

Meeting Minutes – BCCRC

Meeting Information

Occasion:	Bexley City Charter Review Commission – Meeting 5		
Date:	01/06/2020	Location:	Trinity Seminary 217
Time:	7:00 PM – 9:00 PM	Meeting Type:	Charter Review
Called By:	John Offenberg	Facilitator:	John Offenberg
Timekeeper:	Stephanie Wilson	Note Taker:	Stacy Grossman
Submitted by:	Stacy Grossman	Approved by:	None
Attendees:	<p>Members Present: Ira Kane, Eloise Buker, John Offenberg, Mic Foster, Stephanie Wilson, Rachel Laing, Bethany Hahn-Ambrosius, Rush Witt, Jim Wilson, Larry Long, Steve Grossman, Becky Guzman</p> <p>Members Not Present: Mark Masser, Sam Marcellino, Ed Meritt</p> <p>Others Present: Marc Fishel</p> <p>Guests: Monique Lampke, Member of Bexley City Council Troy Markham, Member of Bexley City Council Richard Sharp, Member of Bexley City Council</p> <p>Residents: Don Lewis, Bexley Resident Constance Lewis, Bexley Resident Tim Madison, Bexley Resident</p>		

Agenda Items		Presenter	Time Allotted
1	Call to Order	John Offenberg	Unspecified
2	Attendance – Quorum	All	Unspecified
3	Review of Minutes from December 2, 2019 December 16, 2019	John Offenberg	Unspecified
4	Report by Chairman, John Offenberg Report by Vice Chairman, Jim Wilson Report by Coordinating Secretary, Rush Witt	John Offenberg Jim Wilson Rush Witt	Unspecified
5	Invited Guests Monique Lampke, Bexley City Council Troy Markham, Bexley City Council Richard Sharp, Bexley City Council	Monique Lampke Troy Markham Richard Sharp	Unspecified
6	Old Business Discussion of Online Presence and Reaching		Unspecified

<p>Out to the Public Working Group for Procedure to Move Forward Ira Kane Chairman, Mic Foster, Sam Marcellino Process of Review of City Charter Summary Guide to Charter Changes Model City Charter Guide for Charter Commissions</p>	<p>Ira Kane Mic Foster Sam Marcellino</p>
<p>7 New Business Comments from Commission Members Discussion of future direction of our Commission Suggestions for Next Meeting's Agenda</p>	
<p>8 Time for Residents to Speak *</p>	
<p>9 Adjournment</p>	

Decisions and Details

- 1 Quorum was present. Chairman Offenbergl called the meeting to order at 7:00 PM. Chairman Offenbergl announced that Sam Marcellino was out of the country and would not be present at this meeting, Ed Meritt was attending a City Council Meeting and would not be at this meeting, and that Mark Masser was in a hospital in Florida and would not be at this meeting.

Chairman Offenbergl also announced that he spoke with the Mayor earlier, as well as Stacy Grossman, and that she is resigning from taking Minutes for the Charter Review Commission.

- 2 Approval of 12/2/19 Minutes and 12/16/19 Minutes
Three changes were made and the Minutes are complete and ready to vote to approve for the 12/2/19 Minutes.
12/16/19 Minutes one change was made on line 9, page 5 of 7, that the word "not" be removed. No questions or comments on both sets of Minutes.
Jim Wilson moved to approve 12/2/19 Minutes, Larry Long seconded, motion carried

unanimously.

3 Report by Chairman, John Offenber

Chairman Offenber obtained audio copies of the 12/2/19 and 12/16/19 meeting from Debbie Maynard.

A new contract was signed with Capital to continue to access this room until the end of May 2020, and then a new contract will be signed. The meetings will either continue in Room 217 or in a different room in Trinity Lutheran.

Chairman Offenber discussed the content of the 01/20/2020 meeting, and stated when the Commission is ready to discuss Justice, Jason Dolin is willing to come and talk with the members.

Chairman Offenber discussed devising a tentative sheet of which articles to discuss in upcoming meetings

Chairman Offenber met with the Mayor and said in Section 79 it states "Council will appoint a Committee", and wanted to discuss with the members whether to continue to be called Bexley Charter Review Commission or Bexley Charter Review Committee

Chairman Offenber also mentioned having the City Auditor return during the discussion of the next Section of review.

4 Report by Vice Chairman, Jim Wilson

Nothing New

5 Report by Coordinating Secretary, Rush Witt

Nothing to report

6 Members discussed no responses from the public online and to make sure this Commission gets exposure.

Jim Wilson suggested having a proposed list of invitees and can add to the list at any time.

Eloise Buker suggested including sub-invitees to the list.

Chairman Offenber mentioned contacting the Parks and Recreation Department to see if Mike Price could be a guest at a future meeting, as well as inviting department heads and Directors from City Hall.

