

DEFIANCE CITY CHARTER REVIEW COMMISSION MINUTES

AUGUST 6th, 2009

The sixth 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 6:32 p.m.

Chairman Beard called for a motion to approve the minutes of June 15, 2009 as written, Mr. Lawson moved and Mr. McCann seconded; Voice vote, Motion carried.

➤ **Revisit 5.04**

❖ **THE CLERK'S POSITION ON PETITION FOR RECALL**

- Mr. Williams stated in 1995, the General Assembly provided specific recall procedure for use by Charter Municipalities, if they wish to adopt. If there is nothing in the charter it automatically applies. If to change the charter it would simply say: the right of recall shall be preserved and conducted accordance with General Law and everything else in the revised code (Ohio Revised Code Sec. 705.92), pertaining to the recall. Mr. Williams stated the other main difference that Mr. Williams sees is under the proposed General Statute you do need 15% of signatures in the last election to have a valid petition, in which Mr. Williams recalls the Charter correctly, if it's a ward Councilmen, you need 25% people voting for that Ward Council seat in the last election.
- Mr. Lawson asked what the original objection was? Chairman Beard stated it list different responsibilities for the clerk and the Clerk of Council does none of those responsibilities that are listed. Mr. Warncke stated the Board of Elections is experience in the signatures of recall, then the clerk is.
- Mr. Williams stated it would make recall easier to change it. Chairman Beard stated the recall language in the charter is something that isn't done by the clerk.
- Mr. Lundberg made a motion to adopt the language that Mr. Williams brought forth; seconded by Mr. Lawson, Voice Vote, Motion Carried.

✓ **Section 1.11**

- Mr. Beard stated there was talk about adding language, "Failure to maintain qualifications while in office". Mr. Williams stated there is a statute, that already provides what is suggested. There was no other reasoning to discuss this any further.

✓ **Section 2.02**

- Chairman Beard stated according to the Charter you have to be 19 years old to run for office, you have to be an elector for one year. Mr. Warncke stated it isn't a legal issue, it is a policy issue,

rather or not if you think a 18 year old that hasn't even votes once, if they should be in a position to run for something. Mr. McCann issue is, if you have a 18 year old that would want to do this and your charter doesn't allow it. Also, Mr. McCann stated to take away the qualified elector and add residency for one year.

- After much debate, Chairman Beard called for a motion for changing the language(residency requirement and a register voter requirement); Roll Call; Mr. Warncke-no; Mr. Lundberg- yes; Mr. Lawson-no; Mr. McCann-yes; Chairman Beard-yes. Motion was carried.

✓ **Section 2.04**

- Mr. Beard stated is the question is rather we recommend all Council seats be a non-partisan seat. Mr. McCann stated the one thing that keeps playing through his mind is, if there is a vacancy on Council, currently in handling the appointment it is the political party of the vacancy.
- Mr. Warncke stated when non-partisan was first proposed, it was worth consideration. The parties fill a valuable role by encouraging people to run for office. Mr. Warncke is incline to leave it as is. Mr. Lawson agrees for that very reason.
- Mr. Williams stated that Mayor Armstrong would like to keep the party system. The parties play a key role in getting people started in politics.
- After much debate, Chairman Beard called for a motion for non-partisan Council; Roll Call; Mr. Warncke-no; Mr. Lundberg- no; Mr. Lawson-no; Mr. McCann-yes; Chairman Beard-yes. Motion was not carried.

✓ **Section 7.02**

- Chairman Beard stated, Mr. McCann states 7.02 and 7.05 intertwine, simply because the Chairman of the Park Board is automatically a member of Planning Commission. Mr. McCann thoughts are; there is no term limit on Park Board or if you're the Chairman of Parks, doesn't necessary mean you're part of the Planning Commission. Mr. McCann asked why there is a term limit on Parks and not the other Commissions. Mr. McCann corrected the statement which was in 6-15-09 Charter Minutes, there is a term limit on Park Board, there is no term limit on Planning Commission. Mr. McCann's concern is Park Board Members are term limited, therefore the Chairman of the Park Board is term limited and there is a learning curve to Planning Commission and just about the time they get it they are gone. Mr. McCann's recommendation is to reconsider term limits on Park Board.
- Mr. Warncke made a motion to eliminate the term limit and bring Park Board the same with the others, ; seconded by Mr. McCann, Voice Vote, Motion Carried.
- Chairman Beard stated the recommendation that will be made to the voters are: eliminate term limits for the Park Board Members, change the language for the recall and eliminate one year elector resident requirement.
- **Charter Members will meet August 11th at 6:30 in the Front Conference Room to approve minutes and to discuss Mr. Williams drafting of what the Charter Members recommends to the voters.**

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

Respectfully submitted,

Lisa Elders

Approved: _____ 2009

Attest: _____ Chairman Charlie Beard

Attest: _____ Clerk, Lisa Elders