

Village of Sunbury Charter Commission

Minutes

April 24, 2019

Chairperson Steve Mazzi opened the Sunbury Charter Commission meeting at 6:30 p.m., April 24, 2019 in Council Chambers at Town Hall with the Pledge of Allegiance.

Those answering roll call: Patti Cavinee, Anne Frost Steve Mazzi, Jodi Norton, Daniel Sexton, Randall Rentz, John Maar. John Dankovich, Cindi Cooper, J. David Diehl, and Michael League. Eugene Frost, Murray Neff, Richard Ryba 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 **Rentz** and seconded by **Mazzi** to approve April 10, 2019 minutes. Upon show of hands 11 Yeas.

Mazzi

- Started discussion on Article V and VI

Rentz

- Reported on behalf of Ryba.
- The feedback from Chief Howard reported as follows
Great working relationship with Mayor and believes that the Mayor being also a resident of the Village, is the eyes and ears of the residents.
Also feels that the focused attention from the Mayor would be better than just being one more thing the Administrator would have to do.

Brehm

- Added that the Police has an ultimate responsibility to Council, since Council sets the budget.

Mazzi

- Made the point that the tasks that the Administrator currently has, coupled with the disadvantage of not living in the Village, made the Mayor a better focused point of contact for the Police Chief.
- Added that the working relationship between the Mayor and Police Chief.

Diehl

- Spoke and disagree with giving supervisory authority of the Police to the Mayor.
- One point he made was the Mayor could not be fired and the Administrator could be.

Village of Sunbury Charter Commission

Minutes

April 24, 2019

Mazzi

- Responded with the Mayor could be fired by the voting residents. The Administrator has responsibility over other departments and would not have the time or resources for the dedication the Police department would need. Couple that with the no residency requirement of the Administrator and the full-time residency of the Mayor, the Mayor would have the advantage of time on his/her side.

Cooper

- Asked if once we are a City would there be more funds available for additional staff? **Brehm** replied that the income tax does not change/tax does not change and property tax does not change. In 2020 the certification changes, but the revenue would not change immediately, just as the population grows and the City would also have more responsibilities.

Sexton

- Made the point that the perhaps reviewing article VII on the removal process of the Police Chief and the Administrator in conjunction with article V and VI would make better sense.

Mayor Hatfield

- Reiterated the point that the Council holds the purse strings and any Police Chief has to keep a working relationship with Council to be able to have an operating budget.

Motion by **Sexton** and seconded by **Dankovich** to insert language to allow the removal of the Police Chief subject to a super majority of Council after an appeals process. Upon show of hands 11 Yeas.

There was an extensive discussion on Article V and VI.

Motion by **Sexton** and seconded by **Rentz** to approve Article V. Upon show of hands 10 Yeas 1 Nay.

Article VI is tabled until next meeting

Village of Sunbury Charter Commission

Minutes

April 24, 2019

Mazzi

- Led a discussion on Article VII
- 7.03 (b) language will come back for voting at the next meeting.

Maar

- Asked how the codified ordinance worked with the new Charter, **Brehm** replied that once the Charter passes, then the codified ordinances would have to be changed to follow the new laws.

Mazzi

- Led a discussion on Article VIII – Boards and Commissions

Rutter

- Planning and Zoning Commission and Board of Appeals, are commonly created at the Charter level. He also recommended giving Council the ability to create additional boards and commissions as needed.

Brehm

- Sunbury currently has a Planning and Zoning Board, but not an actual appeals board.

Mayor Hatfield

- Stated that major decisions of the Zoning Board are reviewed and passed by Council.

Brehm

- Stated that currently we have a Parks Committee. that meets the first Wednesday of the Month, just before Council. The budget is very small, later when the population grows it would merit an actual Board.

The final decision is to have a Planning and Zoning Commission and a board of appeals.

There was an extensive discussion the number of the Zoning Board Members and how many should be from Council and how many should be residents.

Village of Sunbury Charter Commission

Minutes

April 24, 2019

The final decision was to have 6 voting members and one non-voting member which would be from the School Board. The mix of the 6 members 2 from Council – (one being the Mayor and one other member of Council) and 4 at large residents. The majority for approval would be 4 affirmative votes.

Language will come back to the next meeting for passage.

Brehm

- Will check with the Ethics commission on the language for a Zoning member being employed by a contractor.

Rutter

- Questioned terms, the decision was terms will be three years overlapping.

The members of the Zoning Appeals Board will not be a member of Council nor the Zoning Board.

Rutter

- Suggested having a personnel appeals board. Brehm stated that currently there is an automatic right of appeal to Council.
- Brehm will do further research and report back

Rutter

- The Charter review commission section will be placed in the back of the document.
- It was decided to review at 5 years for the first time and then next one will be not longer than 10 years.

Mazzi

- Summary of issues
 - Next Meeting will be May 8
 - Article VI and VII - voting
 - Discuss and possible vote on article VIII
 - Refine Charter Review Commission standing on its own with a review at 5 years and at least 10 years thereafter. With a report back to council within one year.
 - The board will be a 7-member board.

Village of Sunbury Charter Commission

Minutes

April 24, 2019

Next Meeting be May 8th

The meetings will start at 6:30pm.

Motion to Adjourn. All Yeas.

Steven Mazzi, Chairperson

Kathy Belcher, Fiscal Officer