BEXLEY CITY COUNCIL MINUTES

Tuesday, March 13th, 2012
7:00 p.m.

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

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

If anyone wishes to address City Council on any issue, please fill out a Speaker Request Form and submit Form to President of Council.

I. Call to Order

II. Roll Call of Members: President Weber, Matt Lampke, Anne Lewis, Tim Madison, Mark Masser and Richard Sharp. Mr. Keyes was absent.

III. Others Present: Lou Chodosh, Beecher Hale, Bill Harvey, Mayor Kessler, Bruce Langner, Mike Price, Kathy Rose and Gary Qualmann.

IV. Pledge of Allegiance

V. Swearing in of new Council member, Anne Lewis by Jeffrey McClelland. President Weber welcomed the new Council member and said she was being sworn in by her Uncle, past Council President Jeff McClelland. He said all members were thrilled to have her join them and congratulated her.

VI. Review of Minutes for February 28, 2012- Approved with Changes
Mr. Sharp and Mr. Madison had corrections to the minutes. Council members discussed concerning future written minutes to accompany the Granicus audio/visual recordings. Mayor Kessler said the minutes will be less cumbersome. Mr. Chodosh said the minutes will need to include more than the voting information.

VII. Correspondence: None

VIII. **Presentations/Special Guests:** Mr. Artie Isaac with Vistage. Mayor Kessler said Mr. Isaac is a Bexley resident and partner with Young & Isaac marketing firm who has graciously agreed to assist Council at no charge. Mr. Isaac discussed the upcoming Council Retreat. He said they will meet at the Jeffrey Mansion at 3:30 p.m. on Friday, March 30th for approximately 90 minutes. They will work on skill training and it should be enjoyable. On Saturday, March 31st they will be focusing on brainstorming. The exact time and location will be determined. He asked Council members to consider what they would like to see happen as a result of the retreat. He does not want the meeting to run too long because it would not be beneficial. President Weber thanked Mr. Isaac for attending the meeting. Mr. Masser asked if any material needed to be prepared prior to the retreat. Mr. Isaac asked that all Council members attend with an open mind.

IX. **Public Comments:** (This time is available for the public to speak, 5 minute limit please, regarding any issue not otherwise on the Agenda for this meeting). None

X. **Ordinances and Resolutions:**

Ms. Kathy Rose – Building Dpt. Manager – Discussed a new Ordinance concerning food carts and vendors. Ms. Rose said she is introducing different fees. She spoke with the City of Columbus and their fee is $100 per year. Discussion was held concerning a higher fee along with the dates, times, etc. After some conversation about other potential vendors, Council voted on the $100 annual fee. **Vote was 6-0 – All in favor.** It was also decided to inform the police department in addition to the Department of Health. Mr. Madison made a motion to approve the application. Motion was seconded and passed.

A. Finance Committee – Richard Sharp, Chair

Third Reading

Ordinance 10-12 to adopt the revised investment policy for the City attached hereto, introduced Mr. Sharp, (Introduced on 2-14-12).

Mr. Hale had some changes to the investment policy. Motion was made by Mr. Sharp and seconded by Mr. Lampke. Vote 6-0 **Amended**
Motion made by Mr. Sharp to adopt. Mr. Lampke seconded the motion. Vote 6-0 **Passed**

Ordinance 11-12 authorizing the payment of one week salary to the Acting Mayor, introduced by Richard Sharp (Introduced on 2-14-12).

Motion made by Mr. Sharp to adopt. Mr. Lampke seconded the motion. Vote 6-0 **Passed**

Second Readings.

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

Ordinance 17-12 to appropriate $4,000.00 from the Mayor's Court Fund for the purpose of paying for installation of Granicus public meeting audio/visual recording system, introduced by Mr. Sharp (Introduced on 2-28-12). **No Action**

First Readings.

Ordinance 16-12 -to appropriate $2,000.00 from the unappropriated General Fund for the purpose of paying expenses related to the Greater Bexley Community Clean up Day, introduced by Mr. Sharp (Introduced on 3-13-12).

Mr. Langner said this needed to be passed tonight due to the timing. The City will be receiving a grant from the State of Ohio for this cost. Mr. Sharp made a motion to suspend the three reading rule. Mr. Masser seconded the motion. Vote 6-0 **Suspended**
Mr. Sharp made a motion to adopt. Mr. Masser 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 – Anne Lewis, Chair

Third Readings.
None

Second Readings.
None

First Readings.
None

D. Service Committee – Steve Keyes, Chair

Third 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).

Mr. Lampke made a motion to adopt. Mr. Masser seconded the motion. Vote 6-0 **Passed**

Second Readings.
None

First Readings.
None

E. Zoning and Development Committee – Matt Lampke, Chair

Third Readings.
None

Second 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). **No Action**

First Readings.

