



**Minutes of the
Bexley City Council
Tuesday, December 8, 2015
6:00 p.m.**

These minutes are intended to be interactive minutes, referencing video and audio recordings hosted at www.bexley.org.
To view and listen to the context behind the decisions taken at this meeting, please visit www.bexley.org/meetings/.

1) **Call to Order**

2) **Roll Call of Members**

Roll Call:

Voting Members Present: Richard Sharp; Tim Madison; Jed Morison; Steve Keyes; Lori Ann Feibel; and Deneese Owen

Absent:

Excused: Mark Masser

Non-Voting Present:

3) **Pledge of Allegiance**

4) **Correspondence: None**

5) **Presentations/Special Guests:**

- i. **Proclamation presented by Mayor Kessler to William Arnold in honor of his retirement;**

Mayor Kessler introduced Mr. Arnold to City Council members along with a framed Proclamation. Mr. Arnold has been an employee of the City of Bexley for 31 years.

- ii. Proclamation presented by Mayor Kessler to Robert Sherman in honor of his retirement.

Mr. Sherman has been a Service Department employee for 31 years and received a frame as well.

6) Public Comments: None

None

7) Mayor Kessler's Report

Mayor Kessler presented highlights from his report. We did apply for the mansion expansion grant and will keep everyone updated. Treasurer, Josh Mandel will be here tomorrow for a Press Conference to announce Checkbook Ohio which Bexley will be participating with soon. Our FOP Dispatcher negotiations was held. He and Ms. Owen attended the ED411 Economic Development Conference. Mayor said the City has been working with the Tree Commission to apply for a grant for trees. The Columbus CEO Magazine photographed the new City Hall for an upcoming publication. January 4th - Special Council meeting swearing in ceremony and will be voting for the new Council President.

Mayor's Council Update

8) Consent Agenda:

- i. Approval of Minutes, November 17th, 2015 City Council meeting;
2015 Minutes for Review - 12-8

Tim Madison made a motion to Approve - " Motion seconded by Jed Morison. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

- ii. Ordinance 51-15 to appropriate \$23,000 from the Street Maintenance Fund (03) to pay invoices for rock salt purchased through the Ohio Department of Transportation's (ODOT's) Cooperative Purchasing Agreement Program, introduced by Mr. Madison (Introduced on 11-10-15)

Ordinance 51-15 Rock Salt Appropriation 2

Tim Madison made a motion to Approve - " Motion seconded by Jed Morison. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

- iii. Ordinance 52-15 to appropriate \$25,000 from the unencumbered General Fund to pay the police overtime for the remainder of 2015, introduced by Mr. Madison (Introduced on 11-10-15)

Ordinance 52-15 Police Overtime

Tim Madison made a motion to Approve - " Motion seconded by Jed Morison. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

9) Finance Committee Reading of Ordinances & Meetings – Tim Madison, Chair

a. Third Readings:

b. Second Readings:

- i. Ordinance 53-15 to establish rates for the Mayor, salaried, part time and casual employees of the City of Bexley, effective as of January 1, 2016, introduced by Mr. Madison (Introduced on 11-17-15)

No Action

No Action.

Ordinance 53-15 Pay Increase Ordinances

c. First Readings:

Mr. Madison apologized for the suspension and adoption of the next three Ordinances but Mr. Keyes and Mr. Masser will not be present at the next meeting and six votes are required to suspend the three reading which

there for would be impossible to do and the Ordinances need to be passed before years' end.

- i. Ordinance 54-15 to appropriate \$71,461 from the Bond Retirement Fund to pay Debt Service for 2015, introduced by Mr. Madison (Introduced on 12-7-15)

Clerical error - no new money used.

