



City Council Meeting Minutes

Tuesday, November 16, 2021

6:00 PM

1) Call to Order

President Feibel called the meeting to order at 6:01 pm.

Ms. Feibel shared some thoughts on Thanksgiving and expressed her gratitude for the City departments and residents.

2) Roll Call of Members

Council Members in Attendance: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Lori Ann Feibel, Jessica Saad, Jennifer Robinson

Council Members Absent: None

3) Pledge of Allegiance

4) Presentations/Special Guests

A) **Bexley Citizens' Police Academy Graduation Presentation**

Sergeant Overly shared briefly about the Citizen's Police Academy and presented each graduate with a certificate.

Mayor Kessler also read a Proclamation for Jo Daugherty to acknowledge her service as a volunteer. Jo spoke briefly of her affection for Bexley and her gratitude for this program.

Sergeant Overly presented the Bexley Citizen's Police Academy with a special national award.

Mr. Lee Nathans, President of the Bexley Citizens' Police Academy, spoke about community policing.

5) Public Comments

Don Lewis of 667 Euclaire spoke about questions regarding the Board of Control discretionary limits and the large line item associated with the Infrastructure Fund.

Connie Lewis of 667 Euclaire asked brief questions, but postponed her comment to learn more.

Larry Katz of 299 South Roosevelt spoke and expressed questions about the \$1.1 million dollar budget item associated with the Infrastructure Fund.

6) President's Report

President Feibel reported that our next City Council meeting is not until December 7th, and then the following meeting will be on December 14.

President Feibel also discussed the timing of the appeal hearing on 2300 Livingston. President Feibel confirmed by a show of hands that we will have this hearing on December 15th at 6:00 pm.

7) City Attorney Report

Nothing to report at this time.

8) Administrative Update:

A) Service Department- Service Director, Andy Bashore

Mr. Bashore provided a brief update on leaf removal. Mr. Sharp asked about a left turn signal which Andy will follow up on.

B) Police Department Update- Chief Rinehart

Chief Rinehart is ill this evening, but Ms. Saad highlighted a section in his report regarding a fishing scheme involving gift card payments for IRS and/or police fines, and reiterated to all residents that neither the IRS nor the Bexley Police Department would ever request payment in this fashion.

C) Recreation and Parks Update- Mike Price

Mr. Price has nothing to add to his written report. There were no questions at this time.

D) Finance Department Update- Bill Harvey

Mr. Harvey has nothing to report at this time. There are no questions at this time.

E) Mayor's Update

Mr. Kessler provided a highlight of his written report, leading Council through an overview of the concepts for improved pedestrian safety and better speed control on Drexel Avenue. Mr. Kessler also highlighted the recent visits with Bexley students.

9) Consent Agenda:

A) November 9, 2021 City Council Meeting Minutes

Mr. Sharp asked some clarifying questions which Ms. Feibel answered.

Mr. Markham moved.

Mr. Klingler seconded.

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Lori Ann Feibel, Jessica Saad, and Jennifer Robinson

Opposed: None

Motion passed 7-0.

10) Ordinances/Resolutions with visiting presenters

- A) Ordinance 46-21 authorizing appropriations for calendar year beginning January 1, 2022, to confirm the appointment of Marc Fishel as City Attorney, to create an Infrastructure Development Fund: and to authorize transfers to the Capital Improvements, Infrastructure Fund and Budget Stability fund of \$500,000 \$1,100,000 and \$100,000 respectively (Introduced by Troy Markham on October 26, 2021) This is the Third Reading of this ordinance.

Mr. Kessler provided some high level information and corrected some attachment errors in the packet. He then invited Mr. Price to present his budget.

Mr. Price provided an overview discussing an expansion of senior programming and a slow return to pre-pandemic participation numbers for programming and daycare and camp offerings along with other items like some remaining Jeffrey Mansion expansion numbers. Mr. Price also talked about an upcoming retirement which will serve as a catalyst for some organizational restructuring.

Mr. Sharp asked a question about pending legislation regarding childcare workers' pay, which Mr. Price answered.

Mr. Price then proceeded into the detail line items of his budget, answering multiple questions from Council Members.

At 7:41 President Feibel called for a five minute break. The meeting resumed at 7:46 pm.

Mr. Kessler provided an overview of the Capital Budget, starting with Recreation items and then moved on to the Infrastructure Development Fund. Mr. Kessler clarified that the creation of this fund is not the same as appropriating funds. The creation of this fund will hold but not approve funds, but rather to serve as a saving account to address larger projects. City Council members asked several questions regarding this fund and related projects, which Mr. Kessler answered. Mr. Harvey also shared thoughts and recommendations on aspects Council members should consider when deliberating on this fund.

Constance Lewis of 663 Euclaire asked a question about the Infrastructure Fund, which Mr. Kessler answered. Ms. Lewis further spoke about concerns regarding the broadness of the fund and Ferndale Mayfield funds being diluted.

Don Lewis of 663 Euclaire had questions regarding the Infrastructure Fund, which Mr. Kessler answered. Mr. Lewis further asked about the amount, which Mr. Kessler answered.