Discussion took place on who to invite as guests for future meetings. Chairman Offenber suggested the guests to invite could follow the Articles in the Charter. Rush Witt mentioned inviting the Code Officer from Bexly City Hall as well.

Discussion continued and included inviting Leslie Albeit and Kevin Shannon when the Judicial Section is discussed, in the hopes of gleaning more insight into processes and procedures in Mayor's Court. The members also discussed bringing in someone from the legal profession outside Bexley's system to see how things are done in other cities. Also for review is what the Bexley Board of Health does, if it is worth keeping the CIC, and having a representative from the City's Historic Preservation Working Group come in to discuss their work.

Chairman Offenber mentioned the Commission's online presence, having some problems with the audio tapes from these meetings, and continuing to work with the city on this Commission's presence on the City's website. After meeting with the Mayor, Chairman Offenber said residents can sign up online to reserve time to speak at this Commission's meetings, and ensuring the Agenda's and Minutes are posted and accessible for the public to locate and view online. The meetings are added to the City's calendar on the website and are included in the Bexley Blast. Eloise Buker mentioned that the City's website is difficult to navigate and suggested providing a paragraph narrative to distribute to the public to help them find the Minutes, Agendas, etc. Mic

Foster suggested to include a link to the webpage. Rush Witt suggested promoting on multiple social media outlets, such as Twitter, Facebook and Instagram, as well as placing information in the Bexley Library and local schools.

7 Presentation by Monique Lampke, Bexley City Council

Councilmember Lampke started off by stating that she sees her role in Council as that of a legislator. Council is there to enact laws for Bexley and its residents, as well as vote on the budget. She presented a few items for the Commission to consider during its review process. The first item she suggested considering is to have something in the Charter that states no one should be politicking, and politics shouldn't be pitched on Council's floor. She does not see this as the best use of the City's resources and time. She said that Council is non-partisan and is there to get city business done.

The second item she brought up for consideration is to change how often City Council meets, especially in December. In the summer, Council has one meeting, and budget talks begin in September. She would like to see some flexibility in the Charter's language so Council could schedule meetings if needed.

The third item to consider is for this group to provide input on how Charter Review groups will be selected. There were four to five different proposals on how to appoint members, and Council agreed to one of the proposals where they voted on ten people and the Mayor appointed five, whom Council then voted on.

The fourth item she brought up is for this Commission to consider the use of social media by Committee, Board and Commission members, and to be mindful about what they post and how they comment on posts. She said that when interacting with the public, even if it is unintentional, what members from these groups say could be taken as gospel and not as individual opinions.

The fifth item she would like the Commission to review is the section talking about excused/unexcused absences from Council meetings. She said that it has not been an issue, but would love to see some mention of including instances where a Council member may be called into the military or has to be out for medical leave.

The sixth item Councilmember Lampke brought up is to have the Commission review and consider swearing in new Council members in the latter part of December instead of January.

The seventh item she mentioned is in reference to the Minutes. Council follows Robert's Rules, and Councilmember Lampke asked if language could be considered to be more specific with flexibility.

The eighth item for consideration Councilmember Lampke brought up is seeing if the voting age in Bexley could be lowered. She is not sure if this is something that can be done, but would like to decrease the voting age to engage the city's youth.

Councilmember Lampke also stated that she is not a fan of term limits, likes the Mayor/Council form of government, leave motion to table or remove as is to help Council meetings stay efficient, maintain an 'agree-to-disagree' culture because having people from different backgrounds makes Bexley better having different points of view. She would like Council to come up with reasonable time limits for public speaking and Council members. When many residents come to speak at a Council meeting and the room is packed, without time limits the meeting could last until midnight. There were times when members of the public left the meeting before getting a chance to speak on an agenda item because the meeting was so long.

She would also like the Code of Conduct and Ethics to be left as is. It

supplements the Charter as-is, but doesn't replace the Charter. It holds those to a higher standard of expected conduct. It would allow misconduct to go to the President of Council or City Attorney. Other municipalities were used for guidance when drafting this. It provides a mechanism to be respectful to the public and to one another.

Rachel Laing asked the Councilmember about term limits. She said that in reference to Mayoral term limits, for a city Bexley's size, having a Mayor workout quite well. The city is not a business and the Mayor does so many things for the community. The Mayor does not have a vote at Council, but weighs in time-to-time at meetings and is a helpful person to ask questions to. Term limits for Council members, historically some members served for decades and the Mayor served for decades, which had benefits of built-in wisdom. There was a balance for new folks for those serving one or two terms.

Ira Kane asked what she saw as the most significant issues facing the city over the next ten years. Councilmember Lampke said infrastructure, and mentioned the costs to keep up repairs. The street levy passed and lightened the burden, but new families are moving in to the city and there is a need to keep the mixture, keep traditions, and keep services for more citizens. With more families moving in, school enrollment goes up too. Ira Kane asked about the impact of these revisions to the Charter. Councilmember Lampke said that more citizens and multigenerational need to be engaged through community events and school, which means more would be related to city services.

