

Record of Proceedings

VILLAGE OF MINERVA PARK CHARTER COMMISSION

Minutes of the

May 16th, 2019

Commission Meeting

Chairwoman Conger called the meeting to order at 6:32 pm.

Roll: Chairwoman Conger, Vice-Chair Parks, Members Harker, Silverman-Starr, Wolf, Bell, Beeba, Estes, Walsh, Braskett, and Lewis. Member Busick arrived at 6:34.

Attending: Tim "The Handyman" arrived at 6:43

Meeting Minutes:

- ❖ Member Wolf moved to approve the 5/9/19 minutes, member Estes seconded. All in favor.

Article VII

- ❖ Vice-Chair Parks read the language regarding the qualifications for the Director of Safety. Vice-Chair Parks explained that he drew upon relevant sections from the Village of Kent and City of Westerville.
- ❖ Vice-Chair Parks stated his concerns that the Charter might be creating too many positions in the Village hierarchy, Members Wolf and Beeba explained that the position of Safety Director (or any directorship without specific education/experience/training qualifications) can be filled by the Administrator, Chief of Police, Fire, etc.
- ❖ Member Estes explained that she wanted to create the position of Director of Safety so that there was some professional oversight over the Village Police, Sanitary, and Fire departments.
- ❖ Members Bell and Braskett raised concerns that this position might be viewed as an additional paid office by citizens when they vote on the Charter.
- ❖ The Commission agreed that, since the Charter allows the Council the ability to create a Safety Director position as needed, there was no requirement to specifically stipulate it in the Charter.
- ❖ Member Braskett asked if the position of Village Engineer was a paid or contracted position. Member Estes replied that it is a contract position, and the Charter allows for it to continue that way if the Council wishes.
- ❖ Member Beeba asked if there needed to be a portion of the charter specifically stating that Village employees pay into OPERS.
- ❖ Vice-Chair Parks moved to approve section 7.09, Member Wolf seconded. All in favor.

Article 8.01 (Boards and Commissions - Creation and General Rules)

- ❖ Member Estes asked why the Village has a Zoning Commission? Member Wolf replied that a Zoning Commission was necessary to write Zoning rules, and that the Zoning Appeals would be ad-hoc.
- ❖ Chairwoman Conger asked about the necessity of a Parks and Recreation department. Member Wolf explained the intention behind the department.

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- ❖ Chairwoman Conger took a vote as to whether or not there should be a Parks and Recreation department: Members Harker, Conger, Silverman-Starr, Bell, and Walsh in favor; Members Busick, Lewis, Estes, Wolf, Beeba, Braskett, and Parks against.
- ❖ Member Wolf asked about the difference between Boards, Commissions, and Committees. Vice-Chair Parks felt the difference was that a Committee was made up solely of Council Members and that a Commission would be mixed between Council and Villagers. Member Wolf then stated the need to specifically delineate that difference in the Charter. Chairwoman Conger asked if would be most efficient to add those to the Charter's "Definitions" section? The Commission agreed that this would be a good solution.
- ❖ Member Walsh asked about potential redundancies/contradictions in subsection (i) and (ii), which dealt with compensation for Commission members. Vice-Chair Parks agreed that this was confusing, as Commission members should not be separately compensated.

Section 8.02 (Planning and Zoning Commission)

- ❖ The Commission discussed the number of members on the commission, specifically whether it should be 6 (as the currently constituted Commission), or 5 as stated elsewhere in the Charter.
- ❖ Vice-Chair Parks explained that this was copied from another Charter--with the intention of having 5 members with the Administrator being the sixth.
- ❖ Member Estes explained that she was not in favor of the Administrator being a voting member of the Commission as the rules should be created by citizens, not Village employees. The Commission agreed.

Section 8.03 (Board of Zoning Appeals)

- ❖ Vice-Chair Parks read the sections dealing with the powers and duties of the Board of Zoning Appeals.
- ❖ Member Wolf explained that variances are currently adjudicated by Council.
- ❖ Member Bell asked if the Commission had intended to be an ad-hoc body. Vice-Chair Parks replied that that would make it difficult to write the rules.
- ❖ Chairwoman Conger explained that the intention was to have members voted to the Board, but that the Board would not meet unless needed.
- ❖ Member Wolf said that he very much liked the ad-hoc nature of the Board as it provided a check on Council, as it will be made up of citizens and so not beholden to Village politics.
- ❖ Member Braskett asked if this would add too many citizen positions that needed to be filled.
- ❖ Member Busick asked if it would be helpful to add specific language dealing with length of requests, so as to prevent citizens requesting appeals years after the fact. Member Wolf replied that the Board would be responsible for making its own rules, and the Commission wanted to give them the flexibility to do so.
- ❖ Member Braskett asked what would happen if the Council was unable to fill the new positions. Vice-Chair Parks explained that, so long as the Council did due diligence to fill the positions, then there shouldn't be a problem.

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Section 8.03 (Board of Zoning Appeals) continued:

- ❖ Vice-Chair Parks asked if it would be more efficient to lower the citizen component to three rather than five voting members. The Commission agreed, but decided it would be useful to send the language to Member Park-Curry and Eric Fisher for review.

