



## **City of Bexley Records Commission**

October 15, 2025

8:30 a.m.

City Hall

2242 E. Main Street

Bexley, Ohio 43209

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### **Action Items**

- @[Mayor Kessler, Ms. Nguyen, Mr. McPeek] - Meet with Finance Director Karrie Martin to work through the Finance Department retention schedule and prepare it for presentation at the next commission meeting.
- @[Mayor Kessler, Mr. Fishel] - Review the existing city-wide social media policy to assess its scope and determine necessary updates for broader application across all departments.
- @[Ms. Nguyen] - Conduct due diligence to determine the city's actual cost for flash drives.
- @[Mr. Fishel] - Obtain and share information on the ORC 149.43 changes relevant to the police department with the group.
- @[Ms. Mosca] - Send the link for the Records Management workshop request form to the group.
- @[Mayor Kessler, Ms. Nguyen] - Send a calendar invite for the next meeting and post it on the city events page.

### **Key Decisions**

- The commission will not pursue a third-party archiving service at this time – Mayor Kessler expressed skepticism about paying for external archiving platforms (e.g., a \$6,000/year service), citing the risk of the service provider going out of business and the cost being "overkill" for a highly unlikely event.
- The motion to charge 10 cents per copy for all public records requests exceeding 20 pages was passed unanimously.
- The next meeting is scheduled for Thursday, November 13th, at 8:30 AM.

### **Detailed Minutes**

[00:06-01:36] **The Public Records Commission meeting for 2025 is called to order by Chair Chief Gary Lewis, Jr. at 8:36 a.m. and roll is taken.**

- Roll call confirmed the presence of the following members:
  - Chair – Chief Gary Lewis
  - Resident Member - Kate Mosca
  - City Attorney Marc Fishel
  - Auditor Matt McPeek
  - Mayor Ben Kessler

- Staff/Records Officers from other departments were also acknowledged as present: Commission Secretary and Records Manager Yvette Nguyen, Natalie Mullin (Rec & Parks), and Jordan Cavallaro (Service).

**[01:36-02:16] The meeting notes from the previous meeting are reviewed and approved.**

- Ms. Mosca moved to approve and was seconded by Mr. Fishel
- The commission accepted and approved the notes.

**[02:16-03:51] The Commission discussed the status of the Finance Department's records retention schedule, which is pending mayoral review.**

- The retention schedule, which involved discussions with the Auditor and Finance Department, is now with the Mayor for a final review before being presented to the commission.
- Mr. McPeek acknowledged he may have been a "speed bump" in the process but is supportive of moving forward.
- The discussion originated from the auditor's questions regarding best practices, particularly in light of ongoing audits.
- Action Item: @[Mayor Kessler, Ms. Nguyen, Mr. McPeek] - Meet with Karrie to work through the Finance Department retention schedule and prepare it for presentation at the next commission meeting.

**[03:54-10:43] The commission deliberated on creating a formal social media archiving policy, favoring an internal procedure over a third-party service.**

- The topic of social media archiving, previously discussed but not decided, was revisited. This includes platforms like YouTube and other streaming services for council meetings.
- Ms. Nguyen has reached out to the State of Ohio to inquire about their methods for capturing and storing public records.
- Mayor Kessler favors creating a strong, formal policy consistent with public records law, rather than relying on an informal one.
- Key Decision: The City will not pursue a third-party archiving service at this time – Mayor Kessler expressed skepticism about paying for external archiving platforms (e.g., a \$6,000/year service), citing the risk of the service provider going out of business and the cost being "overkill" for a highly unlikely event.
- A debate occurred regarding the city's responsibility for records on third-party platforms.
  - It was clarified that content created by the City on social media is a city record and the City has an obligation to maintain it.
  - Public comments on the City's social media posts are generally not considered city records, unless the content of the comment leads to an official investigation.
- A potential policy framework was proposed:
  - The City will not delete content it creates on social media.
  - In the rare event content must be deleted (e.g., inappropriate material), a record of it (such as a screenshot) must be archived.
- The commission identified a need to review the broader city-wide social media policy, which currently exists in the employee handbook but may not be well-propagated or comprehensive enough.