2015 54-15 Appropriation for Sewer & Water Pay

Tim Madison made a motion to Suspend Readings - 'This is for administrative purposes only, there is no new money.' Motion seconded by Steve Keyes. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

Tim Madison made a motion to Approve - " Motion seconded by Steve Keyes. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

- ii. Ordinance 55-15 to appropriate \$1,680 from the Sewer Fund to pay wages and benefits for the remainder of 2015, introduced by Mr. Madison (Introduced on 12-7-15)

2015 55-15 Bond Debt Appropriations

Tim Madison made a motion to Suspend Readings - " Motion seconded by Deneese Owen. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

Tim Madison made a motion to Approve - " Motion seconded by Deneese Owen. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

- iii. Ordinance 56-15 to authorize a \$35,000 transfer from the unencumbered General Fund to the Health Insurance Fund in 2015 and to reduce the 2016 General Fund Transfer to the Health Insurance Fund by \$35,000 and to appropriate \$35,000 from the Health Insurance Fund to pay the January 2016 Health Insurance premium in December, 2015, introduced by Mr. Madison (Introduced on 12-8-15)

Mayor explained the City has changed brokers and companies and we have to start paying for January's premiums in December.

Ordinance 56-15 Health Insurance Ordinance

Tim Madison made a motion to Suspend Readings - " Motion seconded by Steve Keyes. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

Richard Sharp made a motion to Approve - " . **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

d. Tabled Ordinances

e. New Business:

- i. Discussion of Public Service Garage Phase II bids -

Mr. Dorman explained the City originally bid the Garage Service Garage as one piece with the new building. Due to high cost of existing building renovation, we decided to build the garage in order to lower cost. He said the City was not able to go out and only rebid the renovation portion until the contractor was completed with the new building in February 1, 2015. The new building components of the renovation bid was done separately. Those came in high again. Mayor Kessler explained it was a small project which is why

we had such high estimates.

Mr. Dorman said he broke down the bids to HVAC, Electrical, Plumbing, and general construction. He spoke with Pat Devine and asked for a motion from Council to solicit bids and meet with our architects and then provide a few weeks to have them provide new bids. This is critical because the other bids are good and we don't want them to move on while we are trying to get the construction bid under control. Mayor Kessler explained does not want someone to not bid due to the ORC bid requirements. This scenario differs because it does have the smaller components. Mayor Kessler explained they estimated \$40,000 in cost and received bids for \$250,000. We will be going out to rebid the projects for all components with allowing the Mayor and Service Department to negotiate the bids. This action is required by Council.

Moved by Mr. Madison and Mr. Morison seconded to approve the non-statutory completion of the Phase II Construction Garage with prevailing wages.

We bid the Garage Service Garage as one piece with the new building and due to alternates, we went ahead and built the garage in order to lower cost. We were not able to go out and advertise the renovations until contractor was complete. Last bid was too high and then we bid them out separately. Mayor Kessler said it was a small project which is why we had such high estimates. Mr. Dorman said prices are peaking again in construction. We broke down the bids to HVAC, Electrical, Plumbing, and general construction. He spoke with Pat Devine and asked for a motion from Council to solicit bids and meet with our architects and then provide a few weeks to have them provide new bids. This is critical because the other bids are good and we don't want them to move on while we are trying to get the construction bid under control. Mayor Kessler explained we want to bid not using the ORC bid requirements. This is different because it does have the smaller components. We estimated \$40,000 cost and received bids for \$250,000. We will be going out to rebid the projects for all components with allowing the Mayor and Service Department to negotiate the bids. This is an action of Council-

Moved by Mr. Madison and Mr. Morison seconded to approve the non-statutory completion of the Phase II Construction Garage with prevailing wages.

Tim Madison made a motion to Approve - 'A Motion to waive the competitive bidding requirement as it relates to the construction of Phase II of the City's Public Service Garage.' Motion seconded by Jed Morison. **Vote 6 - 0 - passed.**

FOR:

Richard Sharp, Tim Madison, Jed Morison, Steve Keyes,
Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

f. Old Business

i. Update on public comments rules and regulations for BZA and Planning Commission

Ms. Cunningham explained the difference between a public meeting and the quasi fiduciary meeting which would limit public comments. Mr. Madison asked if he could say a few comments before the meeting and before the quasi fiduciary hearing started if it is not considered testimony. Ms. Cunningham said she does not like that option because the decision making board is to use the evidence provided in the quasi hearing and might adversely or inadversely impact the decision they make.

