

Record of Proceedings

VILLAGE OF MINERVA PARK CHARTER COMMISSION

Minutes of the

May 9th, 2019

Commission Meeting

Chairwoman Conger called the meeting to order at 6:34 pm.

Roll: Chairwoman Conger, Members Silverman-Starr, Park-Curry, Wolf, Townsend, Allison, Bell, Braskett, Walsh, Lewis, and Estes.

Attending: Councilman Starr, Jen Pauken.

Meeting Minutes:

- ❖ Member Park-Curry had some notes on the 5/5/19 Meeting, the minutes were updated to reflect.
- ❖ Member Wolf moved to approve the 5/2/19 meeting minutes, Member Park-Curry seconded. All in favor.
- ❖ Member Wolf moved to approve the 5/5/19 meeting minutes, Member Bell seconded. All in favor.

Article 10

- ❖ Chairwoman Conger read the currently drafted Charter sections concerning number of signatories required for the nomination of a candidate for public office.
- ❖ The Commission discussed the number of votes required for candidate nomination, deciding on a lower limit of 15 with a ceiling of 75.
- ❖ The Commission discussed the word limit for the initial filing of a recall petition, deciding on a 200 word limit.
- ❖ Chairwoman Conger read the timeline for filing, amendments, and rejection of a recall petition. The Commission decided that 20 days for the notification and filing was a more reasonable timeframe than 10.
- ❖ Member Walsh asked about the cost of performing a special election. Member Wolf replied that costs could vary depending on which other municipalities were also participating.
- ❖ Member Wolf asked about the number of signatures required on a recall petition, stating that prior to 2017, ORC required 10%, afterwards it was raised to 15% present. Member Park-Curry read from the Dublin and Groveport Charters, which both required 15%.
- ❖ The Commission decided on 15% of electors who voted in the last election as a minimum number of signatories.
- ❖ Chairwoman Conger read the portion of the Charter dealing with referendums on Council rules. The Commission (re)agreed that Council rules should not be subject to referendum.

Article 11 (General Provisions)

- ❖ Member Wolf suggested that any reference to "days" should be considered to refer to calendar days unless otherwise noted.
- ❖ Member Walsh asked if weekends should be taken into account. The Commission agreed that they should not.

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Article 11 (Transitional Provisions)

- ❖ The Commission reiterated its desire to add the additional Council member seat (increasing the number from 6 to 7) on the next municipal election.
- ❖ Member Wolf explained that next election is not a regular Council election.
- ❖ Member Estes asked if it would be better to appoint the additional Council member and then allow their seat to fall in the regular cadence for the Council elections. That way there would be no confusion and the Council elections would be 4 and 3 depending on the cycle. She proposed that the process for appointment should begin on the first regular meeting in 2020, then that person could run for office in the regular elections in 2021.
- ❖ Chairwoman Conger referred to section 3.08 of the Charter, which dealt with the appointment of Council members for empty Council seats.
- ❖ Member Braskett asked how the citizens would be informed of this change. Member Park-Curry explained that it would be in the Charter, but that Johnstown put out a list of changes, which would be helpful.
- ❖ Member Wolf raised the issue of election cadence, having the appointed Council member up on a ballot when four members were already up for re-election, setting the election cadence on 5 and 2, rather than 4 and 3.
- ❖ Councilman Star suggested that the transition plan create the open seat, which would lead to a four year appointment, but would preserve the cadence.
- ❖ Member Park-Curry suggested allowing the Council member to be elected in the 2020 general elections.
- ❖ Member Wolf suggested that the first elected term for the new Council position be shortened to 3 years. So, the new Council seat shall be created on January 1st, 2020. Then that seat shall go up for election in the November 2020 general election, but the *initial* term will be truncated to 3 years, after which whoever is elected to the seat shall serve standard 4-year terms.
- ❖ Member Braskett said that the Commission could place the seat on the 2019 ballot, provided that the Charter passes. Citing that the Charter Commission was elected using a similar procedure.
- ❖ The Commission discussed the legalities of this, deciding that it was a question best referred to Counsel.
- ❖ Chairwoman Conger asked about the transition of powers from Mayor to Administrator.
- ❖ Member Wolf stipulated that it was not a matter of what powers were transferred (as the Charter already differentiated between Mayoral and Administrator powers & duties), but setting a timeline for when the powers were transferred.

