

Record of Proceedings

VILLAGE OF MINERVA PARK CHARTER COMMISSION

Minutes of the

May 2nd, 2019

Commission Meeting

Chairwoman Conger called the meeting to order at 6:36 pm.

Roll: Chairwoman Conger, Vice-Chair Parks, Members Townsend, Wolf, Beeba, Allison, Lewis, Park-Curry, Bell, Busick, and Harker. Member Walsh arrived at 6:39pm. Member Braskett arrived at 7:46pm.

Attending: Eric Fischer arrived at 7:07pm.

Old Business:

- ❖ Chairwoman Conger provided as summary of the 4/27 Public Informational Session attendance. The public questions seemed to be primarily concerned with the transition plan, which the Commission has not addressed, yet. Also there were concerns about getting the information out to the citizens of the Village in a way that is easily digestible. There was also concern regarding the administrator's salary.
- ❖ Member Park-Curry mentioned that the John Glenn school at OSU would have statistics on administrator salaries. Member Wolf added that the Ohio Municipal League might also be a good place to look up salaries.
- ❖ Member Busick suggested that as the voting date approaches, we should put together fliers with personal testimony and explanations from the Commission members.
- ❖ Member Harker suggested that it would be useful to get a small column in the Village Update. The Commission discussed sunshine laws and how they might apply to the MPCA or Village Update.
- ❖ Vice-Chair Parks showed the Commission an OCMA municipal survey that listed salaries for Village Administrators, Mayors, and other official positions.
- ❖ Member Beeba advised the council on her research on printing and bulk mailing costs.
- ❖ Vice-Chair Parks informed the Commission that he was having difficulty determining the salary and certifications for a peace officer.
- ❖ Member Harker informed the Council that he had researched Administrator salaries and the Village of Bethel (pop ~2.7K) pays roughly \$65K for a full-time position (also benefits).
- ❖ Member Park-Curry suggested inquiring of the Village Counsel or the current MP Police as to the intricacies of hiring and paying police officers.

Minutes:

- ❖ Member Beeba moved to approve the minutes for the 4/25 Commission meeting. Member Wolf seconded. Chairwoman Conger abstained from voting all else in favor.
- ❖ Member Beeba moved to approve the minutes for the 4/25 Commission meeting. Member Park-Curry seconded. Chairwoman Conger abstained from voting all else in favor.

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Article 9 Section 1

- ❖ The Commission reviewed sample charter provisions provided by counsel, agreeing that New Albany's Charter seemed to be the most concise and thorough.

Section 9.02 (Fiscal Year)

- ❖ Vice-Chair Parks raised the issue of the Village Fiscal year. Member Wolf replied that the Village is currently January to December, although Ohio's Fiscal year is July-June. The Commission discussed leaving the fiscal year decision to Council legislation--giving them the flexibility to respond to changing events.
- ❖ Eric Fischer added that it would be useful to add a clause stating that the fiscal year should remain Jan-Dec for the first year of the Charter.
- ❖ The Commission agreed that the Charter did not need to specifically dictate a fiscal year, allowing the Village to default to the FY dictated by the State for Villages unless otherwise legislated by Council.

Section 9.03 (Operating Budget and Appropriation Ordinance)

- ❖ Member Park-Curry suggested that the appropriation ordinance be completed by December 31st.
- ❖ Member Beeba directed the Commissions attention to the Pickerington Charter which states that the appropriation ordinance be adopted 30 days prior to the end of the fiscal year.
- ❖ The Commission decided to pattern the Charter language after the New Albany Charter, but changing the specific date to a number of days prior to the end of the fiscal year as in the Pickerington Charter.
- ❖ Member Beeba offered to contact Kim Pulley for technical details as to what number of days would be appropriate.

Section 9.04 (Competitive Bidding and Contracting)

- ❖ Vice-Chair Parks read Counsel's memo on bidding and contracting, as well as the sample language detailing specific language (but not numbers, timelines, or percentages) that the Commission could modify to suit the Village's needs.
- ❖ Member Park-Curry inquired about adding a utility clause. Eric Fischer added that Obez had a particularly forward-looking utility subsection, and that including it would allow the Village additional flexibility to implement its own utilities if it was deemed necessary.
- ❖ Member Wolf asked if the language as written allowed for the Administrator to execute contracts without Council oversight. The example Charter does indicate that the Council awards contracts, but the Administrator executes it.
- ❖ Member Wolf asked if the Charter would allow for the Council to set bid limits. It would. The Commission discussed the problems inherent in allowing Council to set its own bid ceiling. Eric Fisher explained that there are legal requirements for using sole-source contractors and providers.