- The policy should be expanded beyond employee conduct to provide an overall structure for all departments with social media presences (e.g., Parks and Rec) and clarify that the City, not the individual employee, owns the accounts.
- Action Item: @[Mayor Kessler, Marc Fishel] - Review the existing city-wide social media policy to assess its scope and determine necessary updates for broader application across all departments.

**[10:43-14:12] The commission received an update on records destruction plans and physical upgrades to the central records storage room.**

- Yvette is scheduling a records destruction for November to clean out the records storage room.
- The commission was updated on the status of the records room itself.
  - The city is working with Service Director Andy Bashore to install waterproof ceiling tiles later this year.
  - Mayor Kessler will consider adding this project to the capital budget. Ms. Nguyen confirmed there are some funds in the existing line item that could potentially be used if needed.
  - The topic of "Records Maintenance" was suggested to encompass shelving, storage, locks, and access.
- The security of the door locks for the room remains an unresolved issue that requires further discussion. Mayor Kessler suggested fob access to the room and noted that fob access is electronically tracked.
- The process for central storage was clarified: individual departments send records they no longer need for on-site access to this central room, where they are organized by department with a scheduled destruction date.

**[14:14-15:38] Progress on the city's records digitization project and related organizational improvements were reported.**

- Yvette outlined the destruction protocol: she contacts each department's records officer to get their approval before any records are sent for shredding.
- Physical improvements have been made to the records room, including swapping out old cabinets and installing new shelving.
- Building & Zoning Director Matt Klingler is leading the records and imaging (digitization) project.
- The new shelving was installed in part to create space for Director Klingler to store paper records that have been digitized or are awaiting digitization.

**[15:38-15:56] A proposal was made to amend the fee schedule ordinance to include USB flash drives.**

- Yvette proposed updating the ordinance to reflect current technology.
- The change would be to add a fee for providing records on USB flash drives, as the city is using them instead of CDs.

**[16:02-19:05] The commission discussed invoicing for labor costs on voluminous public records requests, particularly for video, citing statutory limits and the need for council legislation.**

- The discussion was prompted by the significant man-hours required to fulfill large requests, particularly for body-worn camera and in-car video footage.
- The city has started tracking hours spent on these requests, with the police department accumulating 76 hours as of January 13th.
- The governing statute permits charging up to \$75 per hour, with a total cap of \$750 for the first time a video is requested. Subsequent requests for the same video cannot be charged.

- A significant number of requests originate from commercial entities, such as YouTubers and TikTok creators, who monetize the videos.
- The group noted that Columbus Police began charging \$37 per hour for video production.
- A proposed method for setting the rate is to base it on the hourly wage of the employee processing the video to ensure it is easily justifiable.
- Implementing a fee for video production will require new council legislation.

**[19:06-20:27] The commission discussed establishing fees for providing public records on flash drives and as paper copies, including setting a minimum page count before charging.**

- For flash drives, the group agreed to charge the "actual cost" of purchasing them, with \$3 mentioned as an acceptable figure.
  - Action Item: @[Ms. Nguyen] - Conduct due diligence to determine the city's actual cost for flash drives.
- The current charge for paper copies is five cents per page, and a new rate of ten cents per page was proposed.
- The group discussed exempting small requests from charges and proposed a new threshold.
  - The previous practice for the State was not to charge for requests under 30 pages.
  - A new threshold was proposed where requests of 20 pages or fewer would have no charge.

