

Finance & Judiciary Committee Meeting

MINUTES

March 9, 2010

6:00 p.m.

Members: Ben Kessler, Chair, Richard Sharp, Rick Weber

Roll Call: All members present.

Others Present: Mayor Brennan, Lou Chodosh, Beecher Hale, Bill Harvey, Mike Price, Chief Rinehart and Gary Qualmann.

Review of Minutes: February 23rd, 2010- **Approved**

Presentation and/or Special Guests: None.

Ordinances & Resolutions –

Third Readings.

Ordinance 07-10 to certify special assessments for the various sites where the work was not done by the owner after being ordered by the City in accordance with Bexley Code Section 1490.15(b)(4)a or Bexley Code Section 1492.04(b)(1), and it was necessary for the City to do the work and assess the owner, introduced by Mr. Kessler, (Introduced on February 9, 2010) **Previously discussed.**

Amended Ordinance 09-10 to amend Bexley Codified Ordinance 262.02, to allow the Police Executive Assistant benefits for uniform allowance, introduced by Mr. Kessler, (Introduced on February 9, 2010)

Mr. Chodosh said this is a proposed amendment to Ordinance 09-10. Chief Rinehart said he was in agreement with the change because the uniform allowance was his original goal. Mr. Lampke asked if this position was in the union and the Chief said no but she is required to wear a uniform because it is a safety issue. Mr. Sharp suggested including the phrase "equal to the union specified amount" so it will not have to be changed each year. Council agreed and added the wording accordingly. **Vote was 3-0 to recommend to Council for passage.**

Second Readings.

Ordinance 12-10 to appropriate \$10,000.00 from the Street Maintenance Fund for the purpose of paying overtime for the remainder of 2010, introduced by Mr. Kessler, (Introduced on February 23, 2010) **Previously discussed.**

First Readings.

Ordinance 14-10 to amend amended Ordinance No. 28-09, which amended Ordinance 68-02 by establishing a residential community reinvestment area for tax exemptions in the Main Street district, permitting exemptions with no minimum number of units, and prescribing the schedule of tax exemptions for each level of investment, introduced by Mr. Kessler, (Introduced on March 9, 2010)

Mr. Kessler said Mr. Langner could best explain this Ordinance and answer any questions. Mayor Brennan explained that Mr. Langner was out ill. Mr. Kessler said he believed One Dawson has the same CRA requirements. Mr. Sharp asked if the various investment thresholds – per unit of investment would apply. Mr. Kessler said it is a different size of development but would prefer to wait to discuss until Mr. Langner was present. Mr. Weber expressed concern that Council might be putting the cart before the horse in this matter. He said if the majority of Council may not be in favor. His concern is possibly misleading One Dawson if there is no interest in pursuing this matter. Mr. Kessler said he had requested this matter in Ordinance form for discussion. President McClelland agreed it was important to wait until Mr. Langner was present. Mr. Masser asked if we had received any input from the schools on this matter. Mr. Kessler said the issue is separate from commercial versus residential.

Ordinance 15-10 to approve and authorize the Mayor and the City Auditor to sign the amendment to the agreement between the City of Bexley and One Dawson Place, L.L.C. to provide incentives available for project development in the Main Street re-development community reinvestment area, introduced by Mr. Kessler, (Introduced on March 9, 2010)

Mr. Kessler said this Ordinance also pertains to Ordinance 14-10 - no action or discussion.

Ordinance 16-10 to increase the annual salaries for several positions in the City as listed in the body of this ordinance, introduced by Mr. Kessler, (Introduced on March 9, 2010).

Mr. Kessler said this pertains to specific positions and should be discussed in Executive Session.

New Business: Mr. Kessler said Joan Fishel is planning to attend the City Council meeting on the 16th to discuss the school levy.

Mr. Weber is planning a Zoning Meeting and will be inviting the members of the Planning Commission to attend.

Mayor Brennan said he will be giving the State of City Address on the 16th.

Old Business: Mr. Qualmann distributed a copy of the taxing policy used to define domicile. He said the City of Bexley does not follow the Ohio "Bright-Line" residency test. The City uses the questions asked by R.I.T.A. The most important question is, "whether or not you have a home or apartment in the City of Bexley".

Mr. Morison asked if we pro-rate with other states. Mr. Qualmann said there is no pro-rating done with other states. Mr. Chodosh reminded everyone that this is an income tax issue and not a property tax issue. Mr. Qualmann said this is a step forward to ensure Bexley residents are being taxed accordingly.

Mr. Hale said for income tax purposes, you can be resident of Bexley even if you don't claim to be an Ohio resident. R.I.T.A. makes the determination. Mr. Qualmann said in 2007 or 2008 the State of Ohio increased the number of days a resident can be out of town and it created a mass exodus of residents who really never actually left. They are still using the City's services such as police, administration, etc. with the goal of attempting to avoid paying income taxes. Mr. Chodosh said that R.I.T.A. uses the "reasonable person" test. One of the items considered is where your place of worship is located. Mr. Kessler said no action is needed on the part of Council; this is strictly for communication purposes.

Executive Session: Mr. Kessler made a motion to adjourn to Executive Session pursuant to Bexley City Codified Ordinance 223.03(a) (b) and (d) to discuss personnel issues, contract negotiations. Motion was seconded by Mr. Weber. Executive session 6:40 p.m.

Returned from Executive Session at 6:54 p.m.

Adjourned 6:55 p.m.