

Village of Sunbury Charter Commission

Minutes

March 13, 2019

Chairperson Steve Mazzi opened the Sunbury Charter Commission meeting at 6:30 p.m., March 13, 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, Eugene Frost, (arrived at 6:41pm), Michael League, , Steve Mazzi, Murray Neff, (arrived at 7:15pm), Jodi Norton, Daniel Sexton, Randall Rentz and Richard Ryba. Anne Frost and John Maar were absent.

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

Motion by Diehl and seconded by Ryba to approve February 13, 2019 minutes. Upon show of hands 10Yeas. **(Eugene Frost and Murray Neff not present yet)**

Mazzi

- Brought up the topic of Roberts Rules of Order
The main topic was discussion after the motion and again after the vote. The discussion point will remain after the first and second motion.

Motion by **Ryba** and seconded by **Sexton** to approve Article III.

Discussion, Diehl asked for a definition of general supervision as it relates to Clerk of Council in section 3.05.

Upon show of hands 10Yeas. **(Eugene Frost and Murray Neff not present yet)**

Article IV will be ready for review at the next Charter Meeting.

(Eugene Frost – arrival 6:41pm)

Mazzi

- Initiated a discussion on Article and V and VI.

Paul Rutter

- The interrelationship between the Mayor and Administrator are addressed in Article V and VI and should be worked through together. The sample language in 5.01 drafted from New Albany.
- There was a lengthy discussion on the whether the Mayor could/should have Veto powers.

Brehm

- Currently the Mayor only votes in the case of a tie.
- Mayoral Vacancy was also addressed.
- The reporting of the Police Chief was also addressed, should he report to Council or Mayor?

Mazzi

- Asked if the Mayor is part time employee of the Village and lives in the Village full time does it make sense to have the Police Chief report to the Mayor to enable a quicker response for emergencies?

Mayor Hatfield

- Concerning residency, the best person should be hired.
- He also feels that any Mayor will know exactly what is on the Agenda, whether they were part-time or not.
- Also made the point that the transition will not happen overnight. Sunbury will become a city, but it will not go from 5,000 to 20,000 as a result of a census. He would like to see that the Mayor has supervision over the Police and everyone else report to Council. He also feels that Council or some legislative body be able in the future to change reporting process.
- He feels that the Police part of the job, is completely different.

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Cooper

- Asked if it could be written in the Charter to review certain aspects of the Charter particularly the reporting of the Police Chief to the Mayor, **Brehm** replied that the Charter members could make a list of items to be reviewed.

(Murray Neff arrives 7:15pm)

Motion by **Mazzi** and seconded by **Eugene Frost** that the Mayor shall not have Veto power. Upon show of hands 11 Yeas 1 Nay

Motion by **Mazzi** and seconded by **Cavinee** to place Police and Engineering Departments under the Mayor and the remaining departments under Council, until the Charter Review in five years. Upon show of hands 5 Yeas 7 Nay. Motion Fails.

Mazzi

- With the motion failing, what information is needed to proceed? It was suggested that the Chief of Police come to Charter to explain his feelings on reporting to Mayor or Council.

Rothermel

- Stated that he had difficulty in structuring the organizational chart to streamline it for the Charter Members. The Engineer is a contractual agreement with the Village and reports to Council and the Mayor/Administration. **Brehm** stated that this is not the "approved" organizational chart. The "approved one" is more complicated than the one shown to the Charter Members.

Mazzi

- Motion by **Mazzi** and seconded by **Norton** to place the Police Department under the direction of the Mayor, until the five-year review. Upon show of hands 9 Yeas 3 Nay. Motion carries.

Mazzi

- Led a discussion on the hiring process for the administrator. The discussion centered on whether the administrator would be recommended by Council or the Mayor and then ratified by Council.

Motion by **Ryba** and seconded by **Eugene Frost** to allow Council to appoint an Administrator. Upon show of hands 12 Yeas 0 Nay.

Motion by **Eugene Frost** and Seconded by **Diehl** not to allow the Mayor to have direct supervisory control over the Administrator following article 6.01(A). Upon show of hands 12 Yeas 0 Nay.

Mazzi

- Led a discussion on questions 3 and 4, using sample language on 6.01 (B) (3) and 5.02(B). Paul will construct language and have it at the next Charter meeting
- Question 5 and 6

Motion by **Sexton** and seconded by **Ryba** to approve section 6.01 (B) (3) as written. Upon show of hands 12 Yeas 0 Nay.

- Question 9 residency requirement was discussed.

Motion by **Diehl** and seconded by **Rentz** to not require the administrator to reside inside the city limits. Upon show of hands 12 Yeas 0 Nay.

- Question 10 – Council and Mayor prohibited from Administrative Interference

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Brehm and **Rutter** will come up with language to address this issue.

Eugene Frost

- stated that he liked New Albany's example allowing Council to express its views fully and freely and freely discuss with the Administrator.

Mazzi

- Question 11 – Should Council or the Administrator make the appointment of an Acting Administrator. Brehm stated that to him this is a temporary delegation until Council gets to a longer appointment. **Brehm** and **Rutter** will work on language.
- Question 12 – process to remove Administrator, **Brehm** and **Rutter** will follow 6.05 with a 30-day limit on holding the hearing.

There will not be a meeting on March 27, 2019

The meetings will start at 6:30pm.

Motion to Adjourn. All Yeas.

Steven Mazzi, Chairperson

Kathy Belcher, Fiscal Officer