

Record of Proceedings

VILLAGE OF MINERVA PARK CHARTER COMMISSION

Minutes of the

January 17th, 2019

Commission Meeting

Council Chairwoman Conger called the meeting to order at 6:33pm.

Roll: Commission Chairwoman Conger, Vice Chair Parks, and Members Beeba, Walsh, Wolf, Brasket, Townsend, Busick, Park-Curry, Silverman-Star, Allison, Bell, and Lewis. Member Harker arrived at 6:52pm.

Attending: Rebecca Princehorn and Paul Rutter of Bricker & Eckler, and Mayor Lynn Eisentrout.

Bricker & Eckler Presentation and Discussion

- ❖ Rebecca Princehorn and Paul Rutter distributed copies of:
 1. A Minerva Park Charter Timeline containing filing, reading, and mailing dates;
 2. An outline of common charter sections and provisions;
 3. A memorandum on Article I listing types of government. Mr. Rutter advised the Commission to think of these types as a continuum--for instance, on paper New Albany is Council-Mayor-Manager, but in practice they are Council-Manager. He also pointed out the list of Central Ohio Muncipal government types, explaining that Council-Mayor is slightly more prevalent than Council-Manager, with Council-Mayor-Manager being the least common.
 4. A Memorandum on Article II, citing specific differences in Muncipal Charters, such as Delaware, for instance, which includes a provision preventing the government from using economic development as a reason to exercise eminent domain.
- ❖ Rebecca Princehorn asked where the commission was with regards to selecting a form of government, and Chairwoman Conger replied that it was planning to solicit citizen feedback before coming to a final decision.
- ❖ Member Estes commented that she feels the Commission has yet to fully explore the details of the various forms of government, and that this may figure prominently in to the Commission's decision. In response, Ms. Princehorn offered to compile a comparison of statutory villages showing organization and lines of responsibility. Mr. Rutter noted that Hilliard is in the process of changing from Council-Mayor to Manager-Council due to having lost a strong mayor in office.
- ❖ Member Parks inquired as to the division of duties and responsibilities between the various organs of government, and specifically what checks and balances exist. Ms. Princehorn explained that the form of government will drive the pace of statutory law. Until a form of government is decided, it will be difficult to discern checks and balances.
- ❖ Member Lewis enquired as to whether the systemic checks and balances are evident in the structures Mr. Rutter had drawn up. Sometimes the structure can follow a corporate model, wherein the administrator functions almost as a CEO and the Council as a Board of Directors.

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Bricker & Eckler Presentation and Discussion (continued)

- ❖ Member Wolf asked what sort of rules can be put in place to recall a manager or administrator. Ms. Princehorn and Mr. Rutter did not know, but said they would research.
- ❖ Mr. Rutter explained that a Mayor-Council-Admin structure would be a good way to have both the ability to recall a mayor but also gain the benefits of a Village Manager.
- ❖ Member Park-Curry explained that every charter she has thus far reviewed has had at least a ceremonial mayoral position. Are their municipalities that do not possess even a ceremonial mayor. Mr. Rutter explained that even in the municipalities with an administrator, one of the council members acts as a ceremonial mayor.
- ❖ Member Estes enquired if it might be useful for the Commission to do an informal poll as to which type of government is preferred among the members. Member Braskett added that it might be useful for each member to mention their personal pros and cons.
 - Member Bell mentioned that he liked the idea of an Council-Administrator as they could bring some professionalism and stability to the village government.
 - Member Busick asked whether or not the decision truly comes down to Council-Admin and Council-Mayor.
 - Member Allison also felt the Council-Manager would be preferable.
 - Member Townsend explained that he felt the Mayor-Council-Administrator would be best if it was possible to set the term of the Administrator. Mr. Rutter such explained that specificity might not be in the Village's best interest as the Charter should be flexible enough to respond to context and the relationship between Council and Administrator.
 - Chairwoman Conger chose Council-Manager, also because to professionalism and stability that is independent of the electoral cycle.
 - Member Wolf also has a preference for Council-Manager, due to the broader pool from which an Administrator can be drawn.
 - Member Park-Curry explained that due to her experience on Council she had seen many people come and go from hired positions, and so she was in favor of Mayor-Council-Administrator. Also, the Mayor would provide continuity when there is turnover among administrators or Council.
 - Member Lewis chose option Council-Manager, due to her experience in the public sector. She is concerned for the Village because we are at a crossroads moment, and that whatever we select, that the governmental officials are held accountable and given solid performance reviews.
 - Member Estes also chose Council-Manager, primarily due to accountability and the size of the candidate pool.
 - Member Beeba also chose Council-Manager, but stated a strong preference for having at least a ceremonial mayor.
 - Member Silverman-Star spoke in favor of having a Mayor-Council government, so that there would be someone in charge who is familiar with the community and understands the situation of the people in Minerva Park.

