

# Reynoldsburg

OHIO • 1839

## MINUTES MEETING REYNOLDSBURG CHARTER REVIEW COMMISSION March 16, 2022

Doug Joseph called the meeting to order at 7:03 PM

PRESENT: Joseph, Darling, Foster, Johnson

ABSENT: Lenihan

Others in attendance included Attorney Shook, Councilmember Baker, Auditor Cicak, Development Director Meyer, Keith Benner, and Clerk Prasher.

### Approval of Agenda

The agenda stood as submitted.

### Minutes Approval

1. Charter Review Commission – Meeting – February 16, 2022

The February 16, 2022 minutes stood as submitted.

<b>RESULT:</b>	<b>ACCEPTED</b>
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### Discussion of Proposed Revisions

#### Recommendations for Charter Amendments Submitted by Commission Members, Staff and Citizens

##### RECOMMENDATIONS FOR CHARTER AMENDMENTS SUBMITTED BY COMMISSION MEMBERS, STAFF AND CITIZENS

Chair Joseph advised that the Commission had received several additional recommendations from staff and the public. Attorney Shook provided a list of each of the recommendations. Chair Joseph suggested that the Commission review and discuss each item. As Mr. Lenihan was absent from tonight's meeting, he suggested that the group wait to vote on any specific item until the all members were present.

1. Section 6.06 Department of Public Safety - Chief Baker

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Chair Joseph stated that Chief Baker provided three recommendations, two related to a Public Safety Director and one regarding mandatory residency. (The mandatory residency discussion will be included in item 3 for the purposed of these minutes.)

Chair Joseph indicated his support for addressing the issue of a requirement Public Safety Director and agreed with the Chief's suggested replacement language. He felt that it was important to maintain the option of having a Safety Director in the future should another administration feel the need to hire such a position. Ms. Darling agreed that the issue needed to be addressed as the Charter requires that position be filled. Mr. Foster questioned why the City did not have a current Safety Director and if the position was not needed, why leave it in the Charter. Attorney Shook commented that the Safety Director had not been filled because with only a police department managed by the Police Chief and no fire department, it was just an added layer of administrative cost that was not necessary. Chair Joseph reiterated that he felt it would be best to maintain the position to allow for flexibility.

This issue would be tabled for further discussion at the next meeting.

### 2. Section 4.01 Form of Action by Council - Superintendent Hellman

Chair Joseph was not completely clear as to specifically what Superintendent Hellman was requesting. Attorney Shook explained that a portion of his request was to clearly define a purpose of a resolution versus an ordinance. The Charter currently does not differentiate between the two. He was also requesting adjusting the Charter to allow for separating the bidding and contracting process for items already in the budget so they do not require three reads and the 30-day waiting period. Chair Joseph asked if these items could be placed on the ballot as a single issue or two issues. Attorney Shook indicated that his preference was two issues. Chair Joseph asked Clerk Prasher the need for separating resolutions and ordinances. Clerk Prasher explained that the legislative process took ten weeks. Bids and contracts often had sixty-day response requirements that then require legislation to be marked as an emergency. Emergency language legislation took away the ability of the community to referendum legislation. Items that were approved as part of the budget, could be read as single read legislation and not have the 30-day waiting period.

This issue would be tabled for further discussion at the next meeting.

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1(b), 3, and 6. Sections 6.06, 6.07 and 6.08 Residency Requirement

Chair Joseph commented that this type of ballot item would likely be rejected by the residents and may not be significant enough for the Commission to spend time trying to change. Vice Chair Johnson stated that this issue was not her first choice and agreed that it might not be important enough. Chair Joseph asked if American Legal, the vendor that produced our codified ordinances, would be willing to include a note in the Charter indicating that the Supreme Court had overruled requiring residency requirements. Clerk Prasher indicated that she had recently spoken with American Legal and an that accommodation could be made.

Ms. Darling made a motion to request American Legal to add an asterisk acknowledging the Supreme Court decision in favor of not requiring residency requirements in the City's Code for all entries in the Charter. Second by Mr. Foster. Motion carried.

4. Section 3.04 President of Council - Councilmember Baker

Chair Joseph reminded the Commission of Councilmember Baker's recommendations to either remove the position of President to just have seven Councilmembers with a President being selected from by those members or to give all rights and privileges to the President 's position that are convened to all members of Council resulting in an eight-member Council, with any tie measures resulting in defeat. Councilmember Baker agreed to support the position outlined by Chair Joseph. He just felt it was important that the position of President have voting privileges. Mr. Benner questioned what would constitute a majority of Council? Attorney Shook state that a majority of Council was based on the total numbers of Councilmembers. A question was brought up as to if that language should be changed to Councilmembers present. Chair Joseph asked the Commission to consider whether that language needed to be modified in Section 4.05, 4.06 and 4.11(c) for the next meeting.

This issue would be tabled for further discussion at the next meeting.

