

City of Sunbury Ohio

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**Sunbury Charter Review Commission Agenda
Tuesday, March 11, 2025
5:30 P.M.**

Town Hall
3rd Floor, Council Chambers
51 East Cherry Street
Sunbury, Ohio 43074

1. Call to order
2. Approval of Minutes
3. Public Comments
4. Review of Work Plan
5. Discuss Article V – Mayor
6. Discuss Article VI – Administrator
7. Adjourn

If you have any questions regarding this agenda, please direct them to Rebecca Princehorn, Bricker Graydon LLP, at (614) 227-2302.



Charter Review Commission
Regular Commission Minutes
February 11, 2025

Members Present: Amy Berger, Nancy Crawford, Kris Heller, Matt Hochberg, Randy Rentz, Shannon Stark, Joey Thomas

Staff Present: Kaitlin Grafmiller, David Brehm, Rebecca Princehorn (Bricker Graydon)

Others Present: Mayor St. John, Cindi Cooper, Daryl Hennessy

Call to Order

Chairman **Randy Rentz** called the meeting to order.

Roll call was conducted by **Kaitlin Grafmiller**, confirming all members were present.

Approval of Minutes

- **Motioned:** Kris Heller
- **Seconded:** Nancy Crawford
- **Approval:** Unanimous (7-0)Public Comments

Public Comments

No attendees wished to make public comments. However, **Ms. Princehorn** informed the Commission that City staff received an email from **Mr. Paul Hollar**, a resident, with proposed comments and changes for the Commission to review. She suggested distributing these comments during the discussion of relevant Charter articles to streamline the review process.

Review of Work Plan

Ms. Princehorn presented the revised work plan, noting that the Commission will not meet on February 25th and March 25th. She outlined the schedule of article discussions to ensure timely completion for the Charter's placement on the ballot this year.

Discussion of Article III – Council

- **Redlined Charter Review:**

The Commission received a **redlined copy** of the City Charter highlighting proposed changes, primarily replacing "**Municipality**" with "**City**" and other language cleanups.

- **New Albany Charter Insights:**

At the Commission's request, Ms. Princehorn contacted the **Mayor of New Albany** for insights on their Charter review. He emphasized the importance of:

1. Maintaining **non-partisan elections**.
2. Ensuring the **Mayor is elected directly by voters**.
3. Allowing **executive session discussions on economic development**

He also stated that having a **professional City Manager** under Council's direction was a **major factor** in their success.

- **Public Comments from Mr. Hollar:**

Mr. Brehm reviewed Mr. Hollar's comments regarding the inclusion of **New Community Authorities (NCA)** in the Charter. After consultation with outside counsel, it was determined that while the **concept is valid**, it is **not appropriate for the Charter**.

- **Section 3.02 – Council Composition:**

Mr. Brehm proposed **adjusting Council election cycles** to better balance terms, preventing a scenario where four seats are up for election simultaneously. The change would transition elections to a **3-3-Mayor format**, requiring one Council member in **2029** to run for a **two-year term** before resuming four-year terms.

- **Motioned:** Nancy Crawford
- **Seconded:** Amy Berger
- **Approval:** Unanimous (7-0)

- **Section 3.03 – Mayor's Role:**

Recommended to be moved under the Mayor's section of the Charter for clarity.

- **Section 3.04 – Terminology Cleanup:**

General language updates for consistency.

- **Section 3.05 – Council Agendas & Packets:**

Public comments suggested that **Council agendas and packets be made available the Friday before meetings and this be added to the Charter.** **Administrator Hennessy** noted that agendas are typically posted by 6:00 p.m. Friday, while packets are **delivered** Monday before the meeting. He agreed to improve consistency but emphasized this is an **administrative practice**, not a Charter issue.

