



**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.

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
AYES:	Joseph, Foster, Johnson, Lenihan
ABSENT:	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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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

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Doug Joseph called the meeting to order at 7:05 PM

PRESENT: Joseph, Darling, Lenihan, Johnson

ABSENT: Foster

Approval of Agenda

Mr. Joseph moved to approve the agenda as submitted. Second by Mildred Johnson. Motion carried.

Overview of Charter Review Process and Proposed Timeline

Attorney Shook explained the purpose of the Charter Review Commission. The Charter can be compared to the Constitution for the City. The Charter directs that a Commission review the Charter every five years. The Charter Review Commission shall study and review the provisions of the Charter and the operations of the City and shall report its recommendations, if any, for changes or revisions to the Charter to the Council no later than ninety days prior to the election. The Commission shall submit their recommended amendments to Council. Attorney Shook provided the Commission with a proposed timeline of meeting dates and submission deadlines. Once Council approves any changes, the residents will have the opportunity to vote on each change in November.

Attorney Shook suggested that the Commission meet monthly. Suggestions for changes will be suggested by both Council and staff. Commission members can, of course, suggest possible changes as well. The public is welcome to attend all meetings and also make possible change recommendations. The Commission will need to come to a consensus on recommended changes to Council. Two-thirds of Council must approve each recommended changes. Attorney Shook suggested that the recommended changes be submitted to Council by June 13th.

Mr. Joseph commented that, from his experience, citizens often do not support the recommended changes. Council will often not support recommended changes.

Ms. Johnson asked if the ballot language each change make a difference in whether the voters support an issue. Attorney Shook indicated that the language could have an impact.

Mr. Lenihan asked if Councilmembers participated in this process. Mr. Joseph responded that Council did not participate.



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Attorney Shook suggested that voters can be easily be overwhelmed with a lot of issues on the ballot.

Motions

Nomination of Chair of the Board and Vote

Ms. Johnson nominated Doug Joseph as Chair. Second by Mr. Lenihan. Motion carried.

Nomination of Vice Chair of the Board and Vote

Mr. Lenihan nominated Ms. Johnson as Vice Chair. Second by Mr. Joseph. Motion carried.

A Motion to Approve the Timeline for the Charter Review Process

PROPOSED CHARTER REVIEW TIMELINE

Mr. Lenihan moved to approve the proposed timeline. Second by Ms. Johnson. Motion carried.

Mr. Joseph asked if a different submission deadline for resident suggestion should be established. Attorney Shook responded no, that a citizen deadline should be the same as the Commission's deadline of March 14, 2022.

The Commission asked how residents would know about their ability to participate in this process. Attorney Shook advised that information could be placed on the Facebook page and Reynoldsburg Connect.

Mr. Lenihan moved to amend his motion to include community members as part of item #4 on the Charter Review timeline. Second by Ms. Johnson. Motion carried.

The overall motion was approved as amended.

Ms. Johnson asked if additional days could be added if needed. Attorney Shook responded affirmatively.

Ms. Darling asked if the Commission would see the suggestions from staff before the February 16th meeting. Will we get to speak to department heads? Attorney Shook

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advised that the Commission would see the suggestions prior to the meeting and were welcome to email staff.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Joseph, Darling, Lenihan, Johnson
ABSENT:	Foster

Scheduling

The next meeting was scheduled for February 16, 2022 beginning at 7:00pm.

Other Matters

Adjourn

Mollie Prasher
Mollie Prasher, Clerk of Council

Minutes Acceptance: Minutes of Jan 19, 2022 7:00 PM (Minutes Approval)

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

Memo

DATE: **February 16, 2022**

TO:

CC:

RE: **Recommendations for Charter Amendments**

Attached are the recommendations received for possible amendments to the City Charter.



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.

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

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.

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).~~

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