Stephanie Wilson asked if Council wanted to have the ability to come up with their own time limits or do they want the Charter to say it. Councilmember Lampke said to stay with Council.

Presentation by Troy Markham, Bexley City Council

Councilmember Markham began discussing some items he would like the Commission to review. One is term limits. He said that having term limits is unnecessary and would be distracting and cut down voter's choices. He said having more candidates is healthy and having more candidates with experience is an asset to Council. He does not have a problem with lifelong members.

The second item he discussed is compensation for Council. It needed to be updated in the Charter, and there should be a better mechanism in place so it would be automatic.

The third item Councilmember Markham discussed was term of Council to clarify who would be in which positions the first week of January, and to enunciate in the Charter to meet the 1st of January.

The fourth item he discussed was the procedure for calling a special meeting. Currently it states that notices must be hand-delivered. He asked that the Commission consider removing that, and said that an email sent would be sufficient.

The fifth item he brought up is Removal of Elected Official from Office, and said that it had never been used but should be flushed out a bit. It would help to include details such as legal representation and time constraints.

The sixth item he discussed is requiring residency in the city whether the person is elected or not.

Ira Kane asked his thoughts on considering having a civilian on a Board to oversee actions taken by the Chief or respective member to monitor conduct. Councilmember Markham said he would encourage this group to have that discussion.

Chairman Offenbergl asked him to elaborate on the issue with residency. Councilmember Markham said it was a practical concern and local Boards, Commissions, Committees need to know what the requirements are.

Larry Long said he didn't understand what Councilmember Markham meant when he brought up Council's compensation. Councilmember Markham said that it is listed in the Charter what the compensation is, but having mechanisms in place in the Charter would be

helpful.

Presentation by Richard Sharp, Bexley City Council

Councilmember Sharp began by reiterating that Council members, Board members, Commission members, and Committee members all work for the betterment of the city. The first item he discussed was the issue of swearing in new Council members. He suggested a compromise of what the Charter allows for, where Council business is required, new members may be sworn in individually or as needed, or, do away with the organizational meeting and have the first meeting in January consist of both organizational and swearing in of new members.

The second item he discussed is more a pet-peeve of his. In the Charter, there is wording that Council can't pick a pro-temp President as needed unless the President is not present at a meeting. Eloise Buker asked home to clarify. Councilmember Sharp said that currently the President pro-temp is elected at a meeting when the President is not there.

The third issue he discussed is having non-residents serving on Boards and Commissions. He thinks it is a touchy subject, but has a major impact on residents in the city who might feel that they are not being represented. He suggested a compromise, where Boards and Commissions have one member and an alternate non-resident, where Council approves their membership and the Mayor can pick someone else. One current Commission, the Tree and Public Garden Commission, has one non-resident member.

The fourth issue he wanted to discuss was the concept of Main Street drive-thru's. He doesn't feel that this needs to be modified, and that by not allowing drive-thru's on Main Street it encourages density in commercial areas.

The fifth item Councilmember Sharp discussed was giving merit to Council members excused absences. Council can have a formal vote to excuse absences. If a Council member is out for four successive absences, exceptions could be made for members who are in active duty. He suggested to look at Ohio Revised Code, Ohio Law, and federal statutes for guidance. Councilmember Sharp also said that there should be a discussion after a certain number of meetings whether or not the Council member has a health condition or has excessive travel for work on a regular basis.

Councilmember Sharp also wanted to take a moment to answer Ira Kane's question to Councilmember Lampke regarding what they see as the biggest issue ten years from now. He said that ten years ago in a Council retreat, they discussed the increase in young families moving into Bexley, and wanted to ensure they are encouraged to move here; to encourage growth. That would entail doing new things and having good schools helps. Ten years from now, there is always a new trend and who knows how long that trend will be. Being a more walkable community may be on trend, but the city will need to be on the cutting edge of that trend to keep the population.

The estate tax fluctuated so Council set up a Rainy Day Fund. The fund can be increased, and is an ordinance now, but Councilmember Sharp would like to see something permanently stated in the Charter that the fund can't be depleted but never replenished.

Chairman Offenbergh mentioned a former Council member, Matt Lampke, was on Council and called in for active duty. He asked if there was a temporary replacement for him, or have in the Charter to have a temporary replacement in a situation like that. Councilmember Sharp said they did not have one but contemplated what action to do. He thinks it is worthwhile to review. Eloise Buker asked if Council was burdened to pass duties. Councilmember Sharp said it affected suspension and adoptions as members as a whole. There are seven total members of Council, and when one is out it makes it difficult to accomplish. If certain things don't pass, they can lost grants and it affects the budget.