Mr. Markham moved to Table Ordinance 46-21.

Mr. Klingler seconded.

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel

Opposed: None

Motion passed 7-0.

11) Third Readings:

- A) Ordinance 47-21 to amend section 408.01 (d) of the codified ordinances, in order to allow for income-based fines for minor misdemeanors, introduced by Jen Robinson on October 26, 2021.

Mr. Fishel read the ordinance.

Ms. Robinson moved to table Ordinance #47-21.

Ms. Saad seconded

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel

Opposed: None

Motion passed 7-0.

- B) Ordinance 48-21 to amend Chapter 434.03(j), to amend the penalty associated with violation of 434.03, Maximum Speed Limits; Assured Clear Distance Ahead, introduced by Jen Robinson on October 26, 2021

Mr. Fishel read this ordinance and Ms. Robinson provided some background information. Mr. Harvey reminded to remove Minor before Misdemeanor

Ms. Robinson moved to approve Ordinance 48-21.

Ms. Markham seconded.

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel

Opposed: None

Motion passed 7-0.

- C) Ordinance 49-21 to create Chapter 270, Board of Control, to specify contracting procedures in accordance with Section 59 of the City Charter, and to establish Encouraging Diversity, Growth and Equity (EDGE) procurement policies, introduced by Mr. Markham on October 26, 2021.

Mr. Fishel read this ordinance and Mr. Markham provided some additional information and updates. Mr. Markham asked about the number of contracts this would apply to, which Mr. Kessler answered. Mr. Kessler also clarified that this ordinance would create additional control by ensuring all contracts between \$50,000 and \$250,000 that are currently approved administratively, would now be seen by the Board of Control. Ms. Feibel asked a clarifying question which Mr. Kessler answered.

Ms. Lampke asked a question about numbering, and a typographical correction was made. After

this comment, Council members discussed the ordinance in greater detail.

Mr. Don Lewis of 667 Euclaire asked about Board of Control meetings and whether or not they are public, which Mr. Kessler answered. He further spoke about the contract review process.

Mr. Markham moved to table Ordinance 49-21.

Mr. Klingler seconded.

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel

Opposed: None

Motion passed 7-0.

12) Second Readings:

A) Resolution 14-21 to schedule the Bexley City Council meeting dates and times for the year 2022 (Introduced by Lori Ann Feibel on November 9, 2021)

Mr. Fishel read the ordinance and Ms. Feibel asked Council if they had any meeting issues. Ms. Saad asked a clarifying question, which Ms. Feibel answered. This Resolution will be moved to the Consent agenda at the December 7, 2021 meeting.

B) Ordinance 50-21 to establish the Water and Sewer rates charged by the City of Bexley (Introduced by Mr. Markham on November 9, 2021)

Mr. Fishel read the ordinance and Mr. Markham reviewed the proposed amendments for this ordinance. Mr. Harvey provided a comment about making the rates divisible by 12. Ms. Saad asked what age defines a senior for the purposes of this ordinance, which Mr. Kessler answered.

C) Resolution 15-21 to authorize the Mayor to seek financial assistance from the State of Ohio and the Ohio Department of Natural Resources for funding of a pedestrian and bicyclist bridge at Schneider Park near Astor Avenue, introduced by Mr. Klingler on November 9, 2021.

Mr. Fishel read this ordinance and Mr. Klingler asked if there were any questions. Mr. Sharp asked a question which Mr. Kessler answered. This Resolution will be moved to the Consent Agenda for the December 7, 2021 meeting.

13) First Readings:

A) Ordinance 51-21 to Approve the Collective Bargaining Agreement between AFSCME, Ohio Council 8, Local 3318 and the City of Bexley introduced by Troy Markham on November 16, 2021

Mr. Fishel read the this ordinance and at Mr. Markham's request elaborated on the overview of the contract. Mr. Fishel requested that the agreement be included in the attachment for the December 7, 2021 meeting.

B) Ordinance 52-2021 to Ban the Discharge, Ignition, or Explosion of Fireworks with the City

of Bexley introduced by Jen Robinson on November 16, 2021.

Mr. Fishel read this ordinance and Ms. Robinson provided some background that this ordinance is in response to a recently passed Ohio State bill and provided some clarification that this just maintains the restrictions we've had in the past. Mr. Sharp asked a question about referring to the existing code for this.

- C) Ordinance 53-21 to authorize supplemental appropriations for calendar year 2021 introduced by Troy Markham on November 16, 2021.

Mr. Fishel read this ordinance and Mr. Markham asked Mr. Kessler to provide additional information. Mr. Kessler provided some additional information on this ordinance.

- D) Ordinance 54-21 to immediately rescind the City's "State of Emergency" first declared on March 15th, 2020 and as last amended on September 10th, 2021, and all Executive Orders issued relating to the COVID-19 pandemic, except for previously approved Temporary Signage at Commercially Zoned Properties, Temporary Expansions of Restaurant Patios, and Temporary Facilities for COVID-19 Testing and Vaccination, which will be extended until June 30th 2023. Introduced by Richard Sharp on November 16, 2021.

Mr. Fishel read this ordinance and Mr. Sharp provided additional background and rationale for this ordinance.