5. Section 7.01 Planning Commission and Section 7.03 Board of Building and Zoning Appeal - Councilmember Baker, Alex Furst, and Keith Benner

Chair Joseph advised that this recommendation was to combine Planning Commission and BZBA into one board, add two additional members, and require a minimum level of

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qualifications to serve on the board. He asked if the need for qualifications including having credentials. Attorney Shook stated that the Planning Commission currently had a level of qualifications; it would just need to be added to the BZBA. Chair Joseph expressed a concern for overloading one board by combining both boards. Attorney Shook introduced Development Director Eric Meyers. Directors Meyers indicated his support for combining both boards into one board. This change would expedite the application process immensely. Applications to the Planning Commission currently needed to be submitted three weeks in advance of a meeting with an additional two-week waiting period if the application had to go to the BZBA. The current process required time and allowed for uncertainty for applicants awaiting decisions from both boards. Combining both boards would allow for a one stop shop approach. The single board could also choose to meet twice a month. Attorney Shook felt, if the boards were to begin to meet more than once a both, the Commission would also need to change Section 7.09 to allow for compensation for the members. Chair Joseph asked about the amount of work expected of each board. Director Meyer stated that the BZBA met less often, but their work was more technical. However, neither board were overly burdened. The current issue generally involved the delay based on our current process. Mr. Benner commented that he did not see that combining the boards would be an undue burden on a single board. Currently, applications are reviewed by the Planning Commission with conditions based on a BZBA decision. Sometimes applicants bounce back and forth between the boards. Chair Joseph asked if other cities had combined boards. Director Meyer advised that Canal Winchester and Upper Arlington had combined boards. He had reached out to Canal Winchester, but no one had contacted him back yet. He also explained the Reynoldsburg had a zoning code that was more forward thinking than other surrounding communities, whose code used a more planned development process. Chair Joseph asked how the City would combine the two boards. Attorney Shook explained that at least two members' terms would expire at the end of 2022, so they would be off the board. If there were still too many members, then the least tenured member would be asked to step down.

This issue would be tabled for further discussion at the next meeting.

### 7. Section 9.01 Nominations - Alex Furst, Brett Luzader, Keith Benner

Chair Joseph explained that this recommendation had come before several Charter Review Commissions and never made it to the ballot. The request to remove partisanship from the primary and general election ballots is well supported by the community, but no Council has been interested in supporting such a recommendation, likely for party

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reasons. Some voters will use party affiliations to choose candidates more like yourself. Council will not likely support this recommendation. Mr. Benner would still like to see the Commission send this item to Council for them to vote their choice. Chair Joseph wondered if a primary would still be necessary or just go to a general election.

8 and 9. Section 6.01 City Attorney and Section 6.02 City Auditor - Alex Furst  
Chair Joseph commented that in his experience, voters do not like losing their right to elect candidates. He was not in support of this recommendation as it would give too much power to the Mayor. Mr. Benner indicated that he was previously in favor of this recommendation, but now believed that it was important to maintain these positions as elected in order that the elected officials would be responsible to the people. He additionally added that he would be supportive of adding some type of qualifications for the Auditor's position. Auditor Cicak commented that he was required to take training through the state of Ohio. Chair Joseph asked Auditor Cicak what training the current office staff has. Mr. Foster clarified that a person could be elected City Auditor and have not finance, business, or other qualifications and the qualifications listed in the current Charter were so very vague. Vice Chair Johnson asked if language could be added that included the state training. She asked Auditor Cicak if he could provide a list of the training he is required to take. Auditor Cicak responded in the affirmative. Chair Joseph suggested that the Commission consider ideas of language that could improve the current Charter language.

As the time was growing late, Ms. Darling moved to adjourn the meeting. Second by Vice Chair Johnson. Motion carried.

**RESULT:**

**REFERRED TO COMMITTEE**

**Next: 4/20/2022 7:00 PM**

### Other Matters

### Adjourn

Mollie Prasher

Mollie Prasher, Clerk of Council

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## MINUTES MEETING REYNOLDSBURG CHARTER REVIEW COMMISSION February 16, 2022

Doug Joseph called the meeting to order at 7:01 PM

PRESENT: Joseph, Foster, Johnson, Lenihan  
ABSENT: Darling

Additional attendees: Attorney Shook, Auditor Cicak, Councilmember Baker, Keith Benner, and Clerk Prasher

### Approval of Agenda

The agenda was approved as submitted.

### Minutes Approval

1. Charter Review Commission – Meeting – January 19, 2022

A motion to amend the January 19, 2022 Charter Review Commission minutes to reflect that the vote to approve the timeline included Mr. Foster as being presented. Motion was seconded. Motion carried.

The January 19, 2022 Charter Review Commission meeting minutes were approved as amended.

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
<b>AYES:</b>	Joseph, Foster, Johnson, Lenihan
<b>ABSENT:</b>	Darling

### Discussion of Proposed Revisions

#### Recommendations for Charter Amendments Submitted by City Departments & Council

Police Chief Curtis Baker submitted a recommendation to remove the requirement under Section 6.06 of the Charter that the Director of Public Safety be a resident of the City and that the Chief would serve as executive head of the Department of Public Safety if no Director was appointed. Chair Joseph expressed concern whether voters would understand the Ohio Supreme Court ruling that previously invalidated residency requirements. City

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Attorney Shook stated the residency requirements are not enforceable. The primary purpose to remove the requirements from the Charter would be to eliminate confusion. City Attorney Shook also mentioned that the voters may get the impression that, by rejecting such a proposed charter amendment, the voters may think the provision is enforceable when it is not. Commissioner Lenihan asked whether the changes proposed by the Chief would or could be broken down into two charter amendments. Attorney Shook and Chair Joseph indicated that this particular suggestion should be presented as one proposed amendment.

Parks and Recreation Director Donna Bauman submitted a suggestion to remove the requirement under Section 6.08 of the Charter that the Parks and Recreation Director be required to reside in the City. The Commission discussed the possibility of adding an addendum to the published Charter indicating that the residency requirement is not enforceable per the Ohio Supreme Court. Attorney Shook indicated that could be a possibility, but we should check with American Legal who published our Charter and ordinances.

