposition to the ordinance.

Ms. Leah Turner spoke in opposition to the ordinance.

David Green shared concerns about the ordinance, but did not state overall opposition to or support of the ordinance.

Connell Tom spoke in opposition to the zoning ordinance

Jenny Schmitz spoke in opposition to the ordinance.

Jodi Westin did not speak in clear opposition or support of the ordinance but expressed concerns about the process and

Amy Lauerhaus did not speak in clear opposition or support of the ordinance but did express concerns with the density proposed in the zoning.

Mr. Greff spoke in opposition to the ordinance.

Mayor Kessler asked Ms. Cunningham to define spot zoning, which she did.

Mayor Kessler asked Ms. Cunningham to address conditional uses in Bexley, which she did.

Mayor Kessler spoke in response to a question about interplay with other Bexley plans, specifically the 2017 Southwest Bexley Plan and the 2022 Joint Livingston Avenue Plan.

Mayor Kessler spoke about the area between Frances and College.

Mayor Kessler then expressed enthusiasm and interest in working with the owners and residents of the Ferndale Mayfield area.

Mayor Kessler then spoke to a question about parking for business and widening of sidewalks.

Ms. Lampke asked Mayor Kessler to share about the Land Use Strategy Survey which offers another opportunity for residents to share thoughts on the strategy for use of land in the City.

Mayor Kessler also encouraged everyone to sign up for the Bexley Blast.

Ms. Feibel asked Mr. Fishel for clarification on instances when Council is advised not to speak to certain issues and Mr. Fishel offered this clarification.

Mr. Marcellino moved to table Ordinance 04-24.

Mr. Silverman asked a clarifying question about the specific areas covered by the ordinance and the Joint Livingston Avenue plans which Mayor Kessler answered.

Mr. Marcellino moved to table Ordinance 04-24.

Ms. Feibel seconded.

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

Motion is tabled.

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

None.

7. President's Report

Ms. Lampke announced that February is Black History Month and there are banners along Main Street, including Mr. Marcellino and our Police Chief along with many other great individuals. Ms. Lampke also shared about a BMPA meet and greet with minority staff school members. Ms. Lampke wished Mr. Markham a happy birthday and complimented Mr. Marcellino on his run of the public hearing and to Council for listening.

8. City Attorney Report

Mr. Fishel complimented the City for the way they ran that meeting and they way they address similar issues. Mr. Fishel spoke about the recently overturned tobacco ordinance which will likely create some impact on Bexley. Mr. Fishel will keep us posted.

9. Auditor's Report

Mr. McPeek spoke about recent meetings with Julian and Grubbe for internal audits to continue working on areas where mistakes happen. That will be moving forward this week and Mr. McPeek invited any questions or concerns.

10. Administrative Update

1. Police Department Update – Chief Gary D. Lewis

Chief Lewis provided some of the highlights from his update, including an update on Flock Cameras. Mr. Markham expressed excitement about the new officers, and invited Chief Lewis to share more, which he did. Mr. Markham also asked about recent porch pirating incidents where the perpetrators were apprehended. Ms. Saad asked about the cards for Pia and about some recent vehicle break-ins, which Chief Lewis answered. Ms. Lampke encouraged Chief Lewis to seek a creative way to use our resources to slow down traffic.

2. Recreation Department Update – Mike Price

Mr. Price will share at the next meeting.

3. Building & Zoning Department Update – Kathy Rose

Ms. Rose provided some of the highlights from her update, including some items that are in wrapping up and in the works. Mr. Marcellino asked about staffing and whether or not Ms. Rose feels she needs more support than one Building Department Assistant, which she answered. Ms. Saad asked if there could be an update on a couple of other items under the Code Enforcement Officer's domain, which Ms. Rose will include in the future. Mr. Silverman complimented her update.