- E) Ordinance 55-21 to renew the "City of Bexley Housing Voucher Acceptance Program Grant" previously established by Third Amended Ordinance 43-20, for the purpose of encouraging Bexley rental property owners to accept and participate in various state/local government and "not for profit organization" housing voucher programs, introduced by Richard Sharp on November 16, 2021.

Mr. Fishel read this ordinance and Mr. Sharp provided an overview and intent behind introducing this ordinance.

- F) Resolution 16-21 Confirming the Mayor's appointment of members to the Bexley Community Improvement Corporation, introduced by Jessica Saad on November 16, 2021.

Mr. Fishel read this Resolution and Ms. Saad invited Mr. Kessler to provide additional information and provided rationale behind adding Mr. Hale instead of Mr. Fishel as the City Officer on this.

- G) Ordinance 57-21 to establish rates for the Police Chief and Police Captain of the City of Bexley, effective as of January 1, 2022 and to approve the revised pay step schedule attached hereto as Exhibit A, introduced by Troy Markham on November 16, 2021.

Mr. Fishel read this Ordinance and Mr. Markham provided additional information. Mr. Kessler clarified that this ordinance will be amended to include part-time pay and information on where staff members are in the steps. Mr. Sharp asked to double check the first column in the exhibit.

- H) Ordinance 56-21 to authorize appropriations of \$55,000 from the General Fund into the Grants Account, for the purpose of funding the Kindness Park and Senior/Community Center projects, introduced by Troy Markham on November 16, 2021.

Mr. Fishel read this ordinance and Mr. Kessler provided some additional background information regarding the Friendship Park.

14) Tabled Ordinances:

- A) Ordinance 41-21 accepting the proposed donation of the Columbia Place private street in the Columbia Place subdivision by the City of Bexley for a public street. (Introduced by Jessica Saad September 28, 2021)

No action at this time.

- B) Ordinance 40-21 to specify overtime pay provisions for City employees who worked community events on July 4, 2021 and September 5, 2021 (Introduced by Troy Markham 9/28/21)

Mr Markham moved to remove Ordinance 40-21 from the table.

Mr. Klingler seconded.

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel

Opposed: None

Motion passed 7-0.

Mr. Markham asked Mr. Kessler provided additional information and a proposed amendment with an explanation of changes.

Mr. Markham moved to amend Ordinance 40-21 as proposed.

Mr. Sharp seconded.

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel

Opposed: None

Motion passed 7-0.

Mr. Markham moved to approve Ordinance 40-21.

Mr. Klingler seconded.

All in Favor: Matt Klingler, Monique Lampke, Richard Sharp, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel

Opposed: None

Motion passed 7-0.

- C) Ordinance 24-21 (Tabled), to award the Bexley Electricity Aggregation Program contract to AEP Energy, based upon the terms and conditions provided for in their RFP, as modified by the Board of Control, introduced by Mr. Sharp. (Introduced on May 25, 2021)

- D) Ordinance 12-21 (Tabled), to adopt and approve the City of Bexley Electric Aggregation Plan of Operation and Governance, and to declare an emergency, introduced by Mr. Sharp (introduced on March 9, 2021).

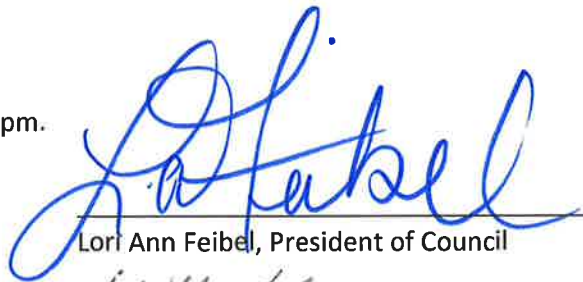
No action at this time on Ordinance 24-21 or Resolution 12-21.

- 15) **Service and Environmental Committee - Richard Sharp, Chair**
Mr. Sharp has nothing to report and Mr. Sharp asked to be excused at this time.
- 16) **Finance Committee - Troy Markham, Chair**
Mr. Markham had nothing to report at this time.
- 17) **Safety and Health Committee - Jen Robinson, Chair**
Ms. Robinson had nothing to report at this time.
- 18) **Zoning and Development Committee - Jessica Saad, Chair**
Ms. Saad had nothing to report at this time.
- 19) **Recreation and Parks Committee - Matt Klingler, Chair**
Mr. Klingler had nothing to report at this time.
- 20) **Judiciary and Strategic Committee - Monique Lampke, Chair**
Ms. Lampke had nothing to report at this time.
- 21) **Public Comments (No Speaker Slip Required)**
None.
- 22) **Adjourn**
Mr. Klingler moved to adjourn and Ms. Robinson seconded.
All in Favor: Matt Klingler, Monique Lampke, Troy Markham, Jessica Saad, Jen Robinson, Lori Ann Feibel
Opposed: None
Motion passed 6-0.

Ms. Feibel adjourned the meeting at 10:05pm.

MINUTES APPROVED:

12/07/21


Lori Ann Feibel, President of Council


William Harvey, Clerk of Council