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Section 9.04 (Competitive Bidding and Contracting) continued

- ❖ Member Busick said the dam cost the Village \$4M dollars. Member Wolf and Eric Fisher explained that the dam itself was not a 4 million dollar project, but that that total includes all work done by MI. Eric Fisher also explained the TIF process, and how taxes funded the dam. Member Busick stated that his concern was that, for large projects, there should be *some* limit set, suggesting 10% of the Village Operating Budget.
- ❖ Member Walsh asked about the benefits and drawbacks of competitive bidding. Eric Fischer explained that it allowed for much more flexibility on the part of the government as it allows for project adjustments to avoid rebidding. Member Walsh replied that her concern was that a Village Council might set the limit too high without understanding the implications of spending so much money.
- ❖ Eric Fisher explained that bidding represents a time delay, and that allowing for a limit gives the Village the ability to be more responsive.
- ❖ Member Harker suggested changes to the current language that allowed for a ceiling for competitive bidding as set by Council.
- ❖ Although the Commission decided that a percentage ceiling was ideal, it was unable to come to a decision as to whether 5 or 10 percent was appropriate.
- ❖ The Commission discussed emergency waivers of the competitive bidding requirement.
- ❖ Vice-Chair Parks asked whether or not the Administrator should have sole oversight over the construction project delivery method.
- ❖ Eric Fisher explained a project he worked on in the City of Powell concerning the construction of a police facility and difficulties he encountered with structural engineering and how the specific language giving the administrator oversight allowed him to more effectively respond to problems that arose during the project.
- ❖ Member Bell suggested sending the drafted Article IX language to Kim Pulley for notes. The commission agreed that this was a good idea.
- ❖ The Commission agreed with the provision that prevented the Village from paying interest on held funds, and the language allowing the Village Administrator to retain professional services within the constraints set by the Council.
- ❖ Member Walsh asked how the language as written differed from the earlier section that dealt with competitive bidding. She the inquired if there should be any procedures put in place for contracts that were not competitively bid.
- ❖ Eric Fisher explained that, in many cases, it was up to the Council to set the procedure for non-Competitive bids, and that in many cases the Council will still solicit quotes and compare prices.
- ❖ The Commission discussed alteration of Contracts by the Council, and agreed on the sample language.

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New Business:

- ❖ Chairwoman Conger asked who would be able to come to the 5/5/19 meeting. Enough Commission members indicated to the affirmative to create a quorum. She then asked if the Commission should revisit Article IX. Member Harker replied that the Commission's time would probably better served by moving on to later articles, as the general consensus was not to vote on any language absent a supermajority of the Commission body.
- ❖ Member Busick explained that he would like to write several short articles for the Villager, explaining the reasoning behind various process improvements the Commission believes the Charter will provide.
- ❖ Member Beeba will continue to look into bulk mailings, as well as the Charter of Obetz.
- ❖ Chairwoman Conger will send a draft copy of Article VIII to Eric Fisher for technical review.
- ❖ Vice-Chair Parks will continue to research police procedures, unions, hirings, etc.
- ❖ Chairwoman Conger will follow up with Counsel regarding current charges. Member Braskett said he could total up the costs when the information was provided.
- ❖ Chairwoman Conger inquired how the Commission would acquire a mailing list of all the electors of the Village. Member Wolf responded that Franklin County should have a list.
- ❖ Eric Fisher said he would ask Mayor Eisentrout regarding whether the Village could assist in the mailing of the completed charters.
- ❖ Member Lewis raised the issue of the new citizens who moved into the M/I development. Member Park-Curry added that it would be good to include them as a courtesy even if they were not previously registered electors of a Village.
- ❖ Member Park-Curry invited the Commission Members and their families to a dinner on 5/11.
- ❖ Member Harker moved to adjourn. Member Wolf seconded. All in favor.

The Commission Meeting Adjourned at 8:34pm.