Larry Long asked if there is a provision set for the Rainy Day Fund, and if it has a floor or ceiling, and what triggers where to use it. Councilmember Sharp said there is a floor

and there are triggers, and provisions if it is borrowed against. Ira Kane asked if he thought the City Attorney should be elected. Councilmember Sharp said that the city has been fortunate in the past to have people appointed that do a good job, and he isn't sure whether it's worth fixing at this time.

Eloise Buker asked if he had anything else to add. Councilmember Sharp asked if there were any questions that had been raised that the Commission members would like his opinion on.

Chairman Offenbergsaid if there were any questions, he would send Councilmember Sharp an email and would add him back to the agenda.

- 8 Chariman Offenbergsaid thanked the guests for coming. He then thanked Ira Kane for the documents he provided for review from the Working Group he Chaired.

Ira Kane gave the Commission an update and reviewed the ideas from the document he submitted. He thanked Mic Foster and Sam Marcellino for their help, and bringing order to process review the Charter. They would like to make a recommendation to Council to review a draft, in line with a template used by the City of Columbus, which is organized by section. They would ask for recommendations and comments, and if the draft is accepted or not, and whether any of the Council members had any questions.

Jim Wilson said that the second page contains big items but doesn't include small items, which might be helpful to provide for clarity. Ira Kane said Phase I is looking for clarity, reliability and consists of cleaning things up. Eloise Buker asked if there would be public input. Ira Kane said there would be throughout. Eloise Buker said if there is time, they are public meetings and the public should be encouraged to come and present. Ira Kane said that is a separate process, how to engage the public more, and suggested having focus groups throughout the city as an important aspect. Chairman Offenbergsaid there should be a separate working committee for public outreach. He asked if anyone wanted to volunteer to be on that. Eloise Buker, Jim Wilson and Larry Long are members of that newly created group.

Chairman Offenbergsaid and the Committee members discussed how to engage younger groups to become more aware and interested in learning about what this Commission is doing, and how it is relevant to them. Councilmember Sharp suggested having a master plan program and inviting the public for a public presentation with a list of things this Commission is considering to review. This would give the public the option to participate and chime in on what issues they would like to hear. Jim Wilson said that is what the goal is. He also said it has been slow getting the website going, and he hopes the site is functional so the Commission can provide the opportunity to let the public know what is going on. The members discussed potential options of connecting with the public, and stressing the importance of being able to reach residents because they care what is going on in their schools, library and city.

- 9 Comments from the Public:

Don Lewis, member of the public and resident at 663 Euclaire, was given three minutes to speak at the meeting. Mr. Lewis said that this is great stuff, and that reaching the people is the most difficult thing to do. They can't change human nature. He suggested that the Commission break down and get to the meat of it all, have concerns for the issues. He suggested the Commission finish a draft first before approaching the public, and thought the Commission have their ducks in a row.

Connie Lewis, member of the public and resident at 663 Eucalire, was given three minutes to speak at the meeting. Mrs. Lewis doesn't have a lot to say, other than the work this Commission is doing is very important, and that she applauds everyone and appreciates the work they are doing to help

their government function for all residents.

- 10** The working group continued their discussion. Ira Kane suggested the process of being ready to adopt, amend and discuss. Jim Wilson moved to include the proviso to discover along the way and tinker with the process as they go. Steve Grossman seconded, motion carried unanimously.
- 11** **New Business:**
 Eloise Buker said Public Administration is the study of cities and government. There is research available but at this point, too much research to be useful. She suggested narrowing the topics to the most important and going after key issues for overview. She also advised that no matter how many cities this group studies, they may not be the best example for our city. Chairman Offenbergs offered his thoughts that if it ain't broke, don't fix it. He also said that near the end of the review, have a final draft to give to Council to react to. After reviewing Council's reactions, publishing it where every resident can access it. Ira Kane said to act as a Committee as a Whole. Chairman Offenbergs then said they would share the final draft with Council. After votes and deliberations, have a tentative draft. Steve Grossman asked what should come first: showing the draft to Council and then to the public. Chairman Offenbergs said the group can discuss that, but give it to Council first out of respect. Jim Wilson talked about suggestions for the next meeting. Chairman Offenbergs said these can also be discussed at the next meeting.
- 12** Meeting Adjourned by Chairman Offenbergs at 8:57 PM

New Action Items

Responsible

Due Date

Other Notes & Information

Next meeting: January 20, 2020
 7:00 PM to 9:00 PM
 Trinity Lutheran Seminary
 Room 217

*We are committed to the involvement of our community and allowing time for residents to speak. We

want to limit our meetings from 7:00 PM to 9:00 PM. If there is not enough time for a guest or all guests to speak, they may be **scheduled** to speak at an upcoming meeting.