



BEXLEY CITY COUNCIL MINUTES

Tuesday, February 28, 2012
7:00 p.m.

City Council President – Rick Weber
Council Members Steve Keyes, Matt Lampke,
Tim Madison, Mark Masser, Richard Sharp

Mayor, Ben Kessler
Auditor/Clerk – Gary Qualmann
City Attorney – Lou Chodosh

- I. **Roll Call of Members:** All present.
- II. **Others Present:** Lou Chodosh, Beecher Hale, Bill Harvey, Bruce Langner, Mike Price, Chief Rinehart and Kathy Rose.
- II. **Review of Minutes for February 14, 2012 - Approved**
- III. **Correspondence:** Letters of Recommendation for Council replacements. All letters received had previously been forwarded to Council members.
- IV. **Presentations/Special Guests:**
 - a. **Cindy Phillips Chair, Board of Recreation:** Ms. Phillips discussed the reductions made under the leadership of Mike Price and his staff. She said they have managed these reductions while still maintaining the same high quality programs and services to residents. She said the Board has respectfully asked to be able to start a capital improvements fund for the facility. She said the Board of Recreation has discussed the options to allow alcohol at the mansion for special events. She said this process is currently in the infancy stages but there is a lot of interest and needs for the community in this regard. She said the Board of Recreation will be holding a retreat in April. This has never been done before and it is greatly needed. They have several members who are great people but are new to the position. Their strategy is to look at



the needs of the community for the next ten years along with their financial restraints and alcohol issues for events. She wanted to personally commend Mr. Mike Price for doing such a great job as Director. She said the Board of Recreation is very pleased with his leadership and skills. Mr. Masser told Ms. Phillips she is a role model for every one in the community and her efforts are greatly appreciated.

- b. **Presentation to Gail Swisher**, Certified Athletic Trainer at Bexley High School by Mayor Kessler in honor of National Therapy month.
- c. **Richard Sharp, Bexley Lions Club** – Mr. Sharp said he is an active member of the Bexley Lions Club along with Mr. Lampke and Robin Jones. The club raises money throughout the community. They hold the annual newspaper drive and Buckeye candy sales. He said the club wanted to give back to the community for their support. Mr. Sharp presented Mr. Keyes as representative to the Bexley Tree and Public Gardens Commission a check to pay for the expense of having to move the flag pole at Drexel Circle. Mr. Sharp also presented checks on behalf of the Bexley Lions Club to the Historical Society, Bexley Celebrations Association and the Recreation Department.

- V. **Discussion/determination of Council Member replacement process.** President Weber said due to Ben Kessler being appointed Mayor, we are currently in the process of replacing the open Council position. There are nine applicants and we will take the opportunity to interview all candidates.

Mr. Masser said historically, there are two ways to appoint a replacement. One is to place a phone call to the replacement that may have run for election unsuccessfully. The second option is to review resumes and applications. He stated although he thinks he knows which of the nine applicants he will be supporting, he will attend the interviews and keep an open mind if that is the method Council decides to use. He said all nine applicants are wonderful. He strongly feels the sooner the decision is made, the better for the staff and residents. Mr. Masser said he is inspired so many individuals have applied for one open spot and certainly hopes that if they do not receive the position that they will run for office at the next election.

Mr. Keyes said he thinks City Council should meet with all applicants and thinks it is premature to say "you already know how you will be voting" without the liberty of interviews being held. Mr. Lampke stated he was in favor of the interview process and since there are only nine candidates it would not be unreasonable. Mr. Sharp agreed and said it would be beneficial to meet with all nine candidates to learn about their skill sets and commitment for the next two years.



Mr. Madison said he would echo the previous comments and is in favor of the interview process. He said some of the candidates were under the assumption of an interview process. He said the press also referred to an interview process as well. Mr. Chodosh said it was discussed during the Special Council Meeting when Mayor Kessler was sworn in to office.

President Weber said he was in favor of the interview process because he does not know all of the applicants. He would endorse pursuing the interview process.

- VI. Dates to complete replacement process.** Preliminary dates were set to hold the interviews for March 5th and March 6th. Extensive discussion was held regarding whether or not the interview process should be in Executive Session or in public. Several attendees from the audience stressed their belief that the interviews should be held at an open, public meeting. Some Council members had concern about the applicants feeling comfortable in the interview process and thought it would be more beneficial to hold an Executive Session. Other Council members expressed concern with the use of standard questions being raised in a public meeting it might provide an unfair advantage to those being interviewed on the first night.

This discussion continued and it was decided by President Weber to vote on the issue of interviews being held in private or in an open, public meeting. Vote was taken to hold interviews in Executive Session. **Vote was 3-3 Failed**

Discussion was held concerning holding the discussion of the applicants after all nine candidates had been interviewed in Executive Session. **Vote was 5-0 (Mr. Madison abstained) - Approved.**

Mr. Chodosh announced no vote would be held during the Executive Session discussion. President Weber said he would work on developing a list of standardized questions for the interview process. He thanked all of the applicants.

