

Record of Proceedings

VILLAGE OF MINERVA PARK CHARTER COMMISSION

Minutes of the

May 5th, 2019

Drafting Sub-Commission Meeting

Chairwoman Conger called the meeting to order at 9:11 am.

Roll: Chairwoman Conger, Members Beeba, Wolf, Busick, Park-Curry, Lewis, Townsend, Allison, Bell, and Harker

Old Business

- ❖ Member Beeba explained her research into the creation of municipal utilities, and how they are represented in various Charters and Council Ordinances. After discussion municipal utilities, the Commission agreed to keep the Charter language allowing the Council to create and manage a utility should such a need/desire arise.
- ❖ Member Beeba elaborated on her research regarding emergency ordinances/resolutions. Member Park-Curry added her concerns that, under the current Charter language, emergency resolutions (such as the purchase of a new community building) would be allowable, and that she didn't want any Commission members or citizens to be blindsided or cause a public brouhaha.

Article 10.1 (Nomination of Candidates for Elected positions)

- ❖ The commission discussed the number of signatures required for a nomination. Charters from other similarly-sized municipalities required a minimum of 25 signatures on a petition.
- ❖ Chairwoman Conger researched the State requirements for petitions--for municipalities under 2000 citizens, 25 signatures or 5% of the electorate (whichever is fewer) are required.
- ❖ The Commission agreed that section 5.01(B) of the New Albany Charter was clearly written and accomplished what the Commission intended.

Article 10.2 (Election Procedures)

- ❖ Member Wolf read through Article 11.01 of the New Albany Charter which laid out language dealing with Regular and Special Elections as well as general election procedures.
- ❖ Chairwoman Conger read through Articles 10.02 through 10.04 of the Groveport Charter, which were very similar to the New Albany Charter. She then read through Articles 9.02-04 of the Dublin Charter which were also similar save that Dublin's had additional language for the establishment of wards.
- ❖ Member Wolf raised concerns about the language allowing for special elections to be held on any date, as having special elections outside the normal election cycle represents significant costs the Village might have to bear.
- ❖ The Commission decided to use Article 11.01 of the New Albany Charter as it represented the clearest and most applicable to Village needs.

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Article 10.3 (Initiatives and Referendums)

- ❖ Chairwoman Conger read through the Counsel's memo on initiatives and referendums.
- ❖ Member Wolf read through the portions of the New Albany Charter dealing with initiatives and referendums. The Commission then discussed the procedures for individual citizen petitions for recall.
- ❖ Member Park-Curry asked about individuals appointed to elected office, and how the Charter should clarify that recalls can also apply to these individuals as well.
- ❖ The commission discussed the requirements for petition signatures to initiate a recall. The New Albany Charter and Pickerington Charters required signatures of no less than 25% of the electors voting at the last preceding regular municipal election; whereas both Dublin and Groveport required 15%.
- ❖ Member Wolf asked if the authority for verifying signatures should be in the hands of the Clerk of Council or the Franklin County Board of Elections. The Commission agreed that it would be best to use the State BoE as it would allow for impartiality.
- ❖ The Commission discussed the New Albany Charter 11.02 (A) through (D) which dealt with the procedure and timeline for petition filing and review.
- ❖ Member Bell raised the issue of the petition being only 100 words. The Commission agreed that 200 words would allow for more leeway.
- ❖ The Commission also discussed the timeline, deciding that 20 days was more appropriate than 30 for filing the petition with the Clerk of Council for review, and that the Clerk shall return any corrections after no less than five days.
- ❖ Member Wolf read the New Albany Charter language dealing with the publication and voting procedures of the recall election.
- ❖ The Commission discussed the requirements for publication in a newspaper with general circulation. Member Wolf argued that this didn't meet the intent for notification of citizens. The Commission discussed options such as posting online or requiring the Village to notify citizens by a postcard or in the Village Update.
- ❖ Member Park-Curry said that the best way would be to publicly post the recall information and mail a postcard to every elector. Member Townsend agreed, stating that not all Villagers had access to the internet.
- ❖ Member Bell referred the Commission to Section 4.09(A) of the Charter Draft which laid out procedures for posting and mailings. Member Wolf suggested allowing the postcards to be hand-delivered. Member Park-Curry added that there should be additional language added to this version of 4.09(A) that stipulated a public mailing.
- ❖ Chairwoman Conger read through the New Albany Charter provisions dealing with initiatives and referendums, which specifically referred to the ORC and State Law dealing with referendums. The referendum sections from the Obetz, Dublin, and Pickerington Charters were very similar.
- ❖ Member Beeba called out the language exempting elections from referendums.
- ❖ Member Bell read through section 4.05 of the New Albany Charter which exempted Council Rules from referendum and the maintenance of a journal listing all rules.

