

# **Record of Proceedings**

## **VILLAGE OF MINERVA PARK CHARTER COMMISSION**

**Minutes of the**

**February 7<sup>th</sup>, 2019**

**Commission Meeting**

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

**Roll:** Commission Chairwoman Conger, Vice Chair Parks, and Members Harker, Estes, Allison, Park-Curry, Lewis, Townsend, Silverman-Star, and Braskett. Members Walsh and Busick arrived at 6:48pm.

**Attending:** Paul Rutter (B&E), Eric Fisher, Rod Davisson (Administrator, Obetz)

### **Rod Davisson Presentation**

- ❖ Mr. Davisson asked the Commission to speak about Minerva Park, and Member Silverman-Star provided a brief overview of the Village's demographics, size, and governmental structure.
- ❖ Mr. Davisson spoke to the various pitfalls of the differing forms of government, specifically focusing on the dangers of power in the hands of a mayor (in the case of a bad mayor). It primarily depends on how much power the Charter provides the executive branch. Obetz has a Strong Mayor form with a village administrator who answers only to the Mayor. He believes that Councils should not interfere in employment decisions. In the case of Obetz, if a mayor leaves office, the next mayor has the opportunity to bring on their own administrator.
- ❖ Below the level of mayor are the directors--individuals who possess institutional knowledge and may (but not always) last through multiple administrations. Not wanting the directors to be totally beholden to the Mayor (or Council), Obetz required the Mayor and a majority of the Council to agree in the case of firing. The goal is consistency, not only for residents, but potential investors. All Obetz employees below the director level can be removed by the Mayor.
- ❖ Member Silverman-Star asked whether specific industrial/commercial interests fed into the decision for Obetz to have a city Administrator. Mr. Davisson replied that the governments of municipalities face a wide variety of challenges, challenges for which an elected official may not have the necessary background or experience to properly engage. A village administrator is responsible for assisting the elected government with various technical details, specifically the business of running a municipality. Most larger municipalities are moving toward an administrator system simply due to the complexities of running a government.
- ❖ Member Townsend asked about Obetz' budget, specifically whether or not Minerva Park would be able to hire a competent and experienced administrator. Even with a strong mayor format, it is still possible for the government to contract administrative assistance. The key issue is the size and regularity of the issues Minerva Park faces--if they occur often, an administrator may be preferable. If not, it might be better to contract out as needed.

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### **Rod Davisson Presentation** (continued)

- ❖ Mr. Davisson explained the power of home rule in Ohio--municipalities have a constitutional right to home rule authority and the right to control anything that falls under the definition of local self-government. Unfortunately, the definition is somewhat murky, which has led to a number of legal cases involving the limits of home rule authority. For instance, the Ohio bid limit is \$50K, so any contracting in excess amount requires a bidding process. A Charter allows a municipality to raise that limit. The bid limit for Obetz is \$150K, which allows for more flexibility, but also puts more power in the hands of the administrators. Something that is *not* controllable is prevailing wage. Other things have changed over time, for example, the State has been compiling and codified residential building codes, which has removed building authority from the hands of localities.
- ❖ Vice-Chair Parks inquired as to what are the Mayor of Obetz's other duties in addition to hire/fire authority? Mr. Davisson replied that, in Obetz, the Mayor is framed as a strategic decision maker, allowing the administrator and staff to make tactical, day-to-day decisions and implement policies. Elected officials should be focused on: "steering the ship." The goal is to hire competent staff who will assist elected officials with problems outside their skill-set. The Charter will set the framework for authority and responsibility going forward--how many council members are required, how contracting is handled, how large of a majority is required for an ordinance to pass, etc.
- ❖ Mr. Davisson explained that it is possible to over-legislate, restricting Council and Mayoral ability to respond to changing circumstances. At the speed with which governance moves, being able to quickly respond to issues that arise is very important. For instance, the Obetz Charter provided for a 7 person Planning & Zoning commission in order to spur more public participation--but now they have great difficulty filling the positions. Obetz's Charter also requires all men to wear ties to Council meeting. One of the members of the Obetz Charter commission also pushed to require that English be declared Obetz's official language.
- ❖ Member Walsh asked who sets the strategic vision for Obetz? Mr. Davisson replied that he has learned to solicit input from all members of the Obetz government--a management by committee style.
- ❖ Member Walsh asked how Minerva Park, as a built-out Village, is competing with other municipalities? Mr. Davisson replied that MP was competing for residents and property values. An administrator might not necessarily come with a strategic vision. A charter makes a difference on technical processes, such as bidding, passing ordinances, the structure of government, etc.
- ❖ Eric Fisher explained that MP is a bedroom community, but there are still infrastructure projects that will need to be bid out--roads, businesses, lake drainage, etc.
- ❖ Mr. Davisson outlined a hypothetical situation where MP might need to outbid a neighboring municipality on a grocery store. If it comes down to flexibility, a municipality with a higher bid limit will win out every time.
- ❖ Member Estes spoke to the current strip mall north of the Village--and how a carefully worded charter might spur positive economic development.

