

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Charter Review Commission – Final Minutes

February 26, 2020

7:00 PM

Town Hall

Members

Charles Carpenter

Pat DeWitt

Steve Donahue

Nick Franklin

Amy Giesecke

Jackie Marion

Liana Obert

Ryan Rose

Marilyn Rush-Ekelberry

Katy Santore

Michael Stobart

Alternates:

Jim Bohnlein

Rick Deeds

A. Call To Order

at 7:00 pm

B. Roll Call

Present 11 – Pat DeWitt, Steve Donahue, Nick Franklin, Amy Giesecke, Jackie Marion, Liana Obert, Ryan Rose, Marilyn Rush-Ekelberry, Katy Santore, Michael Stobart, Rick Deeds (alternate)

Absent 2 – Charles Carpenter, Jim Bohnlein (alternate)

Also in attendance were Gene Hollins and Jesse Shamp, legal counsel from Frost, Brown, Todd, LLC Attorneys

C. Election of Chairperson and Vice-Chairperson

Hollins stated the first order of business is to elect a chair and vice-chair; somebody to help organize the agenda and help run the meetings; is there a nomination for chair of the 2020 charter review commission.

Motion to nominate and elect Steve Donahue as Chairperson made by Rush-Ekelberry; Donahue declined the nomination.

Motion to nominate Michael Stobart as Chairperson made by Marion; seconded by Rush-Ekelberry

Motion to close nominations made by Rush-Ekelberry; seconded by Marion

Motion to elect Stobart as Chairperson carried by the following vote:

Yes 10 – DeWitt, Donahue, Franklin, Giesecke, Marion, Obert, Rose, Rush-Ekelberry, Santore, Stobart

Motion to nominate Marilyn Rush-Ekelberry as Vice Chairperson made by DeWitt; seconded by Donahue

Motion to close nominations made by Donahue; seconded by Marion

Motion to elect Rush-Ekelberry as Vice Chairperson carried by the following vote:

Yes 10 – DeWitt, Donahue, Franklin, Giesecke, Marion, Obert, Rose, Rush-Ekelberry, Santore, Stobart

D. Items for Discussion

Members proceeded to introduce themselves.

Hollins indicated the memo from his office gives a synopsis of the duties of the commission, the purpose of the city charter, and general procedures for the commission to follow; you have a copy of the current charter with any changes that were made by the last charter commission, it has served the purpose so far, but it can always be improved upon. The process will be if this group would like to consider changes, in Canal Winchester there is no strict timeline, your work needs to be completed in the calendar year, and recommendations handed off to council, and then council can decide what if anything goes on the ballot; timing can be to put items on the November ballot if work is completed sometime in July; try to avoid a special election because city would have to pay for it if nothing else county wide is on that ballot; either complete process and get everything to city council so they can pass ordinance by August 3 and get it on the November 2020 ballot, or you can take more time and you use the rest of the calendar year,

make your recommendations to council and possibly get items on May 2021 ballot. There are no strict rules, you all need to come up with your own process to follow, you are master of your own ship.

Hollins passed to Jesse Shamp for further explanation from the memo. Shamp explained basically city and villages in Ohio are creatures of statute and follow these laws, but the Ohio constitution has set forth for Ohio villages and cities to set their own government and it is a great blessing to have a charter; it gives you more input on the day to day lives of residents, something here in Canal Winchester would be handled differently than a city outside of Toledo or Cleveland, this gives you opportunity have some real local input, and I am excited to be here working with all of you. This charter was adopted in 1995, and it became effective in 1996, and it is part of the charter that every ten years we will get together like this to review it and make any recommendations and be ready for the next decade. We will follow traditional Robert's Rules of Order with motions, seconds, consent voting, etc. Tonight we will talk about when we want to meet, and how often, we already did the chair and vice chair. What we will do throughout the year, see in memo the different articles that are in the charter, one through twelve, topics that we need to go through; some are longer than others and might require more time for input and discussion and we can go through each of these and review and come up with ideas that can be discussed, we have a good database in our system at the law firm of different charter provisions that may do things a little differently around Ohio, if you have questions we can provide an example of what may have worked or not worked for someone else in the past. Talk about the role council plays, legislative procedure, Mayor's powers, boards and commission, etc. Part of what you can do here is to recommend new boards, the sky is the limit, a lot of authority as a charter municipality, free to recommend what you want as a group to council, council votes and it can possibly go on the ballot.

