

Village of Sunbury Charter Commission

Minutes

May 8, 2019

Chairperson Steve Mazzi opened the Sunbury Charter Commission meeting at 6:30 p.m., May 8, 2019 in Council Chambers at Town Hall with the Pledge of Allegiance.

Those answering roll call: Patti Cavinee, Anne Frost, Steve Mazzi, , Randall Rentz, John Dankovich, Cindi Cooper, Michael League, Eugene Frost, Murray Neff, Richard Ryba

David Diehl, John Maar, Jodi Norton and Daniel Sexton absent.

Also, in attendance Paul Rutter, attorney from Bricker & Eckler, Village Solicitor David Brehm, Administrator Allen Rothermel, Mayor Tommy Hatfield and Fiscal Officer Kathy Belcher.

Motion by **Rentz** and seconded by **A. Frost** to approve April 24, 2019 minutes. Upon show of hands 9 Yeas, 1 Abstain.

Mazzi

- Started discussion on Article VI-Administrator and VII-Administrative Departments and Personnel Systems

Rutter led discussion and pointed out changes and redlines to Articles. Some highlights/discussion points:

- Section 7.03(C) Council given authority to remove Police Chief by super majority vote
- If suspended or removed, Mayor may appoint interim police chief
- Section 7.03(C) closely follows Section 6.05(C) – Removal of Administrator

Motion by **Rentz** and second by **E. Frost** to approve all of Article VI as written and Article VII with changes to Section 7.03 as per Paul Rutter. Upon show of hands 10 Yeas

Mazzi

- Started discussion on Article VIII-Boards and Commissions

Rutter led discussion on first draft. Mayor would be a permanent member of the BZA (Board of Zoning Appeals) with members holding 3-year overlapping terms.

Motion by **Ryba** and second by **Dankovich** to approve all of Article VIII as written. Upon show of hands 10 Yeas.

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Mazzi

- Suggested there be a **New Article** introduced dealing with the Charter Review Commission (CRC). Specifically, a seven (7) member CRC to meet in 2025 (five year increments as often as necessary) but at least meet every ten (10) years.
- Discussion ensued on a number of issues related to the CRC and Council's role in promulgating change, whether Council "shall" or "permit" changes.
 - Council appoints the CRC but can override CRC subject to voter approval. Council has the ability to modify a change by the CRC but would **require a** super-majority vote (5 of 7). It was determined that Paul Rutter would prepare a Draft article for the next meeting dealing with these issues for the next meeting (May 22, 2019)

Mazzi

- Asked an Ethics Commission related question concerning a Zoning Board member being an employee of a contractor-tabled for discussion at a later date

Mazzi

- Started a discussion on Article IX-Finance, Taxation, Debt and Contracting
 - Rutter reviewed Sample Contracting Charter Provisions document (S-1).
 - Brehm and A. Frost led discussions on \$50,000 bid threshold and pros and cons relative to adhering to the ORC threshold amount and the discussion on "lowest and best" verbiage. Agreed that there must be a system of checks and balances to ensure right contractor is selected.
 - Rutter is going to review with construction attorney at firm on language items E & F from the Sample Contracting Charter Provisions—specifically regarding why F (procuring contracts for professional services) is a provision
- The Charter Commission was in general agreement with the recommendations in the Article IX Memorandum including the 10 mill, unvoted property taxes, on a property's assessed valuation which is currently allowed by the State of Ohio. Paul Rutter agreed to Draft language on this Article to be reviewed at the May 22, 2019 meeting.

Mazzi

- Confirmed that he will not be attending the July 10th meeting and wanted to know if an additional meeting May 29th should be held as not to hamper the Charter completion deadline. It was determined that the Commission was on track and depending upon what was covered in the next meeting (**May 22nd**) will determine whether or not a meeting on the 29th was necessary.

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Motion to Adjourn by Mazzi and second by Ryba (unanimous) All Yeas.

The meetings will start at 6:30pm.

Steven Mazzi, Chairperson

Allen Rothermel
for Kathy Belcher, Fiscal Officer