Randy Waddel - Question regarding "prejudicial" interest. Does the Board have to make the decision of standing for every person. Ms. Cunningham said typically the Board doesn't know and no one asks, other times they might ask and the Board makes the decision as to whether or not you are adversely effected. If the Chair makes the decision, the Board can always overrule the Chair.

Mr. Waddell asked about whether or not it is something based on a zoning variance, how do we prevent that from helping and becoming a precedent.

Mr. Lewis asked if an individual is unhappy at the end of the procedure they can still go downtown to court and file as well if they had standing. Ms. Cunningham said if you don't have standing in Bexley, you probably won't have standing downtown in court, unless a Judge overrules that.

Mary Gottesman, supported Tim's request that there be some definition of standing and some description as to how someone can request standing. She thinks it would be helpful to residents to know what that means and how to ask for it. She said large parties of individuals should have a separate meeting from the hearing but people should be able to see in writing that they will still be guaranteed the right to be heard. Mr. Keyes said "standing" is a long

held judicial concept that is determined based on the facts and circumstances of each situation.

g. Finance & Judiciary Committee Reports

- i. Tim Madison, Chair - No further report.
- ii. Bill Harvey, Auditor & Beecher Hale, Finance Director- No Report.

10) Strategic Committee Reading of Ordinances & Meetings – Jed Morison, Chair

a. Third Readings

b. Second Readings:

- i. Resolution 22-15 to establish Bexley City Council meeting dates and times for 2016. (Introduced on 11-17-15)

No Action

Ordinance 22-15 Pedestrian Safety Ordinance2

Tim Madison made a motion to Amend - '.' Motion seconded by Steve Keyes. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

c. First Readings

d. Tabled Ordinances

e. New Business: Review of Technology & Communication Goals

Technology: Mayor Kessler explained the status of the following:

Review and modernize records retention policy: Mayor Kessler said the retention policy has been revamped and he has made sure that staff has a good understanding of the record keeping policy. **Create a Main Street**

Wi-Fi infrastructure : Wi-Fi infrastructure was put on hold due to no real need for it with businesses having Wi-Fi, library, etc. so this may no longer be the best fit for Bexley.

Expand access to Wi-Fi at city facilities: We are continuing to work with the

schools regarding providing Wi-Fi in the Mayfield/Ferndale area. There are some security concerns to opening up the City's Wi-Fi and once we have fiber in place, we may be able to offer that service in a safe manner.

Audit and simplify technology infrastructure: We have made huge progress going from Novell to an active server environment which is simplifying the structure. We are doing a lot of sharing with our advanced 911 which is co-joined with Gahanna and Whitehall

Provide online payment options for residents and users. . We are working on a dispatcher backup system which would roll over to Gahanna dispatchers during an emergency. Cloud based solutions: Bexley Base is a cloud base solution and the departments are learning on how to use it in their work flow. Code Enforcement and Service Department probably get the most notices. Ms. Owen said Bexley was used as an example at the ED411.

Provide online payment options for residents and users: The City of Bexley Water Department went live for online payments this year but there is a fee to residents to use the credit card. The Mayor's Court software is over ten years old and does not have interface. The Building Dpt. has current software solution but does not have an online interface.

Communications: New resident packets sent just updated last month. Non-internet communications - hot line, Bexley Blast Telephone line. The newsletter sent with the Water Bill, Go Bexley web site, Main Street banner program, are about to have a coordinated banner program. Community Event signs in front of the community at Broad and Main. The electronic banner was not allowed by code. We have a limited amount of right of way to allow signs and open to suggestions to get signs out to people.

- f. Old Business
- g. Strategic Committee Reports
 - i. Jed Morison, Chair: No further report.

11) Safety Committee Reading of Ordinances & Meeting – Deneese Owen, Chair

- a. Third Readings
- b. Second Readings
- c. First Readings
- d. Tabled Ordinances

- e. Old Business
- f. New Business
- g. Safety Committee Reports
 - i. Deneese Owen, Chair- No Report
 - ii. Lawrence Rinehart, Chief of Police- No further report.