Water Superintendent Paul Hellman submitted a suggestion to include language in the Charter that separated an ordinance from a resolution with specifically defined language as to what can be passed by an ordinance and what can be passed by a resolution. He referred to Article 4, Section 4.03 of the Charter. Attorney Shook indicated that the Ordinances and Resolutions sections under Article IV of the Charter could be considered here as well as Section 8.04. Chair Joseph commented that it would be important to make clear to the voter that this change was more procedural. He questioned how specific language would look. Attorney Shook would provide a draft proposal to the Commission for the next meeting.

City Councilman Stacie Baker submitted a letter to the Commission with recommendations regarding the position of Council President under Section 3.04 and combining the Planning Commission (Section 7.01) and the Board of Building and Zoning Appeals (Section 7.02) into one Commission.

Councilmember Baker clarified his intent regarding his two possible scenarios of changing the voting status of the Council President. His first suggestion was to eliminate electing a

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specific person at Council President. That position would just be another At-Large position elected by the community. The position would also have voting abilities. All members of Council would then elect a Council President.

Councilmember Baker's second scenario was to leave the Council President position as a specific elected position, but give that position voting rights and privileges. Councilmember Baker suggested that any tie votes (4 to 4) could be broken by the Mayor. He felt that the President needed a voting voice on Council.

Chair Joseph suggested that the constituents have not been supportive of removing/taking away positions. However, giving the Council President voting privileges could certainly be looked at and recommended. This issue had been discussed in previous Charter reviews. The Commission would continue to discuss this issue at their next meeting.

Councilmember Baker's second recommendation was to combine the Planning Commission and BZBA into one Commission. He commented that combining the functions of the two entities would make the process more efficient for the public and improve the timing efficiency of planning and zoning applications. He also suggested that the new Commission might add two additional members to accommodate the enhanced work load.

Chair Joseph questioned if a single board would overload a single Commission. He was also concerned about the impact of such a Charter change over time.

Attorney Shook commented that he did not think a single Commission would be overloaded as these groups only generally met eight times per year. He suggested that perhaps the Commission could bring in Director Meyer and/or Zoning Administrator Ledbetter to allow them to better describe how the process could be implemented and function.

Chair Joseph stated that the Board has received another recommendation from a citizen and would discuss that recommendation at the next meeting.

### RECOMMENDATIONS FOR CHARTER AMENDMENTS

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**MINUTES MEETING  
REYNOLDSBURG CHARTER REVIEW COMMISSION  
February 16, 2022**

## **Other Matters**

The next meeting is scheduled for March 16, 2022 beginning at 7:00pm. The submittal deadline for additional recommendations from the community is March 14th.

## **Adjourn**

As there was no further business, the meeting was adjourned at 8:19pm.

*Mollie Prasher*

Mollie Prasher, Clerk of Council

Minutes Acceptance: Minutes of Feb 16, 2022 7:00 PM (Minutes Approval)

**Clerk of Council**  
**Mollie Prasher**  
**7232 East Main Street**  
**Reynoldsburg OH 43068**  
**614-322-6836 phone**

## **Memo**

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**DATE:**           **March 16, 2022**

**TO:**

**CC:**

**RE:**               **Recommendations for Charter Amendments**

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New recommendations include:

Alex Furst

Brett Luzader

Service Department

Public Safety by Council by ordinance or resolution. The Director shall make all necessary administrative rules and regulations for the governing of the Department of Safety and the several divisions thereof, subject to the approval of the Mayor, and shall be charged with the duty of enforcing all police regulations that may be assigned to the Department and prescribed by ordinance or resolution of the City or the general laws of the State of Ohio. The Director of Public Safety shall perform such other duties, consistent with his office, as may be required by this Charter, by ordinance or resolution of Council, or as directed by the Mayor. The Mayor shall designate an Acting Director to serve in the event of a vacancy in the office or the temporary absence or disability of the Director, and such Acting Director shall exercise all the powers, duties and functions of the Director.

(c) The Division of Police may include an auxiliary police unit as authorized by ordinance or resolution.

#### SECTION 6.07 DEPARTMENT OF PUBLIC SERVICE.

(a) There is hereby established a Department of Public Service to be headed by a Director of Public Service who need not be an elector of the City at the time of appointment, but who shall become an elector thereof within six months after his or her appointment. The Director of Public Service shall be appointed by and serve at the pleasure of the Mayor, and may be removed by the Mayor, without cause.

(b) The Director of Public Service shall have charge of the administration, operation, construction, maintenance and repair of all streets, roads and other public works, improvements and buildings, and any City owned or operated utilities. The Director shall not, except as otherwise provided in this Charter, have jurisdiction over the maintenance of recreational facilities and parks of the City. The Director shall perform such other powers, duties and functions as may be required by this Charter, by ordinance or resolution of the Council, or as directed by the Mayor.

(c) The Department of Public Service shall include a Division of Building and Zoning Inspection, a Division of Water, a Division of Sewer, a Division of Sanitation, and a Division of Streets, and such other divisions as shall be established by ordinance or resolution.

(d) The Director of Public Service shall make all necessary administrative rules and regulations for the government of the Department of Public Service and the several divisions thereof, subject to the approval of the Mayor.

(e) The Mayor shall designate an Acting Director to serve in the event of a vacancy in the office or the temporary absence or disability of the Director, and such Acting Director shall exercise all the powers, duties and functions of the Director.