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Bricker & Eckler Presentation and Discussion (continued)

- Member Estes replied that the Village has grown twice before and it could grow again.
- Vice-Chair Parks explained that he was in favor of the Mayor-Council form, primarily due to the small size of the Village, and the expense involved in hiring a City Manager. Also, the mayor would be someone living in the community and answerable to the community. Finally, it places all the power in the hands of the Council, and that simply because only one person has run in the previous elections doesn't mean that we will have such a small candidate pool going forward.
- Member Brasket chose Mayor-Council, primarily due to the cost of hiring an experienced administrator. He added the caveat that the Charter should address the power disparities between the Mayor and Council.
- Member Beeba added that she had changed her vote to Mayor-Council.
- Member Busick explained he was in favor of Mayor-Council, primarily to account for the distribution of the work.
- Member Harker explained his decision rests primarily on whether the Village could budget for an experienced Administrator. In the absence of financial wherewithal to hire an experienced professional management, a Mayor-Council would be preferable.
- ❖ Member Park-Curry asked what manner of information B&E could provide pertaining to hiring a professional administrator, and whether, should we hire a City Manager, if we would also need to have a City Planner.
- ❖ Member Silverman-Star explained that experience and certification between City Managers and City Planners seldom overlap.
- ❖ Member Townsend asked about City Manager (CM) salaries and Ms. Princehorn explained there is a wide variety and robust collection of public administrators, and that the salary will depend primarily on the local dynamics and requirements, and that the Ohio Municipal League collects CM salary scale data across the State.
- ❖ Member Estes asked whether or not it would be possible to find someone with the proper training and experience, either someone fresh out of school or at the end of their career. Ms. Princehorn explained that it is very possible, citing the Dublin City manager, and how he moved to Delaware due to the smaller commitment on his time. Also, due to the John Glenn school, Columbus actually hosts a much larger than average candidate pool.
- ❖ Member Busick asked as to the B&E representatives as to whether they have any specific experiences as to why one form of government was chosen over another. Mr. Rutter mentioned Sunbury, who went with the Mayor-Council-Administrator because they have a very successful mayor and didn't want to change the system too much.
- ❖ Ms. Princehorn asked if the current format of information would be useful going forward--a high level overview with specific examples drawn from actual Ohio municipal charters. The Commission agreed that it was. B&E offered to put together notebooks for the Commission members that contain various information sources.

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Bricker & Eckler Presentation and Discussion (continued)

- ❖ Member Beeba asked if B&E had any additional information that could assist in making decisions about the form of government. Ms. Princehorn again directed the Commission to the Ohio Municipal League for more information on city administrators.
- ❖ Chairwoman Conger asked B&E to assist with the construction of organizational charts, pros and cons, as well as specific examples from other municipalities (Sunbury, for instance).
- ❖ Ms. Princehorn asked whether the Commission had adopted posting ordinances, sunshine laws, and rules for procedures. Member Estes replied that we have not formerly adopted any of those rules. They explained that the Commission needed to adopt its own rules and procedures going forward. The Commission will forward them the MP Village Council's procedures, so that the Commission might easily adopt them.
- ❖ Mr. Rutter asked if Vice-Chair Parks would continue compiling the Charter provisions. Vice-Chair Parks replied that he would.
- ❖ Ms. Princehorn asked what B&E should be doing going forward, what meetings they should attend, etc.
- ❖ Member Estes explained that while B&E might not need to come to every meeting, they should be available to answer specific questions the Commission members might pose.
- ❖ Ms. Princehorn explained that there should be a single contact person between Counsel and Commission. The Commission decided Vice-Chair Parks would fill this role, due to his legal experience.
- ❖ Member Brasket asked if B&E would inform Commission if Counsel costs exceeded (or even approached) the estimate they provided.
- ❖ Member Beeba enquired as to whether the Commission needed to draft a budget. While we do not, we can track expenditures. The Commission put forward Member Busick to manage the budgetary spreadsheets.
- ❖ Member Park-Curry asked what other rules the Commission might need to adopt, and Ms. Princehorn explained that B&E will ensure that the Commission remains compliant with all relevant laws and procedures.
- ❖ Vice-Chair Parks asked whether B&E could put together an organizational chart on the current Village structure as statutorily organized. Member Walsh is compiling a list of MP ordinances and powers as currently constituted, but the Commission would also benefit from an organizational chart.