**[20:32-24:37] The group debated the process for formalizing a new fee schedule, discovering an existing ordinance that grants the Records Commission authority and deciding to pass an interim motion immediately.**

- It was initially suggested that all fees for copying (body-worn camera video, prints, etc.) should be consolidated into a single ordinance.
- During the discussion, a member discovered an existing ordinance, passed in November, which states: "Those seeking public records will be charged only the actual cost of making copies as determined by the City of Bexley Records Commission."
- This finding clarified that the Records Commission has the authority to set the fee schedule by motion, without requiring new council legislation for each price adjustment.
- One member initially proposed developing a comprehensive fee schedule to be presented at the next meeting.
- Another member argued against waiting, highlighting that the current "vacuum" means no fee can be charged for large requests (e.g., 2,000 printed pages), and urged the commission to establish an interim schedule by motion immediately.
- The proposed schedule included:
  - 10 cents per page for requests over 20 pages.
  - \$3 for USB flash drives.
  - An hourly rate for body-worn camera video processing.

**[24:39-25:55] A motion was formally made, seconded, and passed to establish an interim fee for paper copies of public records.**

- A motion was made to charge 10 cents per copy for all public records requests that exceed 20 pages.
- It was clarified that fees for video production and USB drives would be addressed at the next meeting.
- The motion was seconded and put to a vote.

- Key Decision: A motion was made by Mr. Fishel to charge 10 cents per copy for all public records requests exceeding 20 pages. Motion was passed unanimously.

**[25:55-29:10] A proposal was made to conduct dedicated public records training sessions due to recent legislative changes, leading to a discussion on potential trainers, costs, and optimal format.**

- Ms. Nguyen proposed two separate training sessions to address significant changes in ORC 149.43:
  - One session specifically for the police department.
  - A second session for all other city records officers.
- The high cost of external trainers was identified as a key consideration, with examples cited:
  - Mark Weaver: Almost \$10,000.
  - His associates: Approximately \$4,500 plus travel.
- The group agreed that a three-hour training session would be the most effective format to maintain engagement, whereas a full-day session would be too long.
- It was suggested that the training could be tailored to the City of Bexley by providing the trainer with a list of specific questions in advance.

**[29:10-31:21] The group refined the training plan, considering a shorter, integrated session for police supervisors and exploring alternative, low-cost training providers.**

- A two-hour training session was deemed more realistic for police department staffing levels than a half-day session.
- An alternative was proposed to incorporate a two-hour public records training block into the existing leadership retreat for all police supervisors to ensure consistent understanding across leadership.
- It was noted that the changes to ORC 149.43 were effective September 30th, and all records officers were encouraged to review them.
- Action Item: @[Mr. Fishel] - Obtain and share information on the ORC 149.43 changes relevant to the police department with the group.
- Alternative, potentially lower-cost training sources were identified:
  - The Ohio Attorney General's office offers records management workshops upon request.
  - Action Item: @[Ms. Mosca] - Send the link for the records management workshop request form to the group.
- A suggestion was made to "piggyback" Sunshine Law training for elected officials onto the public records training, which was received favorably.

**[31:31-32:00] The group briefly discussed implementing an electronic access control system for records storage areas.**

- As a budgetary item, the group discussed implementing a key fob or similar electronic access system.
- The purpose of the system would be to create an electronic log of who enters records areas and when.
- The group will need to work with the Service Department and IT to determine the cost of such a system.

**[32:49-34:39] The commission scheduled its next meeting to fulfill its legal requirement to meet before the end of the year.**

- The group confirmed they are legally required to hold a second meeting before December 31st.

- After reviewing calendars, a date and time were agreed upon.
- Key Decision: The next meeting is scheduled for Thursday, November 13th, at 8:30 AM.
- Action Item: @[Mayor Kessler, Ms. Nguyen] - Send a calendar invite for the next meeting and post it on the city events page.

**[34:39-35:26] The chair commended a member for their excellent work in records management before officially adjourning the meeting.**

- The chair formally recognized Ms. Nguyen for her accomplishments in her records management role.
- The chair praised her work in standardizing retention schedules, processing, instructions, and contracting.
- The meeting was officially adjourned.