#### SECTION 6.08 DEPARTMENT OF PARKS AND RECREATION.

(a) There is hereby established a Department of Parks and Recreation to be headed by a Director of Parks and Recreation. The Mayor shall appoint the Director based upon

recommendations to be submitted to him by the Parks and Recreation Commission. The Mayor's appointment shall be subject to the approval of the Council by a majority vote of its members. The Director need not be an elector of the City at the time of appointment, but shall become an elector thereof within six months after his or her appointment. The Director shall serve at the pleasure of the Mayor and may be removed by the Mayor, without cause. During a vacancy in the office of, or the temporary absence or disability of the Director of Parks and Recreation, the Mayor shall appoint an Acting Director of Parks and Recreation to exercise the powers, duties and functions of the Director.

(b) The Director of Parks and Recreation shall operate and maintain all parks and recreational programs and facilities and shall direct, control and supervise employees of the Department. The Director shall attend meetings of the Parks and Recreation Commission, shall keep the Commission fully advised concerning the operation and maintenance of the City's parks and recreational programs, and shall receive and consider the comments and recommendations of the Commission concerning the City's parks and recreation programs. The Mayor shall coordinate the work of the Department of Parks and Recreation and the Department of Public Service to assure that specialized equipment and personnel from the Department of Public Service are made reasonably available to work upon the City's parks and recreational facilities. Personnel of the Department of Public Service performing work in the parks and on the recreational facilities of the City shall be under the direction, control and supervision of the Director of Public Service. The Director of Parks and Recreation shall perform such other powers, duties and functions as required by this Charter, the City's ordinances and resolutions, and as directed by the Mayor.

#### SECTION 6.09            ADDITIONAL ADMINISTRATIVE DEPARTMENTS.

The Council may, by ordinance or resolution: establish new departments, divisions or other sub-units thereof; abolish, revise, merge or combine departments, divisions or other sub-units thereof, whether created by this Charter or by ordinance or resolution, provided the Council shall not establish, abolish, merge or combine any department which is headed by an official elected by the people of the City; and from time to time may provide for the powers, duties and functions of the administrative departments, divisions and other sub-units thereof, provided such ordinances and resolutions are consistent with this Charter.

## ALEXANDER J. FURST

1456 LANCASTER AVENUE, REYNOLDSBURG, OHIO 43068-2546  
ALEXFURST@GMAIL.COM | (614) 835-6011

Doug Joseph  
9250 Huggins Ln.  
Reynoldsburg, OH 43068

January 13, 2022

Dear Mr. Joseph,

Allow me to congratulate you on your appointment to the Reynoldsburg Charter Review Commission. I have no doubt that your wisdom and experience will prove valuable to the process and look forward to reviewing the Commission's recommendations.

To that end, permit me to suggest three charter changes for your consideration:

**1. Combine the Board of Zoning and Building Appeals (BZBA) and the Planning Commission into one regulatory body.**

The wholesale replacement of the Reynoldsburg zoning code has profoundly altered how property owners and prospective developers interact with the regulatory bodies governing the city's zoning and planning. The 2017 charter prescribes specific functions and processes to both the BZBA and the Planning Commission that result in mandatory hearings at both bodies for many development applications. This process is inefficient, costly, and potentially confusing for the applicant. Given that the BZBA and Planning Commission meets on a monthly cadence of different days, the requirement that two bodies hear an application can add weeks or months to the regulatory review process. A recent study calculated that regulatory review accounts for as much as 25% of the cost of new building projects. The city should not add to these costs unless there is some clear benefit to the additional regulation.

The greater Columbus metropolitan area is not building enough new residential housing to accommodate immigration into central Ohio, resulting in soaring housing costs and locking many buyers "out of the market". Reynoldsburg should not contribute to these high prices by increasing the regulatory costs associated with development. Every week a project is not under active construction only adds to the final price of a given property. Most other regional cities have a combined regulatory board that combines both planning and zoning functions. Combining the BZBA and Planning Commission will position Reynoldsburg to be competitive compared to neighboring municipalities and allow applicants to address all concerns at one meeting, resulting in lower up-front costs, reduced final pricing, and more equitable outcomes for potential new property owners and tenants.

If you do not deem it wise to combine the BZBA and Planning Commission, please consider adding specific qualifications for persons serving on the BZBA, as are required for the Planning Commission. The current charter does not require specific areas of expertise for BZBA members, which may result in regulations or recommendations by members who lack the necessary knowledge and experience needed to ensure the best outcome. Barring this, combining both bodies will allow all applicants to receive appropriate and informed recommendations.

## 2. Remove political party designations from local elections.

Reynoldsburg is one of a few municipalities in central Ohio that lists a political party affiliation on the election ballot. The concerns of local elected officials typically transcend the platforms and preferences of political parties. All persons, no matter their political affiliation, are supportive of well-maintained roadways, a just and effective police force, and quality education, among other concerns. These matters should be the focus of City Council and the mayor's administration, not fulfilling party planks or responding to larger cultural issues affecting the nation.

The bias that attaches to a political party designation does nothing to further those ends and merely increases the polarization besetting our political landscape. Most residents want the same things, even if they differ on how they would accomplish those goals. Party "die-hards" will be aware of the affiliation of any candidate for office. The city functions more effectively when we work together. As party designations only increase division, they should be removed from our ballots.

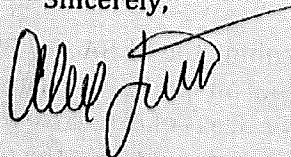
## 3. Transition the offices of City Attorney and City Auditor from elected to appointed and/or hired positions and require appropriate qualifications for City Auditor.