- **Clerk of Council Language:**

Mr. Thomas questioned language allowing the **Clerk of Council's removal without cause**. Mr. Hennessy clarified that as the City grows, Council will have the ability to **appoint its own Clerk**, who would no longer be City staff. **Mayor St. John** noted that the **Personnel Board of Appeals** provides oversight in dismissal cases.

- **Alternate Clerk Provision:**

Ms. Princehorn highlighted an existing provision allowing an **alternate Clerk** in case of absence.

- **Motioned:** Nancy Crawford

- **Seconded:** Amy Berger

- **Approval:** Unanimous (7-0)

- **Administrator vs. Manager Language:**

Should the Commission recommend transitioning to a Manager-Council government, "Administrator" must be replaced with "Manager" throughout the Charter.

- **Council Meeting Schedule:**

Ms. Crawford questioned why the schedule was flexible rather than fixed (e.g., first & third Wednesdays). **Mr. Brehm and Ms. Princehorn** explained that flexibility accommodates **holidays, absences, and other scheduling conflicts**.

- **New & Unfinished Business:**

Mr. Hennessy requested clarification on the proper use of the **"New and Unfinished Business"** agenda section. City staff will review, though this is likely an **internal procedural issue, not a Charter concern**.

Discussion of Article IV – Legislative Procedures

- **Section 4.03 – Form & Style of Resolutions and Ordinances:**
Public comments requested clarification on formatting. **Mr. Brehm will review** and ensure **clear guidelines** are established.
- **Section 4.04 – Readings of Resolutions & Ordinances:**
Public comments suggested **reducing the required three readings** to two. Mr. Brehm noted that the **current structure allows flexibility**, as Council can shorten or extend the process.
 - **Motion to keep current language:**
 - **Motioned:** Amy Berger
 - **Seconded:** Kris Heller
 - **Approval:** 6-1 (Motion passed)
- **Section 4.05 – Recording of Voting Results:**
A public suggestion recommended **reflecting voting results by name**. Mr. Brehm advised this **be addressed in Council rules rather than the Charter**.
 - **Motion to address in Council rules:**
 - **Motioned:** Shannon Stark
 - **Seconded:** Joey Thomas
 - **Approval:** 5-2 (Motion passed)
- **Section 4.13 – Technical Codes:**
Ms. Princehorn, as suggested via public comment, inquired whether the **City should have the authority to expand technical codes** beyond **State requirements**. City staff will **review and provide recommendations**.
 - **Automatic Adoption of State Code Changes:**
The Commission discussed the benefits of **automatically updating City codes** to align with State law for efficiency. No formal motion was made at this time.

Good of the Order

- **Election Timeline:**

Ms. Princehorn outlined the **timeline** to ensure the **Charter amendments** reach the ballot before the **August 6th deadline** for the **November election**.

- **Public Notification:**

The consensus was to **mail a Charter copy to residents** and provide a **redlined version on the website**, as done in previous reviews. This followed **Mr. Hollar's suggestion**.

- **Vote on Changing to a Manager-Council Government:**

Ms. Stark proposed a motion for the Commission to formally **recommend transitioning to a Manager-Council form of government**.

- **Motioned:** Amy Berger
- **Seconded:** Shannon Stark
- **Approval:** Unanimous (7-0)

Mr. Brehm will begin updating the **redlined Charter** to reflect this change.

- **Next Meeting Preparation:**

Ms. Princehorn will distribute materials for the **next meeting in two weeks**.

Adjournment

- **Motioned:** Kris Keller
- **Seconded:** Nancy Crawford
- **Approval:** Unanimous (7-0)

The meeting was adjourned.

Next Meeting: March 11, 2025

6.01 General Powers and Duties (B) – of the ADMINISTRATOR

(8) make such other reports as the Council may require concerning the operation of departments, divisions, offices, boards, commissions, bureaus, and agencies of the Municipality;

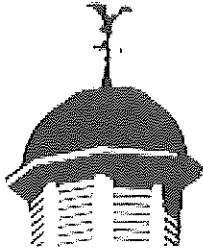
Suggested change:

Add to the list -- "Post on the website the agenda and minutes of NCA's created by Council's actions. The Administrator will routinely request these documents from the Authority's Secretary".

