

Village of Sunbury Charter Commission

Minutes

January 23, 2019

Chairperson Steve Mazzi opened the Sunbury Charter Commission meeting at 7:00 p.m., January 23, 2019 in Council Chambers at Town Hall with the Pledge of Allegiance.

Those answering roll call: Patti Cavinee, Cindi Cooper, John Dankovich, J. David Diehl, Anne Frost, Eugene Frost, Michael League, John Maar, Steve Mazzi, Murray Neff, Jodi Norton, Daniel Sexton, Randall Rentz and Richard Ryba. Thomas Zalewski was absent.

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

Solicitor Brehm

- After roll brought up the subject, of replacements to the Charter Commission after receiving a written resignation from Thomas Zalewski. This will be brought up at the next Council Meeting.

Motion by **Ryba** and seconded by **Dankovich** to approve January 9, 2019 minutes. Upon roll 14 yeas.

Eugene Frost asked about the use of the word “liberally” in Article II section 2.03. **Rutter/Brehm** replied that it was more of a legal term to be applied broadly rather than a political stand.

Motion by **Ryba** and seconded by **Anne Frost** to approve Article I and II as written by **Paul Rutter**, from Bricker and Eckler. Upon roll 14 yeas.

Next on the discussion was Article III. Included in the packet were examples of Groveport, Pataskala, New Albany and Dublin Charters.

Mazzi asked **Brehm** which of the examples were set up as Sunbury currently runs. **Brehm** replied that Groveport seems to be the most similar with some differences.

Solicitor Brehm

- Led a discussion on the pros/cons of having the Mayor a member of council and the Mayor’s voting possibilities. There was a discussion on the pros/cons of wards versus public voting.

Diehl

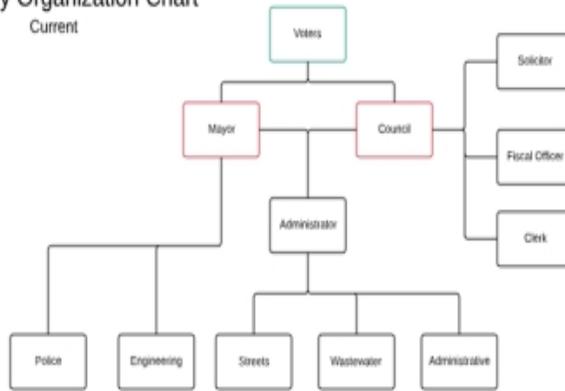
- Led a discussion on the two different organizational charts attached below pointing out the differences on the voting privileges of the Mayor.

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Sunbury Organization Chart
Current

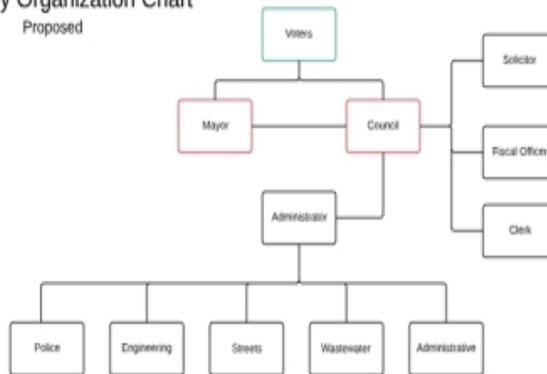


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Sunbury Organization Chart
Proposed



Mayoral Options to Consider

1. Selection Options
 - a. Popular vote as Mayor (similar to Weak Mayor)
 - i. Voting on Council Options
 1. On any as if they were Council Member?
 2. Only as a tie-breaker? (currently)
 - ii. Would not be eligible as President of Council because not a Council Member. (currently)
 - b. Popular vote as Council Member. Then selected by Council as Mayor. (similar to Council-Manager)
 - i. Voting on Council would be granted by default as they're already a member.
 - ii. Would be eligible as President of Council or even the default (though this could be varied).