4. Mayor's Update

Mayor Kessler spoke about the need to change the pedestrian bridge and then congratulated City Council on hearing so many great things from the community. Mr. Silverman asked about safety concerns with the fire pit and whether City staff will be keeping an eye on it, which Mayor Kessler answered and will keep in mind. Mr. Hurley complimented the Black History Month banners and website, and asked if there would be a map of Schneider Park to share what all is there, which Mayor Kessler answered.

11. Consent Agenda (No Speaker Slip Required)

1. Meeting Minutes from January 23, 2024
2. **Ordinance 01-24** to Amend Chapter 220.01, Rule 8 of the Codified Ordinances of the City of Bexley, introduced by Monique Lampke on January 9, 2024.
3. **Ordinance 02-24** authorizing a contract between the City of Bexley and the City of Columbus, Ohio for the provision by the City of Columbus of fire protection and emergency medical service for the five year period beginning January 1, 2024 and ending December 31, 2028, and to declare an emergency, introduced by Troy Markham on January 9, 2024.
4. **Ordinance 03-24** to appropriate \$22,738 from the Law Enforcement Trust Fund (Fund 18) introduced by Jessica Saad on January 9, 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, Lori Ann Feibel, Alex Silverman

Motion passed 7-0.

12. Third Readings (No Speaker Slip Required)

13. Second Readings (Speaker Slip Required)

1. **Ordinance 05-24** authorize the Mayor and City Auditor to accept funding and enter into an agreement with the Mid-Ohio Regional Planning Commission pertaining to the Livingston Avenue Reconstruction Capital Improvement Project and to enter into a Capital Improvement Project Intergovernmental and Contribution Agreement with the City of Columbus relative to the Project; to authorize the City Auditor to appropriate funds received from MORPC for the Project including providing funding to the City of Columbus in their administration of the Project; to establish auditor certificates as needed and requested for the Project; and to, as necessary, authorize the Auditor to receive any unspent balance of funding deposited by Bexley to the City of Columbus for the Project, introduced by Jessica Saad on January 23, 2024.

Mr. Fishel read the ordinance and Ms. Saad shared about the purpose and intent behind this ordinance and Mayor Kessler shared that the City of Columbus would have some professionals here to speak on this at the next meeting.

Mr. Hurley asked about the end goal with Livingston and what we can expect in the future. Mayor Kessler shared some of the images and long-term plans included in the Joint Livingston Avenue Plan and continued to discuss this with Mr. Hurley for some time. Mr. Markham asked what our requirements are for the federal grant that's been awarded for these improvements, but Mayor Kessler expressed that while he knows the grant is specifically for the implementation of the Joint Livingston Avenue Plan, the representatives from Columbus would probably be better suited to speak to the details of the grant at the next Council meeting. Mr. Silverman asked if any additional lights would be added to improve safety, which Mayor Kessler answered. Ms. Lampke asked another funding question, which Mayor Kessler answered.

14. First Readings (Speaker Slip Required)

1. **Resolution 01-24** supporting the purposeful unification of Commonwealth East and Commonwealth West Parks into a single cohesive park, including the closure of North Columbia Avenue between Commonwealth Park North and Commonwealth Park South, introduced by Lori Ann Feibel on February 13, 2024.

Mr. Fishel read the ordinance and Ms. Feibel spoke about the recent Commonwealth Park workshop where the unification of the park, through the closure of the east and west sides of the field, was proposed and shared that this resolution serves to support the creation and implementation of a plan to unify the park into one contiguous parkspace. Mr. Silverman asked about any information from the recent closure for the

gasline work, which Mayor Kessler answered. Mr. Hurley asked about future opportunities for Council to weigh in on this, which Mayor Kessler answered.

2. **Ordinance 06-24** establishing the Craig Kleiman Fund to Support Families with Special Needs, designed to receive donations intended for the provision of support and services for Bexley residents and families facing special needs challenges, and to authorize the appropriation of \$5,000 from the unencumbered General Fund to provide funds to match private donations, introduced by Jess Saad on February 13, 2024.