Currently, the onerous is on the interested public to make the request individually and must adhere to the adopted RULES of the NCA.

Good luck determining who to contact and what their RULES are!

This will GREATLY improve NCA transparency!



SUNBURY

Sunbury Charter Review Commission

2025 Work Plan

January 28, 2025	Articles I, II
February 11, 2025	Articles III, IV
February 25, 2025	No Meeting
March 11, 2025	Articles V, VI
March 25, 2025	No Meeting
April 8, 2025	Articles VII, VIII
April 22, 2025	Articles IX, X
May 13, 2025	Articles XI, XII, XIII

ARTICLE V
MAYOR

5.01 General Powers and Duties

(A) The Mayor is a member of the Council and shall have all the powers, rights, and duties of a Council member, as described in this Charter.

(B) In addition to such powers, rights, and duties as a Council member, the Mayor shall:

(1) ~~serve as the President of Council and~~ preside over all Council meetings;

(2) act as a Council member and have the right to vote on all matters before the Council, but the Mayor shall have no veto power;

~~(3) direct and supervise the Police Department, subject to the provisions of Sections 7.09 and Section 8.05 pertaining to personnel systems and appeals;~~

(4)(3) perform all ceremonial duties and functions as necessary for non-administrative purposes;

(5)(4) exercise all judicial powers and functions granted to mayors of municipal corporations by the laws of the State of Ohio and applicable court rules;

(6)(5) have authority and discretion to appoint a magistrate, with approval of the Council, to hear and determine prosecutions of traffic and criminal cases subject to the laws of the State of Ohio;

(7)(6) act as the chief spokesperson for the ~~Municipality~~City in dealing with other governments, ~~unless otherwise delegated to the City Manager~~;

(8)(7) exercise military powers and functions granted to mayors of municipal corporations by the laws of the State of Ohio or the United States; and

(9)(8) perform or exercise such other powers, duties, and functions as provided by this Charter and the Rules of the Council, to the extent such Rules are consistent with this Charter.

Commented [DH5]: Does this remain a function of the mayor under a Council-Manager form of government?

5.02 Term and Qualifications

(A) The Mayor shall be elected by separate ballot. ~~The Mayor under the general statutory plan of government for the Village of Sunbury elected in November of 2019 for a term beginning on January 1, 2020 is hereby designated as the initial Mayor of the Municipality~~City under this Charter. At the general municipal election to be held in November of 2023, and each four years thereafter, one person shall be elected from the ~~Municipality~~City at large to serve a term of four years as the Mayor, which term shall commence as of January 1 of the year immediately following each election.

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(B) Candidates for Mayor shall have been electors of the **MunicipalityCity** or any area annexed to the **MunicipalityCity** for at least one year immediately prior to the time they file for or are appointed to office, and during a term of office the Mayor shall remain so qualified. The Mayor shall not hold any other public office during a term, except that the Mayor may (i) hold office in a political party or be a delegate to a political party convention, (ii) serve as a notary public, (iii) serve as a member or officer in the military reserve or national guard, (iv) serve in any office, position or capacity to represent the **MunicipalityCity** or to further intergovernmental cooperation, and (v) hold any office permitted by this Charter or the laws of the State of Ohio. The Mayor need not be a full-time official of the **MunicipalityCity** and may hold other employment as permitted by the laws of the State of Ohio, including all ethics laws.

5.03 Acting Mayor

In the event of the temporary absence of both the Mayor and **Council President-Pro Tempore**, the senior Council member, based on length of continuous elected service with the **MunicipalityCity**, shall serve as the Acting Mayor to exercise the powers and perform the duties of the Mayor. If two or more Council members have held the same length of continuous elected service with the **MunicipalityCity**, then an Acting Mayor shall be chosen from among those two or more Council members by a majority vote of the remaining Council members. Other than the absent Mayor and **Council President-Pro Tempore**, all remaining members of the Council present at the Council meeting for the vote on selecting the Acting Mayor must vote, and no candidate for Acting Mayor may abstain from such a vote.