The current structure of the Reynoldsburg execute effectively divides the power to enact policy into a triumvirate, leading to inefficiency and increased costs in the best of cases, and to gridlock and political confrontation in worse scenarios where the officeholders are not preferentially aligned. The city deserves a government that can act in an effective manner and the core functions of the City Attorney and City Auditor should not be subordinate to re-election concerns. These positions should become appointed/hired positions like the Law Director and Finance Director functions found in neighboring cities. The persons in those roles to serve at the pleasure of the mayor, like other department heads. Freed from the distraction of re-election, the City Attorney and Auditor would be able to focus on job performance alone, not ensuring outcomes that will assist with their electoral prospects.

Additionally, I would like to see specific skill requirements added to the position of City Auditor. I am a finance professional, and I would not hire into a similar position at my company any of the persons who have campaigned for the office in the past several elections. Those persons either lacked demonstrated competency, appropriate education, or experience commensurate for the role. A bachelor's degree in business administration, accounting, or finance with five year's work experience or 10 year's work experience in the same fields seem appropriate qualifications for City Auditor. A professional certification is not necessary, especially considering that the city employs a CPA on staff.

I sincerely appreciate your consideration of these matters and thank you for your service to the citizens of Reynoldsburg. Please contact me if you wish to discuss these matters further.

Sincerely,



Alex Furst

February 14, 2022

Reynoldsburg City Clerk

City of Reynoldsburg  
7232 E. Main Street  
Reynoldsburg, Ohio 43068

To the Member of the Charter Review Commission,

First, I'd like to say thank you all for your willingness to service on the City of Reynoldsburg Charter Review Commission and your dedication towards community service. My name is Stacie Baker and I am writing this letter to submit my recommendations for changes to the City of Reynoldsburg Charter. I am sending 2 recommendations for your review.

One of the amended changes is to amend the duty and selection of the Council President position. I believe that the current design of Council President is to be a symbolic position within Reynoldsburg City Council with limited authority. Under section 3.04 in the City of Reynoldsburg Charter it states that

- the President of Council shall be elected from the City at large to a four-year term of office, commencing with the election to be held in November, 1979. The President of Council's term shall commence on the first day of January next following his or her election. The President of Council shall possess the same qualifications as provided in this Charter for a member of the Council elected from the City at large.
- The President of Council shall be the presiding officer of the Council but shall vote on any matter before the Council only in the event of a tie vote among the members of the Council. The President of Council shall have such other powers, duties and functions as provided by this Charter, ordinance or resolution, or rules of the Council.

If the position of Council President is to just run Council meetings, break a tie vote and has no power to introduce or vote on legislation, then it is meaningless for this position to be an elected position At-large. I would like to propose that the President of Council be removed as an At-large, elected position to a position that is appointed by a majority vote among the members of Reynoldsburg City Council. For example,

- **At the Reynoldsburg City Council organizational meeting in the month of January, the council shall elect one (1) of its members president, who shall preside at meetings of the council and perform such duties as presiding officer as may be imposed upon the member by the council. While serving as President of Council he or she shall have the power to vote on all matters before the Council and the power introduce legislation and resolutions. The President of the Council shall have other powers, duties and functions as provided by this Charter, ordinance and resolution, and the rules of the Council. President of Council has no seat on a standing committee, but in an event of a tie vote among members of a standing committee the President of Council shall have the power to break the tie.**

However, if it is the will of the Charter Review Commission that the President of Council remain an at-large, elected position, but grant this position the power to vote, introduce legislations and resolutions. I would like to recommend:

- That the President of Council be granted all the same rights and privilege as the other members on the Reynoldsburg City Council, such as the power to vote on all matters before the Council and the power to introduce legislation and resolutions. If in an event of a tie vote among members of the Council, the Mayor of Reynoldsburg shall have the power to break the tie. Article 5 section 5.03 powers, duties and functions under the position of the Mayor to be amended to grant the Mayor the power to break a voting tie among council. In an event of a tie vote among members of a standing committee the Mayor is prohibited from casting the tie breaking vote.

This would require Article 5, Section 5.03 powers, duties and functions of the Mayor to be amended to grant the power to break a voting tie among council.

Furthermore, I would like to propose that the duties of the Planning Commission and the BZBA Board be combined. The reason for this recommendation is to help speed up the process by making it more efficient and eliminate some of the bureaucracy currently established by having the duties of these two boards being separate. Currently, the Charter reads as:

- Under ARTICLE VII BOARDS AND COMMISSIONS SECTION 7.01 PLANNING COMMISSION of the City Charter. There is hereby created a Planning Commission, consisting of five citizen members who are electors of the City, to be appointed by the Mayor subject to approval by the Council by a majority vote of its members. The Director of Development shall be an ex-officio member of the Commission and may take part in discussions, but shall not cast any vote. Commission members whenever possible should have a background in city planning, law, finance, real estate, community development, architecture, civil engineering, or related field. Except for the Director of Development, no person shall serve as a member of the Commission at the same time he or she is an employee or official of the City. Each citizen member shall serve for a three-year term of office. (b) The Planning Commission shall hold at least one regular meeting each month; except the Commission, by its rules or by a majority vote of its members, may designate one month in which regular meetings shall not be held. (c) The Planning Commission shall have the power to hear applications for zoning district changes, review zoning regulation changes, review plats and subdivision regulations, and to exercise such other powers, duties, and functions as provided for by Council. The Commission shall conduct studies and surveys, and prepare advisory plans, reports and maps relative to planning, land use, zoning, and transportation or other infrastructure of the City. The Commission shall be responsible for the preparation and implementation of a comprehensive plan, land use plan, transportation plan, or other similar development plans and guidelines for the City and subsequent plan amendments, for Council approval. The Planning Commission shall assist the Director of Development or other City officials with drafting and review of development policies for the City. The Commission may make such advisory recommendations concerning such matters to the Council as the Commission believes to be in the best interest of the city. The Commission may exercise any powers, duties, or functions provided to municipal planning commissions by state law that do not otherwise conflict with council ordinances or resolutions, or this charter. (Amended 2017)