Section 8.04 (Safety Commission):

- ❖ Member Estes stated the past utility and current need for a Safety Commission, specifically highlighting the need for the Commission to research best practices.
- ❖ The Commission agreed that the Safety Commission should consist of six members, five citizens and a Council liaison.
- ❖ Member Silverman-Starr explained that the current Safety Committee was primarily responsible for the oversight of Police and Fire Procedures & Budget.

Section 9.01 (Finance, Taxation, and Debt)

- ❖ The Commission agreed to contact Kim Pulley regarding whether a Fiscal Year calendar (7/1-6/30) should be retained.

Section 9.03 (Operating Budget and Appropriation Ordinance):

- ❖ Vice-Chair Parks read through the language dealing with budgetary timelines.
- ❖ Member Estes asked if it wouldn't be useful to also reach out to Kim Pulley regarding this issue, as the current system works exceptionally well for the Village.
- ❖ Member Wolf argued that as most of the language was either boilerplate or statutory, it might be useful to just deal with the specific areas of contention (i.e. bid limit) and leave the rest to the statutory language, as it works for the Village.
- ❖ Member Braskett raised concerns about Council fees, stating that the Commission received another bill and that it was approaching the spending limit. The Commission agreed to be as careful as possible with regards to use of Council time.
- ❖ The Commission agreed to reword the section dealing with preparation of budgets to call out that the Director of Finance shall prepare, revise, and adjust the budget for the Administrator to present to Council.
- ❖ Member Beeba volunteered to reach out to Kim Pulley with the Commission's questions.

Section 9.04 (Contracting Powers and Procedures):

- ❖ Vice-Chair Parks read through the language dealing with timelines, procedures, contracting, etc. for the Village--which was drafted by Council, excepting sections dealing with specific totals and requirements.
- ❖ The Commission discussed the bid limit, specifically whether the ceiling should be 5% or 10% of the Village budget. The provisions do allow the Council to set the limit lower, the Charter itself
- ❖ Member Harker moved to vote on a 5% bid limit, member Busick seconded. 7 Members in favor (Busick, Lewis, Bell, Estes, Parks, Walsh, Braskett. 5 Members against (Harker, Conger, Wolf, and Beeba), with Member Silverman-Starr abstaining.

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Section 9.04 (Contracting Powers and Procedures) continued:

- ❖ Vice-Chair Parks read the requirements for competitive biddings, emergency waivers, supermajority votes, Administrator selection of construction method, contracting of architecture and engineering services, procedures for alterations and modifications of contracts. The Commission agreed with the specific language provided by Council.

New Business:

- ❖ Chairwoman Conger raised the issue of transitional language.
- ❖ Member Wolf related the Council discussion regarding Mayoral salary, and the setting thereof. And that his concern about stipulating time limits for a part-time mayor would leave the door open for specific schedule adherence.
- ❖ Member Braskett asked whether the current mayor is part-time or full-time. Member Wolf replied that the position is not defined.
- ❖ Member Estes replied with concerns about providing designated office hours for citizen comments.
- ❖ Vice-Chair Parks responded that requiring Office Hours would make the mayor a full-time position.
- ❖ Member Beeba directed the Commission to the example Charters, none of which specifically stipulate hours. In her opinion, defining the job as full or part-time would be overdefining.
- ❖ Member Braskett said that, currently, the mayor could not do any work and still be posting updated on Facebook and responding to calls. Therefore, he would like to stipulate hours.
- ❖ Member Silverman-Starr stated her concerns with regards to requiring a Mayor to be in their office for a specific number of hours, and as the job is likely to be a second job and so the Mayor would be working primarily evenings and weekends.
- ❖ Member Estes replied that, in past sections, the Commission has been satisfied with leaving decisions like this up to Council, questioning why, the Commission feels it needs to direct the Council in this matter.
- ❖ Chairwoman Conger asked if member Braskett would be willing to draft potential
- ❖ Member Busick asked if the vote could be finished regarding whether or not the Mayor should be defined as a full or part time position. Nine in favor of not defining (Harker, Busick, Lewis, Bell, Estes, Silverman-Starr, Conger, Wolf, and Walsh), none opposed, three abstentions (Beeba, Braskett, Parks).
- ❖ Chairwoman Conger asked who would be able to attend the 5/19/19 Sunday Sub-Committee meeting, but there were not enough to form a quorum.
- ❖ The Commission reviewed the calendar to schedule future meeting dates for June.
- ❖ Member Lewis asked if the Charter needed to be completely finished before the Council review.
- ❖ Member Estes restated that that 6/20 was a hard deadline, and that the Council should not need to schedule special meetings.
- ❖ Vice-Chair Parks asked where the Council stands on the Charter. Generally, the Commission was of the opinion that they were generally opposed.
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New Business:

- ❖ Member Harker stated that it wasn't necessarily a primary need to advocate for the Charter at the moment, as there would be time to do so once the Charter draft has been completed and approved for the November ballot.
- ❖ Member Wolf moved to adjourn, member Bell seconded. All in favor.

The Commission adjourned at 8:24pm.