5.04 Mayoral Vacancy

Any vacancy in the office of Mayor shall be filled by the **Council President-Pro Tempore**. If the person holding the office of **Council President-Pro Tempore** rejects succession to the office of Mayor, such person shall resign from the office of **Council President-Pro Tempore**, and the Council shall select a new Council member to serve as **Council President-Pro Tempore** and fill the office of Mayor. If the vacancy occurs on or after July 1 of the second year of the Mayor's term, the **Council President-Pro Tempore** shall serve for the remainder of the Mayor's unexpired term. If the vacancy occurs on or before June 30 of the second year of the Mayor's term, the **Council President-Pro Tempore** shall serve until a successor is elected at the next November election, and the person so elected shall take office on January 1 following such election and shall serve for the remainder of the Mayor's term and the **Council President-Pro Tempore** shall return to serving his or her original term as a member of Council and, if applicable, continuing to serve as **Council President-Pro Tempore**; provided, however, that if the **Council President-Pro Tempore** is elected to fill the Mayor's unexpired term, the Council shall fill the resulting vacancy on the Council as provided in Section 3.09.

In the event of a vacancy in the office of Mayor that requires the **Council President-Pro Tempore** to serve as the Mayor, the Council shall fill the vacancy on the Council as provided in Section 3.09. However, nothing herein shall prevent the **Council President-Pro Tempore** from completing his or her original full term as a Council member. The person chosen to fill the **Council President-Pro Tempore's** vacancy on Council shall serve a term as Council member equal to the term that the **Council President-Pro Tempore** serves as Mayor. In the event that the **Council President-Pro Tempore's** original term expires while filling the Mayor's unexpired term, the new **Council President-Pro Tempore** shall assume the remainder of the Mayor's unexpired term.

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[End of Article V]

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ARTICLE VI
CITY MANAGERADMINISTRATOR

6.01 General Powers and Duties

(A) The City ManagerAdministrator shall be the chief administrative officer of the MunicipalityCity. The City ManagerAdministrator shall be responsible to the Council for the administration of all affairs of the MunicipalityCity placed in the City Manager'sAdministrator's charge by or under this Charter, the legislation of the MunicipalityCity, and the laws of the State of Ohio.

(B) Without limitation of the powers and duties stated in Section 6.01(A), the City ManagerAdministrator or designee shall:

(1) appoint, promote, suspend, remove, or otherwise discipline any employee of the MunicipalityCity, ~~except those within the Police Department~~ and as otherwise provided by or under this Charter or by law, and subject to the provisions of Sections 7.09 and Section 8.05 pertaining to personnel systems and appeals;

(2) direct and supervise the administration of all departments, offices, and agencies of the MunicipalityCity, ~~except the Police Department~~ and as otherwise provided by this Charter or by law;

(3) attend all regular and special Council meetings with the right to participate in discussions and introduce ordinances and resolutions, but not to vote;

(4) assist as needed to enforce within the MunicipalityCity all laws, provisions of this Charter, and legislation of the MunicipalityCity; ~~provided, however, that the Administrator shall not supervise the Police Department as provided herein;~~

(5) prepare and submit budgets and capital programs to the Council, and implement the final budget approved by the Council;

(6) keep the Council fully advised as to the financial condition and future operating and capital needs of the MunicipalityCity and make such recommendations to the Council concerning the affairs of the MunicipalityCity as the City ManagerAdministrator deems desirable;

(7) submit to Council and make available to the public complete records of the financial and administrative activities of the MunicipalityCity;

(8) make such other reports as the Council may require concerning the operation of departments, divisions, offices, boards, commissions, bureaus, and agencies of the MunicipalityCity;

(9) provide staff support services for the Council, the Mayor, and the MunicipalityCity's boards, commissions, and committees;

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(10) execute on behalf of the ~~Municipality~~City all contracts, leases, deeds, easements, conveyances, and agreements;

(11) delegate to subordinate employees of the ~~Municipality~~City any duties conferred upon the ~~City Manager~~Administrator by this Charter or by Council action, and hold them responsible for the faithful discharge of such duties; and

(12) perform such other powers, duties, and functions as are conferred or required by this Charter, the Council, or by the laws of the State of Ohio.

