

DEFLIANCE CITY CHARTER REVIEW COMMISSION MINUTES
March 30th, 2009

The second meeting of the Charter Review Commission met in regular session in the Charles D. Beard Community Room of the Municipal Annex.

The meeting was attended by: Chairperson Beard, Pete Lundberg, Marc Warncke, Bob Lawson, Mike McCann, David Williams and Lisa Elders, Clerk

Others in attendance were: Darrell Handy, Todd Helberg

The meeting was called to order by Chairperson Beard at 6:34 p.m.

Chairman Beard called for a motion to approve the minutes of February 26th, 2009 as written, Mr. Lawson moved and Mr. Lundberg seconded; Voice vote, Motion carried.

➤ **Article I**

❖ **INCORPORATION, POWERS, FORM OF GOVERNMENT, GENERAL PROVISIONS**

- **No discussion Sections:**
 - 1.01;1.03;1.04;1.05;1.08;1.09;1.10

✓ **Section 1.02:**

- Mr. Lundberg asked if it was time to think about not having a “Strong Mayor” a Mayor who is elected, seated (President of Council concept). When the Charter was originally drafted, that was the discussion at the time. Mr. Lundberg’s thought is: there could be some value to this in today’s economy, a “Strong Mayor” in our size community. The abilities of a Mayor being a “Strong Mayor”, it would give interested insight to change that concept. Chairman Beard stated it is a value discussion, but the Mayor issue will be in Article III. This Section speaks of the Form of Government. (Mayor – Council Plan)

✓ **Section 1.06**

- ❖ **Ability to amend Charter by initiative petition. Charter Section 1.06. After researching this proposal I believe this is possible already, because the Charter says that it may be amended as provided in the state’s constitution. Article XVIII Section 9 of the state constitution references amendment of municipal charters by petition.**

- Chairman Beard asked Mr. Williams if the Charter can be amended by initiative petition. Mr. Williams stated yes. Chairman Beard asked if there is anything different that should be looked at. Mr. Williams stated the Charter can be amended three different ways:
 1. Initiative petition of the public.
 2. By an Ordinance of Council at any time.
 3. Wholesale Review.

- *Chairman Beard asked Mr. Williams what the interpretation of the Mayor being absent. Mr. Williams assumed it met some level of incapacity. Mr. Beard would like the Section to be clearer.*

✓ **Section 2.07**

◇ **1. If a Council person misses a meeting they should not get paid for the week.**

- *Mr. Lundberg stated this isn't a volunteer position it is an elected position. There are rules in place under Council for the issue of absences.*
- ◇ **Charter Section 2.07 should add language stating the Council Member Compensation should be a minimum amount to at least afford Council Members one year's PERS credit.**
- *Mr. Williams stated this came about when the Ohio General Assembly considered raising the minimum salary. Mr. Lundberg questioned whether the issue could be adequately explained to voters. Mr. McCann thinks Council works hard and they ought to be taken care of, so this is worth giving some consideration. Mr. Warncke agrees, but is concern if this belongs in the charter. Mr. McCann would like an example of benefits. Mr. Williams stated this proposal is to automatically adjust the Council's Salary to meet PERS Minimum. Chairman Beard believes Council can take care of this issue themselves. Commission Members decided to leave it alone.*
- ◇ **Clean up the language in Section 2.07 that specifically states that individual councilmember's compensation cannot be raised or lowered within their own term of office; this would be consistent with state law.**
- *Clarifying Section 2.07 by stating the councilman's compensation cannot be raised or lowered within their term is already provided in Council Rules according to Mr. Williams. Mr. Lawson stated if it isn't broken why we are trying to fix it. Mr. Williams thinks what we have right now in the Charter is superior. Mr. Warncke stated it should say; increases would be handled like this and decreases will be handled like that. This will come back for discussion.*

✓ **Section 2.11**

- *Commission Members agreed that some kind of notification should be made in the newspaper. Perhaps only the captions are printed. Chairman Beard asked Mr. Williams to check with Dave over in Napoleon to find out what their Charter says on the matter.*

✓ **Section 2.12**

- *This Section works procedurally, it just needs some tweaking.*

➤ **Discussion for Next Meeting will be Revisiting Sections:**

- 1. Article I: Section 1.06, Section 1.11**
- 2. Article II: Section 2.02, Section 2.04(Nonpartisan Seats), Section 2.11**

Next meeting April 20th at 6:30 p.m. in the Charles D. Beard Community Room.

Meeting was adjourned at 8:32 p.m. motion made by Mr. Lundberg, seconded by Mr. Lawson; Voice Vote, Motion carried.

Respectfully submitted,

Approved: _____ 2009

Attest: _____ *Chairman Charlie Beard*

Attest: _____ *Clerk, Lisa Elders*