

# Record of Proceedings

## VILLAGE OF MINERVA PARK CHARTER COMMISSION

Minutes of the

April 11<sup>th</sup>, 2019

Commission Meeting

*Vice-Chair Parks called the meeting to order at 6:36 pm.*

**Roll:** Chairwoman Conger, Members Silverman-Star, Townsend, Wolf, Beeba, Bell, Park-Curry, Allison, Lewis, Harker, Walsh, Estes, and Braskett. Member Busick arrived at 6:40pm.

**Attending:** Councilman Starr, Nailyan Conger, Eric Fisher arrived at 7:01pm. Councilwoman Hughes arrived at 7:10pm.

**Minutes:**

- ❖ The Commission members had not all had time to fully review the minutes from the previous sessions so none were approved.

**Old Business:**

- ❖ Chairwoman Conger asked if the Drafting Sub-Committee would meet Easter Sunday. It would not. Although it would meet every other Sunday from 9-12am at the Community building.
- ❖ The Public Informational Session has been moved to 4/27/19. Chairwoman Conger asked about posting finished/approved sections of the Charter on the Commission Webpage. The Commission agreed to post completed sections on the site for public review--currently the Preamble and Sections 1 through 3. Vice-Chair Parks and Chairwoman Conger will provide the finished sections to Member Wolf, who will post them online.
- ❖ Member Beeba suggested an addition regarding the powers of council, specifically granting them the power to compel the mayor, administrator, and various Village organizational heads to provide reports. Member Silverman-Starr searched through the Charter and found language in each sub-section that compelled the administrator et. al. to provide reports.
- ❖ The Commission addressed Section 4.03(B), regarding Council votes on dispensing readings, and whether it should be possible or difficult.
- ❖ Member Park-Curry suggested making the vote to waive readings reliant on a supermajority.
- ❖ Member Estes suggested taking a vote to determine whether Council should be able to waive readings or not.
- ❖ Member Beeba read from the Johnstown municipal Charter, which listed a number of carveouts for when readings may be waived, suggesting the Commission consider language dealing with the Council agenda and that it should be compiled and made available no less than 72 hours before any meeting.
- ❖ The Commission took a vote and agreed, 9 to 5, that Council should be able to waive readings without going into specifics with regards to how that might be accomplished.
- ❖ Eric Fisher spoke to the waiving of readings, that not granting Council that ability would effectively hamstring their ability to conduct the business of government.

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### Old Business:

- ❖ Member Allison suggested 6 votes to waive readings, Member Bell suggested 7, Member Busick suggested 5, Member Braskett suggested unanimity to allow for Council members to resign. Member Silverman-Starr suggested 5 as it would provide enough oversight while simultaneously allowing business to continue in a professional manner. Member Lewis spoke to adding teeth to the current practice to deal with outlier situations and 5 votes.
- ❖ Member Busick spoke to the dangers of allowing one Council member to block legislation.
- ❖ Member Townsend agreed, adding that unanimity is not desirable as it doesn't take into account for potential rogue Councilmembers who might vote no just to stymie the process.
- ❖ Chairwoman Conger asked the attending Councilmembers to comment on the proposed rule. Both Councilmembers Starr and Hughes explained that Council are often the endpoint of a proposed legislation or project, and that lateness can spring from many sources. Councilman Starr said 5, as it would make for consistency and stop confusion. A unanimous vote would also be unworkable due to the power it placed in a single Councilperson's power. Councilwoman Hughes suggested either 5 or 7.
- ❖ The Commission voted for 3 readings. Eleven ayes with members Brasket, Estes, and Bell opposed. The motion passed.
- ❖ Member Beeba explained that the current annual appropriation is roughly \$2M. And the Commission discussed what percentage of the budget should serve as a ceiling.
- ❖ Member Braskett suggested that the Commission not get too wrapped up in the details and suggested 10%.
- ❖ Member Silverman-Starr spoke with Eric Fisher, who explained that infrastructure projects are often the most expensive and time-sensitive.
- ❖ Member Walsh mentioned that she was specifically concerned about infrastructure projects, and that they should *all* be exempted from waiving readings.
- ❖ Eric Fisher spoke to bonded limits and large projects, and that TIF money can be bonded by Council and will be required to be placed before the voters anyway.
- ❖ Member Walsh suggested that she would not like to see any waivers of reading based on poor decisions.
- ❖ Member Silverman-Starr explained that she wanted the ceiling to be higher than 10% as it would make Minerva Park less attractive to business and contractors.
- ❖ Member Wolf said that waiving readings may have been a problem in the past, but is not as much of an issue now, and that the important issue is differentiating between issues that *require* readings and those that do not have that large of an impact--specifically road construction, sewers, and water line work; zoning, and anything under 5% of the annual general fund appropriation.
- ❖ Member Beeba agreed with Member Wolf, and that the language he suggested would provide for more control.
- ❖ Chairwoman Conger enquired as to whether the percentage suggested by Member Wolf was agreeable. A vote was taken--11 in favor, Member Brasket and Silverman-Starr abstaining, with Member Estes voting no on 5% of the annual general funds.

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- ❖ Member Harker moved that Member Wolf's language be voted on by the Commission, Member Busick seconded. 11 in favor, Member Brasket abstaining, and Member Silverman-Starr, with Member Estes voting no.
- ❖ Member Braskett raised the issue of the Mayor managing the Village Administrator's subordinates or department heads. Chairwoman Conger suggested that, as time was running short, this discussion should be revisited at a future meeting.

### **Public Informational Session**

- ❖ Chairwoman Conger raised the matter of creating and distributing fliers for the informational meeting.
- ❖ Member Townsend raised the issue of citizens attending this meeting who did not attend the first and that it might be useful to quickly address the forms of government.
- ❖ Member Park-Curry said that she would be able to create copies if the draft flier was finalized by 4/15/19. Member Silverman-Starr said she would draft a flier for review at the Commission's 4/14/19.
- ❖ Chairwoman Conger asked who would be interested in helping create a PowerPoint presentation. Members Silverman-Starr, Lewis, and Wolf agreed. They tentatively agreed to meet on the coming Sunday (4/14/19).
- ❖ Member Estes suggested that the Commission take a single night and stay as late as necessary to litigate all the contentious issues. The Commission generally agreed that this was a good idea, but that a determination needs to be made as to how much of the Charter remains.
- ❖ Member Silverman-Starr explained there were 4 sections left to address, and that the Commission still needs to draft a transition plan.
- ❖ Member Beeba suggested that it would be useful to go over sections 9 and 10 on Sunday, so as to have an idea of how the Charter will stand as a whole and what sections are interdependent.
- ❖ Eric Fisher offered to read over the document related to zoning and offer any technical advice the Commission might require.

Member Busick moved to adjourn, member Park-Curry seconded, all in favor.

*Chairwoman Conger adjourned the Commission meeting at 8:26pm*