6.02 Appointment, Qualifications, and Compensation

(A) The Council shall appoint the ~~City Manager~~Administrator.

(B) The ~~City Manager~~Administrator shall be appointed on the basis of executive and administrative qualifications. The ~~City Manager~~Administrator need not be a resident of the ~~Municipality~~City. The ~~City Manager~~Administrator shall not hold any elective public office or other public or private employment unless the other public or private employment is approved by a majority vote of the Council.

(C) The Council shall determine the compensation of the ~~City Manager~~Administrator.

6.03 Administration of Employees

Except for the purpose of inquiries and investigations under Section 3.01(A)(~~4011~~), elected officials of the ~~Municipality~~City shall deal with ~~Municipality~~City employees who are subject to the direction and supervision of the ~~City Manager~~Administrator solely through the ~~City Manager~~Administrator. No elected official of the ~~Municipality~~City shall in any manner direct or demand the hiring or termination of any ~~Municipality~~City employee whom the ~~City Manager~~Administrator is empowered to hire, but the Council may express its views and fully and freely discuss with the ~~City Manager~~Administrator anything pertaining to the hiring and termination of such employees.

6.04 Acting ~~City Manager~~Administrator

The ~~City Manager~~Administrator shall designate by ~~letterwritten correspondence~~, filed with the Clerk of Council, an employee of the ~~Municipality~~City to exercise the powers and perform the duties of the ~~City Manager~~Administrator during a temporary absence or disability of the ~~City Manager~~Administrator. If such designation has not been made and the ~~City Manager~~Administrator is unable to perform his or her duties or to make such a designation, the Council may appoint an employee of the ~~Municipality~~City to serve as the Acting ~~City Manager~~Administrator until the ~~City Manager~~Administrator resumes his or her duties. The Council may revoke any designation of Acting ~~City Manager~~Administrator, whether such designation was previously made by the Council or by the ~~City Manager~~Administrator, at any time and appoint another employee of the ~~Municipality~~City to serve as the Acting ~~City Manager~~Administrator.

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**6.05 ~~6.05 Procedure for Suspension or Removal of the City Manager~~
Removal of the Administrator**

~~The City Manager shall serve at the pleasure of Council and may be suspended or removed by Council resolution, which shall include the reasons for suspension or removal. After providing the City Manager with an opportunity to be heard, and after full consideration, the Council may adopt a final resolution of suspension or removal. The decision of Council to suspend or remove the City Manager shall be in the sole discretion of the Council. If the City Manager is suspended or removed from duty as provided under this Section, the Council shall appoint an Acting City Manager. The Council may propose the suspension or removal of the City Manager Administrator by a resolution of the Council that shall set forth the reasons for the proposed suspension or removal. A copy of such resolution shall be served immediately upon the City Manager Administrator. The City Manager Administrator shall have five days from the date of receipt of service in which to reply in writing and request a public hearing. Upon request, the City Manager Administrator shall be afforded a public hearing, which shall occur not earlier than 10 days nor later than 30 days after the public hearing is requested. After the public hearing, if requested, and after full consideration, the Council may adopt a final resolution of suspension or removal. The decision of Council to suspend or remove the City Manager Administrator shall be in the sole discretion of the Council. If the City Manager Administrator is suspended from duty as provided under this Section, the Council shall appoint an Acting City Manager Administrator.~~

[End of Article VI]