Eugene Frost/Sexton

- Led a discussion on having the Mayor run for election as a Mayor or be selected from Council Members.
- A topic included in the discussion was the voting percentage necessary for passage if the Mayor voted or not. Four of six would be 66% and four of seven would be 57%, the decision comes down to whether the residents would want a higher percentage of Council voting on spending monies and making decisions or having a lower percentage needed for approval.

Motion by Sexton and seconded by Neff to have six members of Council elected at large and Mayor elected at large. The Mayor would not be a voting member of Council, the Mayor would only vote in a tie situation. Upon roll 13 years/1 nay.

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Rutter/Brehm

- Explained the current responsibilities of President Pro-Tem on the Village Council. The President Pro Tem serves in the absence of the Mayor and appoints Council members to committees.

Motion by Eugene Frost and seconded by Sexton to have the Mayor serve as president of Council. Upon roll 14 yeas.

Motion by Eugene Frost and second by Sexton to use Groveport language for President Pro-Tem “The Council shall elect one of its members as the President Pro Tem of the Council, to serve at the pleasure of the Council. The President Pro Tem may be removed, without cause, from his office of the President Pro Tem at any time by a vote of a majority of the other members of the Council voting on the issue, however, at least three votes for removal (including the vote of the Mayor in the case of a tie vote) must be cast to remove the President Pro Tem.” Upon roll 14 yeas.

Motion by Diehl and seconded by Eugene Frost to have the term of Council to be four years. Upon roll 14 yeas.

Brehm

- Explained that currently the Council has 30 days to fill a vacancy and that person would finish the term of the vacated position.

Motion by Mazzi and seconded by Eugene Frost by to fill vacancies of Council by following the language in Groveport Charter section 3.09 “A vacancy in the membership of the Council shall be filled by a majority vote of the members of the Council within thirty days after the vacancy occurs.” With an extension of 30 days if needed. Upon roll 14 yeas.

Mazzi

- Went back to topic #4 discussion on wards versus at large.
- The end result was that trying to set up wards at this time would be difficult due to the unknown factor of future growth.

Motion by Ryba and seconded by Rentz to have Council elected at large. Upon show of hands 14 yeas.

Brehm/Rutter

- Led discussion on the pros/cons of having Clerk of Council also being the Fiscal Officer.
- **Rutter** will work up “May” language and the body will circle back to the discussion.

Mazzi

- Brought up the topic # 11 concerning provisions on when a Council member is subject to forfeiture of office.

Motion by Anne Frost and seconded by Diehl to add language similar to Dublin’s city charter “The office of a Council member shall be forfeited upon a determination that the Council member

- 1. has pled to or has been convicted of a felony while in office**
- 2. has pled to or has been convicted of any crime involving dereliction of duties while in office**
- 3. lacks, or is found to have lacked, at any time prescribed by this Revised Charter, any eligibility requirement of Section 3.03**
- 4. has violated any prohibition of section 3.03 (a) or**
- 5 has failed to attend three consecutive regular meetings of Council without being excused by a majority of Council.**

Upon show of hands 14 yeas.

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Mazzi opened up the discussion for topic #12

- **Brehm** explained the pitfalls of having a Council person also be an elected person of another body including the ethical dilemmas.

Motion by Eugene Frost and seconded by Ryba that Members of Council shall not hold any other public office or employment with the City during a term, except that they may hold office in a political party or be a delegate to a political party convention. Upon show of hands 14 yeas.

Brehm

- Led a discussion on how cumbersome individual merit raises versus giving a budget to department head/administrator to follow.

Motion by Ryba and seconded by Rentz to establish or authorize the number of positions in the various departments, divisions, offices, bureaus, boards, commissions, and committees of the Village and to adopt a wage, salary, and benefit structure for all positions within the classified and unclassified services. Upon show of hands 14 yeas.

The next meeting will be February 13, 2019 at 7pm.

Motion to Adjourn. All Yeas.

Steven Mazzi, Chairperson

Kathy Belcher, Fiscal Officer