12) Recreation and Parks Committee Reading of Ordinances & Meeting–Lori Ann Feibel, Chair

- a. Third Readings
- b. Second Readings
- c. First Readings
- d. Tabled Ordinances
- e. Old Business
- f. New Business
- g. Recreation and Parks Report
 - i. Lori Ann Feibel, Chair: Ms. Feibel thanked the Bexley Celebrations Association, the Service Department staff and the Recreation staff for the wonderful Christmas tree lighting festivities and the Menorah Lighting ceremony.
 - ii. Recreation and Parks Director, Mike Price: Mr. Price reminded Council of Saturdays Pancake Breakfast event to be held on December 12th. He thanked the Council members who will be volunteering their time to make this event possible.

13) Zoning Committee Reading of Ordinances & Meeting – Steve Keyes, Chair

- a. Third Readings

- b. Second Readings
- c. First Readings
- d. Tabled Ordinances
- e. Old Business
- f. New Business
- g. Zoning and Development Committee Report
 - i. Steve Keyes, Chair- No Report

14) Service Committee Reading of Ordinances & Meeting – Mark Masser, Chair

- a. Third Readings:
 - i. Ordinance 50-15 to approve the labor contract between the City and The American Federation of State County and Municipal Employees (AFSCME) effective January 1, 2016, introduced by Mr. Masser (Introduced on 11-10-15)
Ordinance 50-15 AFSCME Contract

Tim Madison made a motion to Approve - " Motion seconded by Steve Keyes. **Vote 6 - 0 - passed.**

FOR: Richard Sharp, Tim Madison, Jed Morison, Steve Keyes, Lori Ann Feibel, and Deneese Owen.

AGAINST: None.

ABSENT: Mark Masser.

- b. Second Readings
- c. First Readings
- d. Tabled Ordinances
- e. Old Business

- f. New Business
- g. Service Committee Reports:
 - i. Mark Masser, Chair - Excused
 - ii. Bill Dorman, Service Director - Mr. Dorman said the Mid Ohio Regional Planning Commission (MORPC) announced their awards and the administrative staff has worked to try to get the City to a level to get funding. The City of Bexley was actually in the top five. The project is a 5.5 million dollar project for water line work, pavement restoration, new street lights on Ashbourne Place and Roosevelt (between Main and Broad) and signal at Fair and Roosevelt.

Our tree contractor just completed installing 143 trees. We are on our third and final round of leaf pickup which will include alleys. Mr. Harvey said the street grant project is great and congratulated Mr. Dorman. He said he wanted Council to recognize that part of those funds are loans, so they will need to be paid back. We should be able to start design work next year and construction in July at the earliest. Mr. Harvey said the repayment won't start until a couple of years after the project is completed. Mayor Kessler said this is about two miles of new water lines. Mr. Dorman said Roosevelt also needs paving work anyway so the timing is good. Mayor Kessler said Dave Koch has done a great job helping us apply for these projects. For the first time, we had public commentary at a meeting held at City Hall and this had a big impact on our scoring when people do care about improvements.

Department of Public Service City Council Report (12.8.15) Final

15) Additional Reports

- a. President, Richard Sharp: Reminded Council members of the February 29th, Ethics and Public Records Training meeting for any officials.

Mr. Sharp congratulated the Bexley Lions Club who celebrated their 75th anniversary last night.

- b. City Attorney, Lou Chodosh - No report.

16) Old Business: Mr. Madison said Bexley schools are the only ones with active participation with the Charity Newsies and raised \$19,000 (elementary, middle school and high school) this year alone.

Mr. Madison said Bexley schools are the only ones with active participation with the Bexley Newsies and raised \$19,000 (elementary, middle school and high school).

17) New Business- No Report

18) Adjourn

Steve Keyes made a motion to Approve - '18) Adjourn' Motion seconded by Jed Morison. **Vote - - failed.**

FOR: None.

AGAINST: None.