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### Rod Davisson Presentation (continued)

- ❖ Eric Fisher spoke to the possibilities that open when a village isn't limited by statutory authority. Simply because MP is built-out and does not tax the surrounding businesses, does not mean this will *always* be the case. A Charter could allow for Public-Private partnerships, faster bidding, etc.
- ❖ Mr. Davisson explained that the main benefit of a Charter is that it allows a municipality to chart its own destiny.
- ❖ Member Braskett asked about dividing projects into multiple parts to avoid bid limits. Mr. Davisson replied that, with *some* temporal and substantive caveats, this is not possible.
- ❖ Member Braskett then enquired about how to best word a charter to provide for specific frameworks while still allowing for flexibility in governance. Mr. Davisson replied that it isn't really possible, and that mistakes will be made. A good Charter will allow for a Council/Mayor/Administrator to adapt and change. It is important to properly time a Charter review--he recommended 2-3 years.
- ❖ Member Beeba enquired as to the processes by which a Charter is reviewed and amended. Mr. Davisson replied that it isn't necessary to form another Charter commission, but the Charter can set the process by which it is reviewed and amended. Ultimately however, all amendments must be placed before village electors.
- ❖ Chairwoman Conger asked specifically what contributed to the Obetz charter not passing in its first three iterations? Mr. Davisson replied that infighting among the commission, disinterest among the citizens, confusion, etc.
- ❖ Member Busick asked what specific issue contributed to the infighting. Mr. Davisson replied that he did not remember.
- ❖ Member Beeba enquired as to how vital a Mayor is in Obetz' situation. Mr. Davisson replied that a mayor is vital, primarily because it provides someone who has the Village's best interests at heart. A professional city manager may not be from your municipality, and he believes that, ultimately, the final decision-making authority should reside in the hands of a resident.
- ❖ Vice-Chair Parks asked what sort of check-and-balances are in play in Obetz? Mr. Davisson replied that the goal was to focus elected officials on governing rather than getting involved in micro-level issues--such as how the grass is mowed on public spaces. A good manager will establish a relationship with elected officials so that he/she can work toward the public good without needing to burden the Council or Mayor. In Obetz's case, everyone sees themselves on the same team.
- ❖ Member Braskett enquired about whether Council Members are paid in Obetz? Mr. Davisson responded that they were paid \$500 a month, and that, while the pay rate does help spur interest and commitment, it should not be a deciding factor. He added that it is unnecessary to have both a full-time mayor and administrator. One of them should be part time.
- ❖ Member Busick asked how much time Mr. Davisson spends on his job in a typical week. He answered that he works 60-70 hours a week, usually running from 9am to 9pm.

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### **Rod Davisson Presentation** (continued)

- ❖ Member Lewis asked how best to involve and introduce the Charter to the citizens of MP. He replied that outreach was very important, and that he and the Commission made a concerted effort to reach community members.
- ❖ Chairwoman Conger asked how long the Charter process took. Mr. Davisson replied that it took roughly 15 years, which mostly involved building public trust.
- ❖ Mr. Davisson explained that there are a wide variety of Charters, and while it is possible to copy Charter components it is important to explore local issues and needs. Reach out to other Chartered municipalities and find out what worked and what didn't, what they would change if given the chance. Lawyers can provide assistance, but won't make decisions.
- ❖ Member Estes asked Mr. Davisson to speak briefly about the utility system in Obetz. He replied that Ohio Municipalities are given relatively wide discretion with regards to bringing utilities; buying wholesale gas, electric, etc.; using Columbus for fire, sewer, fiber, etc. The major advantage is that allows municipalities to compete for potential development and redevelopment, attract potential employers and investors, and maintain/drive property values.
- ❖ Mr. Davisson left at 7:44pm, after thanking the Commission for their time and had work.

### **Minutes**

- ❖ Member Beeba moved to adopt the minutes of the 1/31/19 meeting with two corrections. Member Park-Curry seconded. All in favor.

### **Old Business**

- ❖ The Charter Commission reviewed the rules of conduct and order for clarity and ease of implementation.
- ❖ Member Wolf moved to pass the rules, Member Park-Curry seconded. All in favor.
- ❖ The Commission rules were posted on the Charter website for public review.
- ❖ Member Silverman-Star was unable to pass out all her fliers due to inclement weather, Chairwoman Conger volunteered to distribute the remaining fliers.

### **Public Meeting Powerpoint Review**

- ❖ The Commission reviewed the PowerPoint for potential bias and clarity of information.
- ❖ Member Estes left at 8:50pm.
- ❖ Chairwoman Conger asked Mr. Rutter if he had any comments or concerns. His primary interest was ensuring that the Commission had enough time to actually draft and submit the Charter.
- ❖ Member Townsend explained he would place signs at the Village entrances.

### **Final Business**

- ❖ There were no public questions raised in person or submitted through the Charter site.
- ❖ Member Wolf moved to adjourn, Member Beeba seconded, all in favor.

*The Commission adjourned at 9:01pm.*