Stobart asked about the time frame for getting recommendations on the November ballot; council ordinance to have three readings, so need six weeks. Hollins stated would need council approval around late June, early July. However, if nothing pressing, it can be put off for more discussion. Discussion ensued between members. Maybe group some of the articles together for review. Stobart asked about considering public comment as part of this process. Shamp reiterated that it is a public meeting. Discussion of time limits for public speaking and how many people actually might attend and want to speak. Hollins stated anybody is free to submit any comments in writing to the clerk. Stobart said he likes to give the public an opportunity to be heard. Discussion of us making recommendations to council, but council doesn't have to accept our recommendations, and then electorate is supposed to decide on the charter, but they can't do that if not given the items to vote on because council didn't approve the recommendations of the commission; discussion of the electorate has made their voice heard by choosing the council members, and council takes your recommendations and may put them to the electorate; Hollins said this is something that you may want to look at in this process.

Discussion of setting the schedule of meetings; August 3 is the date to have issues to the election board for the November ballot. Marion suggested a sub-committee to discuss items, Rush-Ekelberry suggested the Chairperson address this. Stobart asked if there was interest in sub-committees; discussion ensued about discussing issues as a whole group or as sub-committees. Discussion about sending emails, but these are public records. Donahue suggested two meetings a month and two articles per meeting, this works timing wise; Stobart suggested every other Wednesday to meet 7:00 pm to 9:00 pm; second and fourth Wednesdays, confirm that town hall is available, the clerk confirmed that town hall is available. The clerk confirmed the dates as March 11 and 25, April 8 and 22 and May 13 and 27 at 7:00 pm at town hall. Decision to see where we are after May meetings before scheduling more meetings. Clerk clarified the

group wants to discuss which articles at which meetings, discussion ensued about this. Stobart confirmed we will need to establish an agenda prior to the meetings; should set agenda for the next meeting at the end of this meeting; look at the articles and topics to discuss for each.

***Motion to set schedule of commission meetings made by Stobart; seconded by Donahue
Motion carried by the following vote:***

Yes 10 – DeWitt, Donahue, Franklin, Giesecke, Marion, Obert, Rose, Rush-Ekelberry, Santore, Stobart

Stobart asked if members would like to review Articles one, two, ten and twelve at the next meeting; Donahue asked Hollins if any of these items are per se law and cannot be changed; Hollins replied he will help with those as they arise; Stobart added to review article nine as well...at the next meeting; discussion among members; question about home rule; members agreed to set agenda for next meeting to review charter articles number one, two, nine, ten and twelve.

***Motion to set agenda for meeting on March 11, 2020 made by DeWitt; seconded by Giesecke
Motion carried by the following vote:***

Yes 10 – DeWitt, Donahue, Franklin, Giesecke, Marion, Obert, Rose, Rush-Ekelberry, Santore, Stobart

Shamp commented about possibly adding a place on the agenda for public comments; discussion among members about when to hear public comments, that is, before or after the member's discussions, before or after voting, depends on if it is controversial issue; Donahue asked about how they would vote on each section; Hollins replied there are different ways they can accomplish this; Clerk asked for clarification of where on agenda the members would like to hear public comments; public speaker would state their name, address and write it down for the minutes on a sign-in sheet; discussion about comments made on Facebook, how do we consider these; direct these through Clerk; Stobart said we have to be aware that a suggestion could be made to create a new article or a new section of the charter for us to review; we will accept written comments submitted; do we need to adopt meeting governance now; the Clerk confirmed that the members wish the agenda order to be as follows: call to order, roll call, approval of minutes, public comments, items for discussion, items for next meeting agenda, adjournment.

***Motion to adopt the order of the meeting agenda made by Donahue; seconded by Rush-Ekelberry
Motion carried by the following vote:***

Yes 10 – DeWitt, Donahue, Franklin, Giesecke, Marion, Obert, Rose, Rush-Ekelberry, Santore, Stobart

***Motion to limit public comments to five minutes per person made by Rose; seconded by Giesecke
Motion carried by the following vote:***

Yes 10 – DeWitt, Donahue, Franklin, Giesecke, Marion, Obert, Rose, Rush-Ekelberry, Santore, Stobart

Santore asked if alternates can offer their opinions during the meeting; Rick Deeds was present in the audience and stated he intends to attend all meetings and keep up on the topics discussed; if a member is absent an alternate will need to substitute for that member at that meeting; alternates will only vote if sitting in place of a member at that particular meeting; Stobart asked about how alternates were selected; council made nominations and then selected members and alternates.

E. Adjournment

Motion to adjourn made by Donahue; seconded by Santore

Motion carried by the following vote:

Yes 10 – DeWitt, Donahue, Franklin, Giesecke, Marion, Obert, Rose, Rush-Ekelberry, Santore, Stobart

Adjourned at 8:02 pm