- VII. Discussion of Granicus project.** Mayor Kessler said the Granicus project would allow minutes to be viewed in "real time". It would also enable someone to view on the web site and forward to the direct point they are interested in watching. It will also help the City in terms of "liability" issues for the purpose of minutes. Mayor Kessler said this is not just a video recording but a linear system. It will be more integrated and will create a new web site at a low cost to store public documents and records. The cost could be paid from current appropriations in the technology department budget, cost reductions in the secretarial overtime account under Boards and Commissions, and from the Mayor's Court computer fund. There would be no new funds used.

Mr. Sharp said he remembers Russ Halsey fighting for every dollar in his budget. Mayor Kessler said he will also be submitting an Ordinance to transfer the funds from the Mayor Court's budget for this purpose. Mr. Masser asked that everyone remember



they are an older community and if they are in need of a new water line, it could be an issue. He does not think Council should spend any monies unless it is a "safety" concern. Mr. Madison said that while Debbie Maynard does an excellent job creating the Minutes, it is certainly worthy of researching further.

VIII. Ordinances and Resolutions:

A. Finance Committee – Richard Sharp, Chair

Third Reading

Ordinance 06-12 to create a special project fund designated College Avenue and South Cassady Avenue Project Avenue Fund and to appropriate \$4,036,428.00 from this fund for the purpose of recording expenses related to the College Avenue and South Cassady Avenue projects, introduced by Mr. Sharp, (Introduced on 1-24-12).

Mr. Sharp made a motion to amend. Mr. Masser seconded the motion. **Vote 6-0 AMENDED**
Mr. Sharp made a motion to pass this Amended Ordinance 06-12 and Mr. Keyes seconded the motion. **Vote was 6-0 PASSED**

Amended Ordinance 08-12 to set the salary and automobile allowance for the office of the Mayor, City of Bexley for the years beginning 2012 through 2013 to remain the same amount as 2011, introduced by Mr. Sharp, (Introduced on 1-24-12).

Mr. Sharp made a motion to adopt. Mr. Keyes seconded the motion. **Vote 6-0 - PASSED**
Mr. Lampke said he would like this subject to be added to the Council Retreat discussion. He was in favor of additional restrictions to be added.

Second Readings.

Ordinance 10-12 to adopt the revised investment policy for the City attached hereto, introduced Mr. Sharp, (Introduced on 2-14-12). **No Action**

Ordinance 11-12 authorizing the payment of one week salary to the Acting Mayor, introduced by Richard Sharp (Introduced on 2-14-12). **No Action**



First Readings.

Ordinance 12-12 to amend Ordinance 53-11 to clarify certain benefits for non-union supervisory personnel, introduced by Richard Sharp (Introduced on 2-28-12). **No Action**

Ordinance 13-12 to make supplemental appropriations and to reduce appropriations to various accounts in the 2012 budget, introduced by Richard Sharp (Introduced on 2-28-12). Motion made by Mr. Sharp to suspend the three reading rule requirement. Mr. Keyes seconded the motion. Mr. Sharp made a motion to suspend Ordinance 13-12 from the three reading rule. Motion was seconded by Mr. Keyes. **Vote 6-0 SUSPENDED**

Mr. Sharp explained to the audience they do not like to suspend any Ordinance, however since this was a certain contractual obligation on behalf of the City, he was in favor.

Mr. Sharp made a motion to adopt and Mr. Keyes seconded the motion. **Vote 6-0 PASSED**

B. Recreation and Parks Committee – Mark Masser, Chair

Third Readings.

None.

Second Readings.

None

First Readings.

None.

C. Safety Committee – Chair

Third Readings.

None

Second Readings.

None

First Readings.

None

D. Service Committee – Steve Keyes, Chair

Third Readings.

Resolution 04-12 to appoint Mr. Joseph Re to the Bexley Tree and Public Gardens Committee for a three year term, introduced by Mr. Keyes (Introduced on 1-24-12).



Ordinance was amended to reflect the term ending June 30, 2012. Mr. Sharp made a motion for adoption. Mr. Masser seconded the motion – **Vote 6-0 PASSED**

Second Readings.

Resolution 05-12 to appoint Mr. James Wilson to the Bexley Tree and Public Gardens Committee for a three year term, introduced by Mr. Keyes (Introduced on 2-14-12).

Resolution 05-12 was amended to reflect the term ending June 2012. **Amended**

First Readings.

None

E. Zoning and Development Committee – Matt Lampke, Chair

Third Readings.

Ordinance 07-12 to approve an Amendment to the detailed development plan approved by Amended Ordinance No. 31-85 for a Planned Unit Residential (PUR) Development on Clifton Avenue known as “Lyonsgate”, introduced by Mr. Weber, (Introduced on 1-24-12).

Second Readings.