- SECTION 7.02 BOARD OF ZONING AND BUILDING APPEALS. (a) There is hereby created a Board of Zoning and Building Appeals consisting of the Director of Development and five citizen members who are electors of the City, to be appointed by the Mayor subject to approval by the Council by a majority vote of its members. The Director of Development shall be an ex-officio member of the Board and may take part in discussions, but shall not cast any vote. Except for the Director of Development, no person shall serve as a member of the Board at the same time he or she is an employee or official of the City. Each citizen member shall serve for a three-year term of office. (b) The Board of Zoning and Building Appeals shall hold at least one regular meeting each month; except the Board, by its rules or by a majority vote of its members, may designate one month in which regular meetings shall not be held. (c) The Board of Zoning and Building Appeals shall have the power to hear and decide appeals for exceptions to and variances in, the application of resolutions, ordinances, regulations, measures and orders of administrative officials or agencies governing zoning, building, property maintenance, and housing in the City, as may be required to afford justice and avoid unreasonable hardship, subject to such reasonable standards as shall be prescribed by Council by ordinance or resolution. The Board may make advisory recommendations to the Council and the Planning Commission concerning such matters as it believes to be in the best interest of the city. The Board shall have such other powers, duties and functions, consistent with this Charter as provided by the City's ordinances and resolutions. (Amended 2017).

My recommendation would delete SECTION 7.02 BOARD OF ZONING AND BUILDING APPEALS and combined the duties from SECTION 7.02 BOARD OF ZONING AND BUILDING APPEALS with SECTION 7.01 PLANNING COMMISSION and increase the number of members on the Planning Commission from (5) members to (7) members.

- Under ARTICLE VII BOARDS AND COMMISSIONS SECTION 7.01 PLANNING COMMISSION of the City Charter. There is hereby created a Planning Commission, consisting of **7 citizen members who are electors of the City, to be appointed by the Mayor subject to approval by the Council by a majority vote of its members.** The Director of Development shall be an ex-officio member of the Commission and may take part in discussions, but shall not cast any vote. Commission members whenever possible should have a background in city planning, law, finance, real estate, community development, architecture, civil engineering, or related field. Except for the Director of Development, no person shall serve as a member of the Commission at the same time he or she is an employee or official of the City. Each citizen member shall serve for a three-year term of office. (b) The Planning Commission shall hold at least one regular meeting each month; except the Commission, by its rules or by a majority vote of its members, may designate one month in which regular meetings shall not be held. (c) The Planning Commission shall have the power to hear applications for zoning district changes, review zoning regulation changes, review plats and subdivision regulations, and to exercise such other powers, duties, and functions as provided for by Council. **(d) The Planning Commission shall have the power to hear and decide, the application of resolutions, ordinances, regulations, measures and orders of administrative officials or agencies governing zoning, building, property maintenance, and housing in the City, as may be required to afford justice and avoid unreasonable hardship,**

subject to such reasonable standards as shall be prescribed by Council by ordinance or resolution. The Commission shall conduct studies and surveys, and prepare advisory plans, reports and maps relative to planning, land use, zoning, and transportation or other infrastructure of the City. The Commission shall be responsible for the preparation and implementation of a comprehensive plan, land use plan, transportation plan, or other similar development plans and guidelines for the City and subsequent plan amendments, for Council approval. The Planning Commission shall assist the Director of Development or other City officials with drafting and review of development policies for the City. The Commission may make such advisory recommendations concerning such matters to the Council as the Commission believes to be in the best interest of the city. The Commission may exercise any powers, duties, or functions provided to municipal planning commissions by state law that do not otherwise conflict with council ordinances or resolutions, or this charter. (Amended 2017)

- Applicants may appeal directly to the Municipal Courts or the Court of Common Pleas if they do not agree with the rejection of their application for variances in the resolutions, ordinances, regulations, measures and orders of administrative officials or agencies governing zoning, building, property maintenance, and housing in the City, as may be required to afford justice and avoid unreasonable hardship, subject to such reasonable standards as shall be prescribed by Council by ordinance resolution.

Deleting all of section 7.02 Board of Zoning and Building Appeals

~~SECTION 7.02 BOARD OF ZONING AND BUILDING APPEALS. (a) There is hereby created a Board of Zoning and Building Appeals consisting of the Director of Development and five citizen members who are electors of the City, to be appointed by the Mayor subject to approval by the Council by a majority vote of its members. The Director of Development shall be an ex officio member of the Board and may take part in discussions, but shall not cast any vote. Except for the Director of Development, no person shall serve as a member of the Board at the same time he or she is an employee or official of the City. Each citizen member shall serve for a three year term of office. (b) The Board of Zoning and Building Appeals shall hold at least one regular meeting each month; except the Board, by its rules or by a majority vote of its members, may designate one month in which regular meetings shall not be held. (c) The Board of Zoning and Building Appeals shall have the power to hear and decide appeals for exceptions to and variances in, the application of resolutions, ordinances, regulations, measures and orders of administrative officials or agencies governing zoning, building, property maintenance, and housing in the City, as may be required to afford justice and avoid unreasonable hardship, subject to such reasonable standards as shall be prescribed by Council by ordinance or resolution. The Board may make advisory recommendations to the Council and the Planning Commission concerning such matters as it believes to be in the best interest of the city. The Board shall have such other powers, duties and functions, consistent with this Charter as provided by the City's ordinances and resolutions. (Amended 2017).~~

Attachment: Charter Review Suggestions - Stacie Baker (Recommendations for Charter Amendments)

Once again thank you for taking the time out of your busy schedule to serve on the Charter Review Commission and serving the City of Reynoldsburg. I hope that you consider my recommended changes for the City of Reynoldsburg Charter.

