

**Finance & Judiciary Committee Meeting**

**MINUTES**

**July 12th, 2011**

**6:00 p.m.**

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

**Roll Call:** All present.

**Others Present:** Lou Chodosh, Beecher Hale, Bill Harvey, Bruce Langner, Mark Masser, President McClelland, Jed Morison, Mike Price and Chief Rinehart.

**Review of Minutes:** June 28, 2011 - **Approved**

**Presentation and/or Special Guests:** Gene Hollins discussed the ballot language. President McClelland said he had received a request from Gary Qualmann that Council not approve any of the language for the ballot since he is on vacation.

**Tax Levy Ballot Issue:**

**Resolution 12-11 – Exhibit “A”**, Mr. Hollins said he added the second subject and a new Section 2 to Amended Credit Ordinance. He said this mirrors the language to the Section listed prior. He said it reflects the 80% credit and the new Section includes the 65% credit. Mr. Kessler said they need to inform voters because they go hand-in-hand. Mr. Hollins said he encourages them to go with the Resolution for legal purposes and said to note in the minutes there is an “express desire to show Amended Ordinance of .5% along with credit to be ballot language. The preferable ballot language should include the credit as well. This is the intent of City Council to have resident pass the Ordinance and have the ballot language reflect this.”

Mr. Kessler said there may be a need to lobby the Board of Elections with language changes. He asked if the Mr. Hollins thought the credit should be included. Mr. Hollins said the Ordinance is “non-clad” and if someone objects to the language it could affect the credit issue as well. Mr. Kessler suggested having a second ballot issue.

Mr. Hollins said the residents will be voting on the legislation and once it is passed, the Ordinance could be passed which is referred to in Section 3 of the Resolution. Mr. Kessler said he wants to make it as clear as possible to the voters. Mr. Hollins said he needs an Ordinance number and reminded Council this is still a draft.

Draft Ordinance 30-11 was assigned by Mr. Chodosh. Mr. Kessler confirmed there will be no passage of the Ordinance until the final decision is made by the voters. He requested a verbal confirmation to Table. Voice Vote – all in agreement.

**Charter Review Issues**

Mr. Kessler said he had a few recommendations to the Charter language regarding the requirements for the Auditor position, “relevant field or otherwise”. President

McClelland said that is actually an “expression” only and not legally binding language. Mr. Chodosh said the Charter Review Committee specifically wanted to leave it as an “expression”.

Mr. Hollins said all four Ordinances need to have the effective date section added. If Council is in agreement that no change would take place until the end of Mr. Qualmann’s terms, an effective date needs to be added.

On Ordinance 22-11, Mr. Harvey pointed out the term “food” needs to be added prior to “service drive thru”. Everyone agreed with the change. Mr. Chodosh requested Council to give any hand-written corrections or changes to Ms. Maynard and she could scan and send them to Mr. Hollins.

**Proposed Ordinance to Revise 89-96**

Mr. Kessler said he had a request to introduce a new Ordinance to revise 89-96 in order to change the Finance Director to report directly to the Mayor. Mr. Morison said he thought it would be premature to initiate this Ordinance tonight. President McClelland and Mr. Weber agreed. The Ordinance was not introduced for a reading.

**Ordinances & Resolutions –  
Third Readings.**

**Ordinance 21-11** An Ordinance to proceed with placing on the ballot certain proposed amendments to the Charter of the City of Bexley regarding removing sections relating to the Auditor and add sections relating to the Finance Director, introduced by Mr. Kessler, (Introduced on June 14, 2011) **Voice Vote to Table**

**Ordinance 22-11** An Ordinance to proceed with placing on the ballot certain proposed amendments to the Charter of the City of Bexley regarding permitting drive-through on certain property on Livingston Avenue, introduced by Mr. Kessler, (Introduced on June 14, 2011) **Voice Vote to Table**

**Ordinance 23-11** An Ordinance to proceed with placing on the ballot certain proposed amendments to the Charter of the City of Bexley regarding absence of Mayor, Qualifications of Mayor and Council, and Forfeiture, removal, suspension of elected officials, introduced by Mr. Kessler, (Introduced on June 14, 2011) **Voice Vote to Table**

**Ordinance 24-11** to proceed with placing on the ballot certain proposed amendments to the Charter of the City of Bexley regarding open meetings, introduced by Mr. Kessler, (Introduced on June 14, 2011) **Voice Vote to Table**

**Resolution 10-11** A Resolution adopting the recommendations of the Bexley Tax Incentive Review Council regarding tax-exempt properties in the Main Street Community Reinvestment Area and accepting the report on the Main Street Tax Increment Financing District, introduced by Mr. Kessler, (Introduced on June 14, 2011)

Mr. Kessler made a motion to recommend to Council for passage. Motion seconded by Mr. Weber. Mr. Sharp was in agreement. **Vote 3-0 Recommended**

**Resolution 11-11** must be adopted on or before July 15, 2011 and submitted to the Franklin County Auditor on or before July 20, 2011, regarding assumptions made for major revenue line items for 2011 are as follows: the estimate for property tax revenue is held constant; the estimate for Estate Tax for 2012 is \$1,500,000; the estimate for Local Government Fund revenue has been reduced 25%; Income Tax revenue is projected to increase \$1,300,000 in anticipation of passage of an income tax increase in November, introduced by Mr. Kessler, (Introduced on June 14, 2011) **Tabled**

**Resolution 12-11** providing for the submission to the electors of the City of Bexley, at the general election to be held on November 8, 2011, an ordinance to enact Section 880.021 of the Codified Ordinances of the City of Bexley to increase the City income tax rate from the current rate of two percent (2%) to a rate of \_\_\_ percent (\_\_\_%) to become effective on January 1, 2012 for the purposes of general municipal operations, maintenance, new equipment and capital improvements of the city, introduced by Mr. Kessler, (Introduced on June 14, 2011) **Tabled**

### **Second Readings.**

**Ordinance 26-11** to authorize a transfer of \$20,000 from the unencumbered General Fund to the State Highway Fund, introduced by Mr. Kessler, (Introduced on June 28, 2011)

Mr. Hale explained this is a transfer that he neglected to get an appropriation back on the general fund. He said it was a clerical error. He said the City has to allocate so much for the State Highway fund. Mr. Sharp asked why there are two separate funds. Mr. Hale said he is not sure when it was originally started. He said the State provides the use of two funds.

Mr. Kessler made a motion to recommend to Council for passage. Mr. Weber seconded the motion. **Vote was 3-0 to recommend.**

**Ordinance 27-11** to appropriate \$5,000 from the unencumbered General Fund to pay tuition reimbursement for 2011, introduced by Mr. Kessler, (Introduced on June 28, 2011)

Mr. Hale explained he needs the funds transferred to the account because there was more than one employee using the tuition reimbursement for 2011. Mr. Kessler asked if there was a cap on the amount. Mr. Hale said currently employees are eligible for up to \$4,000.00 per year. Mr. Masser asked if there were restrictions on the type of education being sought. Mr. Hale explained it did have to be an accredited college and/or university and must be approved by the supervisor. Mr. Kessler said there should be a "maximum" number of employees for reimbursement, first come, first serve basis. Mr. Masser agreed.

**First Readings.**

**Ordinance 28-11** 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 July 12, 2011) **No Action**

**New Business: None**

**Old Business: None**

**Adjourned 7:00 p.m.**