Resolution 06-12 appointing Richard Sharp and Steve Keyes from City Council to the Bexley Housing Council for review of tax abated properties in the city, and confirming the Mayor’s appointments of David Baker, Dr. Tanya Poteet, Jodi Miller, and Sandy Mundy to the Housing Council for 3-year terms beginning in 2012, introduced by Mr. Lampke (Introduced on 2-14-12).

Discussion of backgrounds of appointees, David Baker a business owner on Main Street; Dr. Tanya Poeteet with Capital University; Jodi Miller resident employed with the State of Ohio and Sandy Mundy, a College Ave. resident who lives next to the new Capital University student dorms.

No Action

First Readings.

Ordinance 14-12 to grant a Councilmatic Variance to permit certain uses of an accessory structure on the property at 303 N. Parkview Avenue in the City of Bexley, Ohio, introduced by Mr. Lampke (Introduced on 2- 28- 12).

Discussion of the requirements of accessory structures not be living units. **No Action**

Strategic Committee – Tim Madison, Chair



Third Readings.

None

Second Readings.

None.

First Readings.

None.

Tabled or Referred Legislation –

Ordinance 52-11 to amend Section 232.08 (b) (1) and (2) of the Bexley Codified Ordinances regarding the Budget Stability Fund, introduced by Mr. Sharp (Introduced on 11-29-11). Tabled 12-20-11 **No Action**

Committee Reports

Zoning and Development – Matt Lampke – No Report

Strategic Committee – Tim Madison- Mr. Madison said a meeting was held this evening. Discussion of the requirements of accessory structures not to be living unites. The first meeting will take place for the Bexley Alternative Task Force on Wednesday, March 7th at 7:00 p.m. in Council Chambers. He said there was also discussion held concerning the Council retreat.

Finance & Judiciary – Richard Sharp- Mr. Sharp said representatives from the First National Bank of Bexley were guests and explained their guarantees from the Federal Home Loan Bank and the interplay with FDIC insurance with respect to the City's funds invested with First National Bank of Bexley.

Recreation and Parks – Mark Masser- The Recreation Board meeting will be held March 7th and again on April 14th. He wanted to thank Cindy Phillips for her leadership on the Recreation Board and taking the time to meet with Council this evening.

Safety – Matt Lampke- Mr. Lampke said Council is planning on swearing in the new Council member at the March 13th meeting.

Service- Steve Keyes- No Report

President's Report – Rick Weber- President Weber reminded Council of their Financial Ethics documentation due by April 16th. He said the John Brennan Memorial Service was very appropriate and well done. He wanted to thank Tim Madison, Bill Harvey, Mayor Kessler and Lou Chodosh for their efforts in the planning and arranging of this event.



City Official Reports

Ben Kessler, Mayor- The Mayor said he had met with the President of Capital University regarding combining some strength with their IT Department and Human Resources. He attended the Tree and Public Gardens Committee meeting and there was an expert guest who said we are indeed an Arboretum City. He will meet with the City of Columbus Development Director on March 4th regarding the borders with Bexley. He is working with EMH&T in regards to the Alum Creek Park regarding some bids for the City. He also attended the Mayor's City Manager Meeting regarding the anti-poaching agreement. He also met with Dr. Johnson regarding some joint efforts.

Gary Qualmann, Auditor – Not present.

Lawrence Rinehart, Chief of Police- No Report

William Harvey, Service Director- Mr. Harvey said Ann Brennan had requested that he pass along her thanks for all of the support, nice thoughts and the Memorial Service. He introduced Kelly Youmens, reporter for ThisWeek. Mr. Harvey also reminded Council there would be a Board of Control meeting immediately following the Council meeting.

Lou Chodosh, City Attorney- Bexley has been targeted for soliciting and wanted to remind everyone to contact the police if they have individuals without the proper identification. Chief Rinehart said there is a need for an Ordinance which explains the difference between "political" and "non-political" solicitors.

Bruce Langner, Development Director- Mr. Langner said there are three new businesses on Main Street. He also has tickets available for purchase for the Whitehall/Bexley Pancake breakfast which Mayor Kessler will be participating as a cook.

Mike Price, Recreation and Parks Director- No Report

Old Business: Mr. Lampke thanked Council members for a great discussion.

New Business: Discussion of health care benefit for Magistrate, Bexley Court. Mayor Kessler had discussed the possibility of the Magistrate purchasing health insurance through our group plan. Some concerns were voiced regarding the definition of "eligibility" and the fact that he is actually a contractor, not an employee. It was decided further research would be needed.

Remarks from Audience: None



Executive Session: Council members adjourned into Executive Session based on Section 223.03 (a) to discuss personnel issues. Mr. Weber made the motion and it was seconded by Mr. Lampke. Roll call was taken prior to Executive Session. Vote 6-0 to adjourn into Executive Session.

Adjourned: 10:00 p.m.

***Board of Control Meeting followed immediately after City Council.**