Ordinance 15-12 to approve a use variance for part of the western portion of property located at 2080 East Livingston Avenue to permit a drive-thru restaurant, introduced by Mr. Lampke (Introduced on 3-13-12). **No Action**

Mr. Langner explained this is for a possible Tim Horton's restaurant. Mr. Madison commented on the restrictions listed in the Charter. Mr. Langner explained the Code does not restrict the use of a drive-thru. Mr. Sharp said a variance is allowed if Council members override the regulations. Mr. Scott Messing was in attendance to represent Tim Horton's. Mayor Kessler said this matter would be going before the Planning

Committee. Mr. Messing said they have reviewed the plan and they are happy to modify the plans if needed. He said the property located on the western side of the old BP location. President Weber asked if the drive-thru made the business more profitable. Mr. Messing replied, absolutely.

F. Strategic Committee – Tim Madison, Chair

Third Readings.
None

Second Readings.
None.

First Readings.
None.

G. 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

XI. Committee Reports

Zoning and Development – Matt Lampke - Mr. Lampke said there would be a meeting on March 27, 2012. He said this meeting will be held at 5:30 p.m. and there are two Ordinances for discussion.

Strategic Committee – Tim Madison- Mr. Madison suggested holding the Strategic Committee on a different night from Council meetings. No Council members were opposed to holding the meeting on another evening. Mr. Madison stated the next Committee meeting would be held on the first Tuesday in April. He said Mr. Jim Bowman was named as Chair; Mr. Jim Ryan was named Vice-Chair. There was no Secretary elected. Mr. Madison said he feels very confident with the members on this Committee.
He reminded all members of the Council Retreat. He said he would notify every one of the location and time for Saturday's retreat meeting.

Finance & Judiciary – Richard Sharp – Mr. Sharp said he has correspondence regarding municipal income tax reform. He has postcards with the association's information listed.

Recreation and Parks – Mark Masser- The Committee has not met but he will be attending the March 7th Recreation Board meeting. Their retreat is planned for April 4, 2012.

Safety – Anne Lewis- No Report

Service- Steve Keyes- Not present.

President's Report – Rick Weber- President Weber said he attended the swearing in ceremony for the two new police officers. Mr. Weber said he would not be able to attend the March 27, 2012 meeting which was the originally scheduled photograph session.

XII. City Official Reports

Ben Kessler, Mayor – Mayor Kessler said his administration is active in the Bexley Celebration Fund grant process and is working on establishing an access point to Alum Creek. He met with the Chamber of Commerce and others regarding a "branding" grant. He said the police are applying for a grant for Safety Town. There is also a grant application for a brick sidewalk to be placed on Main Street. Ms. Lewis said completing the paperwork for the grant is a lot of work for the money. She said it is due Thursday morning.

He said the City will be unable to offer payroll tax incentives to new businesses in certain situations via pending agreements with other Central Ohio municipalities. He would be meeting with Columbus representatives to discuss redevelopment on Livingston Avenue. He said there is a Google application the City is transitioning over to use for the email accounts. He said this email is essentially free in that it offsets what we are currently paying Novell.

Mr. Kessler reminded everyone of the Whitehall/Bexley pancake breakfast. He said he met with Mr. Paul Ross who works with the school system regarding sharing services. He also met with Capital University regarding creating a Capital internship program. Mr. Madison thought it would be an excellent idea to work with Capital's law school and perhaps have a second year law student work pro bono to help Lou with research and Mayor's Court. He also discussed the following topics:

- Council photographs
- Jeffrey Mansion's alcohol policy
- Granicus project is moving forward
- Public notice signage policy by putting signs out to use to replace notifications
- He met with the Chief to discuss Safety issues
- April 19th will be the State of the City Address at Torat Emet at 7:00 p.m.

Gary Qualmann, Auditor- No report.

Lawrence Rinehart, Chief of Police- No report.

William Harvey, Service Director- No report.

Lou Chodosh, City Attorney- No report.

Bruce Langner, Development Director- Mr. Langner thanked Council for the passage of his Ordinance. He said there are some new businesses which he listed on his report. The newest one is the Marcy Design Group.

Mike Price, Recreation and Parks Director- No report.

XIII. Old Business: Council discussed Mr. Jeremy Fox's application for a Food Cart Vendor. Mr. Madison said he has concerns there is not a set time frame. He is not in favor of stating "five days a week". He said it needs to be a definite time and date. Mr. Chodosh said they were unable to accept the application based on speculation. Council requested the time of 4:30 p.m. – 6:30 p.m., Tuesdays and Wednesdays. Mr. Madison made a motion to approve the application based on the amended information. Ms. Lewis seconded the motion. Voice Vote – All in favor. **Approved 6-0**

President Weber circulated a change of Council dates based on the September 4th and 11th dates due to September 25th being a holiday.

XIV. New Business: Approval of City of Columbus Division of Water and City of Columbus Municipal Fees Motions. Payments made in 2012 for 2011 services. Mr. Hale explained he is required to do a PO number based on the state audit but the purchase had to be completed prior to the PO process. Mr. Lampke made a motion to approve. Mr. Sharp seconded the motion.

XIV. Remarks from Audience - None

XVI. Adjourned 8:45 p.m.