

NOTICE OF PROCEEDINGS
COUNCIL CHAMBERS
631 PERRY STREET, DEFIANCE, OH 43512
CHARTER REVIEW MEETING
TUESDAY MARCH 5, 2019
5:30 PM

Call to Order

Members Present: Charlie Beard-Chair, Bob Armstrong, Chris Mack, Darrell Handy, Katie Held and Lisa Elders-Clerk. Also, in attendance Sean O'Donnell-Law Director, Todd Helberg- Defiance Crescent News, and Mayor McCann(briefly)

Handouts:
AGENDA

Mayor McCann thanked everyone for volunteering their time to be on the Charter Committee, Chair-Beard echoed Mayor McCann's comments.

Meetings:

April 2 Article III & Article IV
May 7 Article V & Article VI
June 4 Article VII & Article VIII & Article IX
Meeting will be in Front Conference Room starting at 5:30
Finish by July 1

Article I
INCORPORATION, POWERS, FORM OF GOVERNMENT, GENERAL PROVISIONS

1.06 AMENDMENT TO CHARTER

Mr. Mack stated in this section it says, only the one of such amendments receiving the higher number of affirmative votes, not less than a majority<what does this mean (two amendments on the same ballot in conflict), Mr. O'Donnell noted it is a little unclear, noting the problem he had is the last 2 sentences. Mr. Mack asked what happens if either one does not receive a majority votes, does neither one become law? Mr. O'Donnell recommends looking at this again possibly striking the last sentence.

1.07 CHARTER REVIEW

Clerk Elders informed the Committee that Council would like a process/procedure for the Charter Review Committee Members. There is no process stated on how Council appoints Charter Members. Mr. O'Donnell noted it doesn't define qualified electors for this document. However, Chair-Beard thought it was already defined by law. Mr. O'Donnell will do some research.

ARTICLE II
THE CITY COUNCIL

Chair-Beard stated in 2014 there was a change, making Wards & At-Large seats nonpartisan, mainly because the parties had a hard time having someone to run for the seat, since the change there has been an increase of candidates.

2.07 COMPENSATION

Mr. O'Donnell suggested striking the word party in the last sentence, since seats are nonpartisan.

2.04 VACANCIES

Mr. Mack asked what are the statutes now in effect? Mr. O'Donnell will provide them.

2.08 COUNCIL EMPLOYEES

Mr. Armstrong noted in this section it does not state if Compensation is done by Ordinance. Clerk Elders noted she is part of the non-bargaining employees, whose Ordinance increasing salary was passed and signed by the Council President, as well as the Mayor. Mr. Armstrong says then it should state in this section that compensation is established by Ordinance, as well as stating the Clerk is part of the non-bargaining group.

Mr. O'Donnell suggest looking further into this, and possibly defining who is non-bargaining.

2.11 ORDINANCES AND RESOLUTIONS

#2 Mrs. Held asked if other methods of publication should be stated in this section, electronic free-form. Chair-Beard suggest researching this more.

#3 Mr. Armstrong asked where the Administrative Code is? Mr. O'Donnell will locate it.

Mr. O'Donnell noted Council wanted to know if the Charter Members wanted to advise Council on Council Compensation. After much discussion it was decided by the Charter Members NOT to give any recommendations on Council Compensation.

2.12 POWERS OF COUNCIL

#3 Mr. Armstrong asked if consultation with the Mayor is done in Open Session, because in this section it doesn't state when and where the consultation takes place and it should be defined.

Mr. O'Donnell Duties:

Article I

1.06 – Recommendation was to look over this and possibly striking the last sentence.

1.07 – Procedure of selecting process and research if Qualified Electors is defined by law.

Article II

2.07 – Striking the word party, since seats are nonpartisan.

2.04 – Providing statutes now in effect

2.08 – Speak with Mr. Lehner, possibly adding the Clerk in the non-bargaining Ordinance, defining non-bargaining

2.11 – Research more ways to publish the Agenda and state the ways

Locate the Administrative Code

Adjourn: 6:34 p.m.

All Charter Review Meetings are recorded and stored with the Charter Review Clerk

Charter Review Clerk
Lisa Elders

Chair of Charter Review Committee: Charles D. Beard

Charter Clerk: Lisa Elders

Date: May 7, 2019