Mr. Fishel read the ordinance and Ms. Saad shared more information on this ordinance and invited Mayor Kessler to share some additional information on this, as it related to potentially including it as a Bexley Community Foundation fund so there may be an amendment.

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.
3. **Ordinance 41-23** to amending Ordinance No. 91-04 to extend the life of the Main Street Incentive District ("Main Street Redevelopment and Streetscape TIF") and the period of the tax exemption provided therein by an additional fifteen years introduced by Matt Klingler on November 28, 2023.
4. **Ordinance 43-23** authorizing to add Chapter 1485 to the City of Bexley Codified Ordinances establishing requirements for Automatic External Defibrillators (AED) and Bleeding Control Kit (BCK) in certain establishments within the City, introduced by Sam Marcellino on November 28, 2023.

Mr. Marcellino moved to remove Ordinance 43-23 from the table.

Ms. Lampke seconded.

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

Motion passed 7-0.

Mr. Marcellino invited Mr. Nathans to make comments. Mr. Nathans first shared his thoughts on the deep care he feels Council has for the community. Mr. Nathans then

spoke about the requirement for businesses to include AEDs and the proposed changes to address potential financial hardships for businesses, sharing that the new proposal is to include publicly available AED devices. Mr. Nathans also shared that a grant has been secured for some of the necessary funding.

Mr. Marcellino also shared that he worked with the Chamber of Commerce who doesn't have concerns. Mr. Hurley thanked Mr. Nathans and Mr. Marcellino for their work on this and asked about the bleed control units. He asked about having both in the same case and the potential to include them, which Mr. Nathans answered. Mr. Markham complimented Mr. Nathans on his work and spoke positively about program and thanked him for his help.

Mr. Marcellino moved to amend the ordinance as shown.

Mr. Silverman asked about some of the amendments, but was able to access the correct document to review them.

Mr. Markham seconded Mr. Marcellino's motion.

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

Motion passed 7-0.

Mr. Marcellino moved to approve Amended Ordinance 43-23.

Mr. Markham seconded

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

Motion passed 7-0.

15. Finance Committee – Jessica Saad, Chair

1. Motions for Approval of Invoices

Ms. Saad briefly discussed the motions that require motions.

Ms. Saad moved to approve payment of invoices to Karen Bokor and Mike Boryca.

Ms. Lampke seconded.

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

Motion passed 7-0.

Ms. Saad reminded everyone of the upcoming Bexley Booster's spring mulch sale and Pedal for Pancakes on June 15.

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

Ms. Feibel shared that the Recreation Board met and also shared some of the discussion of the Jeffrey Mansion Preservation and Enhancement Plan and next steps in this process.

17. Service and Environmental Committee – Alex Silverman, Chair

Mr. Silverman spoke about the recent rollout of commercial recycling and a recent conversation with DARN about summer food programming.

18. Zoning and Development Committee – Sam Marcellino, Chair

Mr. Marcellino shared about the upcoming Board of Zoning Appeals and Planning meeting.

19. Strategic and Health Committee – Danny Hurley, Chair

Mr. Hurley sent a doodle poll for dates for the upcoming Council retreat and asked for topic ideas. Mr. Hurley also shared that the CIC and Land Use Strategy meetings are coming up and also shared that he'd like to bring forward a resolution in support of transgender community at the next meeting.

20. Safety Committee – Troy Markham, Chair

Mr. Markham also spoke about Mr. Marcellino's banner on Main Street and complimented him on his work with the public hearing. Mr. Markham spoke about a recent Historical Society retreat and upcoming plans for Love Your Alley, and recent Land Use Strategy meetings.

21. Public Comments (No Speaker Slip Required)

Ben Heckman of Bexley Public Library spoke, complimenting the democracy demonstrated by the hearing process tonight.

22. Adjourn

Ms. Lampke moved to adjourn.

Mr. Marcellino seconded.

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

Motion passed 7-0.

Meeting was adjourned at 9:52 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.