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Swearing In:

- Eddie Bell was officially sworn in by Mayor Eisentrout as a Charter Commission Member.

Minutes:

- Member Wolf moved to approve minutes from the 1/3/19 Meeting, Vice-Chair Parks seconded, all approved.
- Member Park-Curry had compiled the minutes for the 1/10/19 meeting, but the Commission Members had yet to review them and so the approval was pushed to the next meeting.

Old Business:

- Member Wolf created a feedback form on the Charter website.
- Member Lewis asked if it would be useful to post the link on Facebook and other social media to solicit more feedback from MP citizens. Chairwoman Conger volunteered to do this.
- Member Silverman-Star, Allison, and Bell have yet to access their Village e-mail addresses, although they do exist. Member Estes remains locked out of her account. Chairwoman Conger will mail all three login information this week.
- Member Estes compiled a list of questions for past Village Councilors and current Village Employees, the Commission was to review (and comment) on the questions.
- Member Lewis felt that all the questions seemed reasonable and relevant, apart from the fact that cognitive words should be used rather than affective words ("I think," rather than "I feel).
- Vice-Chair Parks enquired as to the whether "efficient" would be better than "effective" in the context of the questions concerning governmental efficacy. Member Estes asked if it might be best to use both? The Commission agreed that it would be fine to use both words.
- In the absence of additional comments, Member Estes' questions were approved to send out. When the questions are finalized, Member Estes will provide Member Wolf with the document and he will construct a web form with a URL for the individuals to log onto and answer the questions to preserve their privacy.
- Chairwoman Conger asked what days would be best for a public information session regarding the forms of Government. The Commission will confirm with Pastor Feight as to whether Sunday, February 3rd would work for a meeting.
- Chairwoman Conger asked if there is anything the Commission might do to help the new members. Also, she asked Member Park-Curry to assist with the construction of a list of deadlines.
- Chairwoman Conger asked what the deadline should be for decision on a form of government. The decision should be made by the end of February, hopefully on the 21st, but no later than the 28th.

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Old Business (continued):

- Vice-Chair Parks asked by what means the ultimate decision regarding form of Government should be reached. Member Park-Curry said that we should strive for consensus and an understanding of nuance with the ultimate form of Government. Vice-Chair Parks and Member Wolf discussed the potential pitfalls of having total agreement. Even if some Members have reservations, there will be time to work out concerns in the specific details of the Charter.
- Member Estes pointed out that B&E Counsel should not need to attend every Commission Meeting. There was no dissent.
- Vice-Chair Parks was selected as B&E's primary contact. All Commission Member questions should be sent to the Legal Subcommittee.
- Member Beeba inquired about costs in addition to legal counsel and mailings. Apart from potential flier costs, there don't seem to be any at the moment.
- Current Subcommittees were enumerated for Commission Organizational Chart: Legal (Vice-Chair Parks, Members Beeba, and Walsh), Community Engagement (Chairwoman Conger, Members Townsend, and Wolf) and Survey (Member Estes, Brasket, Busick and Park-Curry).

Member Wolf moved to adjourn, Vice-Chair Parks Seconded, all in favor. The Commission meeting was adjourned at 8:27pm.