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- ❖ The Commission agreed that elections and Council Rules should be exempted from referendum.

Article 11.01 (General Provisions)

- ❖ Chairwoman Conger read through the counsel memo dealing with general provisions--specifically calling out the need for a "definitions" section of the Charter.
 - Terms that required definition were: Public Official, Ordinance, Resolution, Public Hearing.
- ❖ Chairwoman Conger read the section dealing with conflicts of interest, ethics, campaign financing, and what State laws would be applicable.
- ❖ Member Wolf specifically called conflicts of interest and ethical concerns as being of particular relevance to the Village and Council. The New Albany Charter lays out language that deals with this. The Commission agreed to include this.
- ❖ Chairwoman Conger read the portion of the memo dealing with invalid portions of the Charter, which prevents the Charter from being wholly invalidated by a single (or multiple) invalid provisions. Comparing the various sample charters the Commission found the language in this provision varied not at all and decided to use it as-is.
- ❖ Chairwoman Conger read the portion of the memo dealing with removal of elected officials. The Commission felt no article was needed in this section as the Charter Draft already contains language dealing with this.
- ❖ Chairwoman Conger read the portion of the memo dealing with the Charter amendment. The Commission agreed that this is a valuable provision as it would give the citizens the awareness of their ability to amend Charter provisions that do not work.
- ❖ Chairwoman Conger read the portion of the memo dealing with the effects of the adoption of the Charter on existing laws and rights. Member Wolf read section 11.04 of the Powell Charter which stated that the Charter would not affect any currently existing rights, laws, etc. Chairwoman Conger read section 11.04 of the Obetz Charter, which the Commission thought was more clear and succinct.
- ❖ Chairwoman Conger read the portion of the memo dealing with Oaths of Office. Members Wolf and Beeba said that it would be good to lay out an oath of office. The Commission agreed.

Article 11.02 (Succession Provisions)

- ❖ Chairwoman Conger read through the counsel memo dealing transitional provisions. Member Wolf read section 14.02 of the New Albany Charter, which dealt with naming conventions for the municipality and public officials (such as the transition from "Village" to "City"). Chairwoman Conger read section 11.02 of the Obetz Charter for comparison.
- ❖ Member Bell read the preamble (Section 1.01 of the MP Charter draft) which already dealt with both issues.

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Article 11.03 (Transitional Provisions)

- ❖ Chairwoman Conger read through the counsel memo specifying the effective date of the Charter. She then referenced Section 14.01 of the New Albany charter, Sections 10.05 and 10.06 of the Dublin charter, Section 13.01 of the Powell charter, and Section 12.01 of the Obetz charter which gave varying adoption, amendment, and effective dates/timelines.
- ❖ The Commission discussed going from 6 to 7 Council members and how that might be accomplished.
- ❖ Member Wolf said that it would be a good plan to lay out what transition issues needed to be solved without necessarily providing specific details. He added that the transition from statutory Mayor to Chartered Mayor should occur with the hiring of a Village Administrator, and that the Charter should provide a specific deadline for such hiring.
- ❖ Member Park-Curry raised the issue of Mayoral salary and benefits. Member Bell explained that one of the duties of the mayor in the next election be supervising the transition. Member Park-Curry added that it would also be possible to truncate the Mayor's term.
- ❖ Chairwoman Conger advised the Commission to consider the transition plan for mayor, and brainstorm ideas for the 5/9/19 meeting. She also advised the Council to draft plans via e-mail for Mayor and Administrator transition and send them to herself and Vice-Chair Parks via e-mail so they could collate and compare.
- ❖ Member Park-Curry said that it might be useful to create a timeline that laid out various transitional plans.
- ❖ Member Townsend raised the issue of salaries and costs of the transition.
- ❖ Member Park-Curry asked if it would be helpful to define the Mayor as a part-time position. Both Members Beeba and Lewis agreed this would be useful in keeping costs low. Also, as the Charter provides for a two-year review and amendments could change the position from full to part-time.
- ❖ Member Wolf disagreed, stating that the duties imply a part-time mayor and full-time administrator. The Village Finance Director has already projected budgets for a both positions. He added that, if the prime concern was affordability, then this could provide a solid answer.

New Business:

- ❖ Chairwoman Conger summarized the notes and definitions she had taken for review on Articles 10 and 11 to this point. And advised the Commission to prepare and e-mail ideas for Mayor/Administrator transition.
- ❖ Member Harker moved to adjourn. Member Park-Curry seconded. All in favor.

The Sub-Committee meeting adjourned at 11:05am.