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Article 11 (Transitional Provisions) continued:

- ❖ Member Braskett said that, if a new Mayor is elected, the transition of power might be easy.
- ❖ Member Lewis explained that the goal be to hire an Administrator by the end of the first quarter of 2020, and have the powers and responsibilities defined by the end of the second quarter, with the ultimate transition being accomplished by the end of the first year.
- ❖ Member Estes suggested that the goal be to transfer more quickly, as the Administrator will be on a one-year contract, and presumably a professional, so they should want to begin (and have the tools to begin relatively soon after their hiring).
- ❖ Member Wolf suggested that the mayor lose their tie-breaking voting power when the seventh council member is seated, with the mayor gaining veto power with the hiring of the administrator.
- ❖ Member Silverman-Starr argued that this would tie the mayor's hands during the period between the seating of a new council member and the hiring of an administrator. And that the mayor will have more responsibilities (both Mayoral and Administrative) with the transition to a Chartered municipalities.
- ❖ Councilwoman Conger interrupted Member Silverman-Starr to advise the Commission Members not to interrupt one another.
- ❖ Member Silverman-Starr continued, reiterating the difficulties of the liminal period between the installation of a seventh Council member and the hiring of an administrator.
- ❖ Member Wolf responded by restating that there needed to be triggers for when powers are transferred, and that there will be some unavoidable gaps, but that we should do our best to minimize them.
- ❖ Member Braskett questioned the need for an onboarding period at all. The Administrator is a professional, and should have the tools to begin work relatively quickly. Stating that the Mayor should be able to make the decision, given that they have recommended the Administrator and should be better situated to determine when the specific powers should transfer.
- ❖ Member Bell asked who was in charge of managing the transition? Chairwoman Conger responded that she thought such a determination wouldn't be necessary as any Mayor who dragged their feet on the transition would be in dereliction of duty.
- ❖ Member Estes agreed with Member Braskett that the Administrator should be able to do the job, day one, but that the various other Village employees might require more time to adjust to the new organization of the municipalities.
- ❖ Member Park-Curry raised the issue of bureaucratic transition, such as the signing of checks, to point out that a transition would take time.
- ❖ Councilman Starr explained that he had worked with many of the Village employees, and that they would have little difficulty adapting to a new chain of command. As the Council will determine the full/part time nature of the positions of Mayor and Administrator, suggesting that the specific dating of deliverables should also be left up to Council.

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Article 11 (Transitional Provisions) continued:

- ❖ Member Braskett responded that it might not be helpful to set any hard dates, as most of this will occur organically, and that putting a hard timeline in place might increase the difficulty of hiring a good administrator.
- ❖ Member Estes agreed that there should be no hard deadline, as any timeline will drive the hiring process, and that it would be better to simply provide a drop-dead date for when *all* the transition process should be finished.
- ❖ Member Conger asked which transition provisions should have a trigger or date attached, and which should be left up to Council/Mayoral discretion.
- ❖ Member Bell replied that the transition from tie-breaking vote to veto should definitely have a trigger.
- ❖ Member Park-Curry raised the issue of deadlines for new legislative procedures for Council.
- ❖ Member Wolf said that rules pertaining to legislative procedure should go into effect when the seventh Council member is appointed.
- ❖ Member Estes added that the appointment of the seventh Council member should also have a hard date.
- ❖ Member Townsend asked what role the Council would play in the hiring of the Administrator? As they will be required to approve the Administrator, the Council would be pushing the mayor to move ahead with the transitional process.
- ❖ Member Walsh asked about other municipalities' transition plans. Member Park-Curry replied that she believed Whitehouse had.
- ❖ Member Conger asked if any Commission Members would be interested in tracking down timelines for municipalities that transferred from Mayor to Mayor-Administrator. Member Walsh volunteered to do this.
- ❖ The Commission reviewed the Obetz Charter to see if it had any provisions dealing with such a transition. It did not.
- ❖ Member Wolf read from the Powell Charter, which listed transitional provisions, but did not include a specific timeline for transition of powers and duties.
- ❖ Member Park-Curry advised the Commission members to read the rules of Council, which will need to be heavily rewritten as much of the language makes reference to the Ohio Revised Code. Consequently, the Council should be free to draft new rules prior to the standard January 1st date.
- ❖ Member Estes agreed, stating that such a provision would require the Council members to read the Charter thoroughly.
- ❖ Member Townsend said that he thought the sooner the 7th Council member was appointed, the sooner the transition would begin. So a hard deadline for rules of Council and filling the new seat would be helpful. Adding that it would be in the Mayor's best interest to appoint an administrator to help with the new duties.

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Old Business

- ❖ Member Park-Curry reported that she had spoken with Inskeep to determine the cost of printing and mailing charters, and that they were preparing a quote.
- ❖ Member Estes inquired as to when the next Public Meeting should be. Member Wolf replied that he thought it shouldn't be until after the Charter is complete.
- ❖ Member Wolf moved to adjourn, Member Townsend seconded. All in favor.

The Commission adjourned at 8:22pm.

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