Respectfully Submitted,

Stacie Baker  
442 Hunt Valley Dr.  
Reynoldsburg, Ohio 43068

Mr. Shook

I would request that the Charter Review Commission define resolutions and ordinances into two separate uses. Ordinances would be for appropriations, plat plans, code changes, financial issues, and other items of major importance and regarding community engagement. A resolution would be used to pass items that were not of public interest such as seeking bids and approving bids, engineering contracts related to projects, renewing continuous contracts (IT, city insurance, etc.) and other items that were approved as part of the budgetary process. Resolutions would be single read legislation and effective immediately upon passage. Waiting 10 weeks to approve bids, begin the vehicle purchase process, or engage our City engineer to oversee City projects, really delays and pushes back the start date for all City projects.

Thank you for my considering my suggestion

Paul Hellman  
Water and Wastewater Superintendent

To: Charter Review Commission

Date: February 22, 2022

Dear members of the commission, first let me say “Thank you” for your time and service to the citizens of Reynoldsburg. I have 3 suggestions for changes to the Charter that I think will be beneficial to the residents of Reynoldsburg.

The first is to change all nominations for election to office to remove any political party affiliation or connotation. I believe this will create a more diverse field of candidates and will be more representative of the population of Reynoldsburg.

I propose changing the language of Section 9.01 to read as follows:

#### SECTION 9.01 NOMINATIONS.

All candidates for all elected offices shall be nominated by petition and all petitions, ballots, and ballot labels shall be without party mark or designation. The names of all candidates shall be rotated, insofar as possible, in the manner provided by the election laws of the State of Ohio. All elections shall be held on the date and at the time fixed by the election laws of Ohio for general statutory plan cities, except that all such officers shall be elected to terms of office as provided in this Charter, in the event that the number of candidates is less than or equal to the number of positions to be filled in the next general election, then no primary election need to be held and those candidates will appear on the general election ballot. Persons seeking such offices shall have the qualifications established in this Charter and shall file declarations of candidacy or nominating petitions in such form and at such times and places as fixed by the election laws of Ohio for general statutory plan cities, except as otherwise provided in this Charter.

Proposed change number two is to SECTION 5.01 ELECTION AND TERM OF OFFICE. I would like to suggest that the Mayor election cycle be changed to coincide with the City Auditor election cycle. I think this would provide better guidance and a more fluid transition of power. The then City Attorney could offer legal experience, by having been in office for at least 2 years, in how the city operates.

I propose changing the language of Section 5.01 to read as follows:

#### SECTION 5.01 ELECTION AND TERM OF OFFICE.

The Mayor shall be elected from the City at large to a two year term of office, commencing with the election to be held in November, 2023. The Mayor shall be elected from the City at large to a four year term of office, and continue every four years, commencing with the election to be held in November, 2025. The Mayor's term shall commence on the first day of January next following his or her election.

Proposed change number three is to section SECTION 7.05 CHARTER REVIEW COMMISSION. The Charter was approved by the citizens of Reynoldsburg, therefore I feel any changes suggested by the Charter Review Commission should be sent to the voters for approval or denial, provided they do not violate any state or federal law.

I propose changing the language of Section 7.05 to have the following language removed:

SECTION 7.05 CHARTER REVIEW COMMISSION.

(b) The Charter Review Commission shall study and review the provisions of this Charter and the operations of the City and shall report its recommendations, if any, for changes or revisions in this Charter to the Council no later than the first day of August following the appointment of the Commission, unless a later date is specified by the Council, by a majority vote of its members. The Commission shall submit their recommended amendments to Council. ~~Upon two-thirds vote of Council~~ The amendments shall be submitted to the voters in the manner provided by the Constitution and the laws of Ohio. While substantive changes are not permitted, Council may modify the language of the recommended amendments for purposes of clarity or to correct technical defects. The Council shall approve funds to the Commission as determined to be necessary by the Commission to carry out its powers, duties and functions, including amounts required to pay any consultants or special legal counsel selected by the Commission.

Thank you for consideration of these matters.

Brett Luzader

1116 Gibson Rd.

Reynoldsburg, OH 43068

614-352-0577

# Memo

**To:** City Attorney Chris Shook, Clerk of Council Mollie Prasher, Charter Review Commission Chair Doug Joseph

**From:** Donna Bauman, Director Parks and Recreation

**Date:** February 11, 2022

**Re:** Charter Review Recommendations

Thank you for the opportunity to review and submit recommendations for changes to the Reynoldsburg Charter.

After reviewing the Parks and Recreation Section and the remainder of the Charter, I would like to submit the following for consideration:

Section 6.08 Department of Parks and Recreation

- (a) *The Director need not be an elector of the City at the time of appointment, but shall become an elector thereof within six months after his or her appointment.*

This section needs removed based on the 2009 (I believe this was the year) ruling by the Ohio Supreme Court which upheld a state law that prohibits municipalities from mandating employees live within that municipality.

This same verbiage is listed in Section 6.06 (a) Department of Public Safety and 6.07 (a) Department of Public Service.



DIVISION OF POLICE

Curtis Baker, Chief of Police

## INTER-OFFICE COMMUNICATION

Date: January 21, 2022  
 To: Charter Review Commission  
 From: Curtis Baker, Chief  
 Regarding: *Charter Review Recommendations*

Below I have included my suggested change to Reynoldsburg City Charter Section 6.06. These changes are needed so the Charter accurately reflects how the city operates the Department of Public Safety and still allows flexibility to appoint a Director of Public Safety:

### SECTION 6.06 DEPARTMENT OF PUBLIC SAFETY.

(a) There is hereby established a Department of Public Safety. **The Mayor may appoint a Director of Public Safety** to be headed by a Director of Public Safety **the Department** who need not be an elector of the City. ~~at the time of appointment, but who shall become an elector thereof within six months after his or her appointment.~~ The Director of Public Safety shall be appointed by and serve at the pleasure of the Mayor, and may be removed by the Mayor, without cause.

(b) The Director of Public Safety shall be the executive head of the Division of Police and the Division of Fire, if such Division of Fire shall be created by the Council by ordinance or resolution, and such other divisions as shall be established and placed within the Department of Public Safety by Council by ordinance or resolution. The Director shall make all necessary administrative rules and regulations for the governing of the Department of **Public** Safety and the several divisions thereof, subject to the approval of the Mayor, and shall be charged with the duty of enforcing all police regulations that may be assigned to the Department and prescribed by ordinance or resolution of the City or the general laws of the State of Ohio. The Director of Public Safety shall perform such other duties, consistent with his office, as may be required by this Charter, by ordinance or resolution of Council, or as directed by the Mayor. The Mayor shall **may** designate an Acting Director to serve in the event of a vacancy in the office or the temporary absence or disability of the Director, and such Acting Director shall exercise all the powers, duties and functions of the Director.

(c.) **In the absence of a Director of Public Safety or Acting Director, the Chief of Police shall be the executive head of the Department of Public Safety.**

(ed.) The Division of Police may include an auxiliary police unit as authorized by ordinance or resolution.

**Reynoldsburg 2022 Charter Review Commission recommendation**

To: Reynoldsburg 2022 Charter Review Commission  
From: Doug Joseph, Chair of the Reynoldsburg 2022 Charter Review Commission

The purpose of this charter change proposal is to move the authority for compensation and benefits adjustments for all city elected officials from Council and the Mayor to an appointed “Elected Officials Compensation and Benefits Review Board” comprised of 6 city electors (2 Democrats, 2 Republicans, and 2 non-major party electors).

Article VII                    **BOARDS AND COMMISSIONS**

New Section                **ELECTED OFFICIALS COMPENSATION AND BENEFITS REVIEW BOARD**

Create a new charter section to establish the “Elected Officials Compensation and Benefits Review Board.”

Comprised of 6 members (2 Democrat, 2 Republican, and 2 non-major party city electors) for 3-year terms, all beginning on January 1, 2023, and every 3 years thereafter. Review board members are appointed by the Mayor and confirmed by Council by a majority vote.

Review board members will establish their own rules of procedure and leadership at its organizational meeting, held within 30 days of appointment.

Compensation and benefits adjustments for city elected officials can be reviewed at any time during the terms of review board members but can be adjusted only once during the terms of review board members, and only by a majority vote of all members appointed.

Such compensation and benefits adjustments approved by the review board would become effective only after the beginning of the next term for such city elected officials.

Compensation and benefit adjustments by the “Elected Officials Compensation and Benefits Review Board” are binding actions and not subject to the approval, change by amendment, or veto by the Mayor, by Council, or by any other elected or appointed city official.

Attachment: Doug Joseph (Recommendations for Charter Amendments)

**From:** Keith Benner <[kdbenner21@gmail.com](mailto:kdbenner21@gmail.com)>  
**Sent:** Friday, March 11, 2022 2:44 PM  
**To:** Chris Shook <[CShook@ci.reynoldsburg.oh.us](mailto:CShook@ci.reynoldsburg.oh.us)>  
**Subject:** Charter Review

Attorney Shook:

I would like to add my voice to the letter submitted by my fellow planning commissioner Alex Furst to the Charter Commission. There is no need for me to wax poetic about why as Alex has done a tremendous job presenting the positions I agree with and even the ones I don't.

To be clear, I am in support of and truly believe the Commission should combine the BZBA and the Planning Commission in order to provide a much more fluid and professional approach to the process. I am also very much in support of the removal of party affiliations in our general elections. I made this recommendation to Mr. Joseph when he was President of Council years ago and nothing has happened to change my mind. I believe the commission should get this in front of the Council and allow them to decide.

Lastly I must disagree with the 3rd point in Alex's letter. I have kicked this issue around for a few years now and could almost convince myself that both processes could work. However, I am more inclined to have an Attorney and an Auditor that work for the people that elected them, instead of being part of an administration. I know that both positions may butt heads with the Mayor or Council on occasion, but I prefer that to having only one voice that all parties must follow. I do, however, feel that the Auditor's position should have some minimum qualifications in order to run for that office. I fully realize that if the qualifications are too strict, you may not have anyone that can fill the job, but it's worked so far, and I see no reason to change it at this time.

Thank you for your time and hope you will present my thoughts to the Charter Commission

--

Keith Benner  
Realtor  
Century 21 Excellence Realty  
614-204-9392  
[kdbenner21@gmail.com](mailto:kdbenner21@gmail.com)

Attachment: Keith Benner (Recommendations for Charter Amendments)