

CHARTER REVIEW MINUTES 4.24.2024
631 PERRY STREET
FRONT CONFERENCE ROOM
5:30 P.M.

Chair Ketcham call the meeting to order

Members Present – Chair - Mike Ketcham, Clay Crates, Katie Groff, Rita Bowling, Darrell Handy and Clerk Lisa Elders

Others Present – Law Director Sean O'Donnell, Mayor McCann, City Administrator Ryan Mack, Finance Kim Sprague, Human Resource Lanie Lambert, Council Members Josh Mast and Steve Corbitt, and Crescent News Representative Todd Helberg

Crates made a correction to the April 17, 2024 minutes, to add “is, d, to” the correction would be “is encouraged to”. Bowling made a motion to approve the amended minutes of April 17, 2024, seconded by Groff, all in favor, motion carried

Next Meeting – May 6, 2024, Council Chambers (changed to Front Conference Room, according to agenda), 5:30 p.m.

Agenda – Review matters from last meeting

REVIEW:

ARTICLE VII – BOARDS AND COMMISSIONS

Section 7.01 Civil Service Commission

Lambert noted the differences between Classified and Unclassified employees. Classified persons in employment of the City not specifically stated that they are not specifically stated are in the unclassified service, so appointment or promotion made by following the Civil Service rules, according to merit and fitness by competitive examinations, and classified employees can only be removed by just calls, appeal rights through Civil Service Commission. Unclassified positions in the Charter and Ordinance of the city, or Section 124.11 ORC, they are exempt from all Civil Service examinations and requirements. Unclassified employees are subject of removal by employer by any reason or no reason as long as it isn't unlawful. The changes from Lambert are attached with minutes; all motions made for changes are listed below.

Groff made a motion to add; *the following offices and positions, which shall constitute the Unclassified Service of the City*, seconded Crates, all in favor, motion carried

Crates made a motion to add; *7. The heads of all divisions, except the division heads of Police and Fire*, seconded Bowling, all in favor, motion carried

Chair Ketcham made a motion to have numbers in correct order, seconded Crates, all in favor, motion carried

Bowling made a motion to add; *12. Employees whose service is temporary, seasonal, or part-time*, seconded Groff, all in favor, motion carried

Handy made a motion to remove, ~~Temporary employees who are not employed for more than ninety (90) continuous days or for more than ninety (90) days in one year~~, seconded Crates, all in favor, motion carried

There shall be a Civil Service Commission appointed in accordance with and having the powers provided by general law for Civil Service Commissions in Ohio, not inconsistent with the provisions of this Charter.

All persons specified by law, ordinance or Charter as involved in directing the functions of the Municipal government of Defiance, Ohio, shall be classified as officials. All persons engaged for hire shall be classified as employees.

All compensated positions in the service of the City shall be in the classified service and shall be appointed pursuant to competitive examinations, as provided by the laws of the State of Ohio, except *the following offices and positions, which shall constitute the Unclassified Service of the City:*

1. Members of Council,
2. The Clerk of Council and other employees of the Council,
3. The City Administrator,
4. The Mayor,
5. The Director of Law and assistant law directors,
6. The Director of Finance,
7. *7. The heads of all divisions, except the division heads of Police and Fire,*
8. Appointed secretaries of the Mayor and department heads,
9. Members of boards and commissions established by this charter or by ordinance of Council,
10. Volunteer members of the Division of Fire and members of the auxiliary police unit within the Division of Police,
11. The secretary of each board and commission established by this Charter, provided that if such secretary holds other employment within the classified service of the City, this section shall not exempt such person from the requirement of competitive examination to hold such other employment,
12. *12. Employees whose service is temporary, seasonal, or part-time,*
13. Persons of exceptional professional or scientific qualifications engaged as consultants,
14. Unskilled laborers as defined and authorized by the Civil Service Commission, and,
15. ~~Temporary employees who are not employed for more than ninety (90) continuous days or for more than ninety (90) days in one year~~

The Civil Service Commission shall be governed by the laws of Ohio applicable to cities and its own rules not inconsistent with this

Bowling was given information from fire employees to add 141.01 Composition to the Charter, to protect the number of employees they have and not lower then stated, not to be changed by City Council, it is noted that the Fire Department does not have (b):

...141.01 COMPOSITION. In addition to the City Administrator, the Chief of the Fire Division, the part-time and auxiliary firefighters as may be appointed by the Chief and emergency firefighters as may be appointed by the Mayor, the Fire Division shall be composed of the following officers and other members: (a) One Assistant Chief; (b) One Battalion Chief (city-wide safety); (c) Three captains; (d) Three lieutenants; and (e) Twenty-one firefighters. (Ord. 8057, Passed 9-11-18)

Much discussion and it was decided by the Charter Members, 141.01 Composition will not be put in the Charter. Groff noted at the last meeting, there was two firefighter present, but did not speak on this issue, O'Donnell noted he thinks they didn't want to say anything last meeting, out of respect for Mack and Lambert, knowing the two would be attending this meeting

ARTICLE VIII - TAXATION

No changes

ARTICLE IX – TRANSITIONAL PROVISIONS

No changes

Adjourn: Motion made by Bowling, seconded by Handy, all in favor, meeting adjourned at 6:50 p.m.

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

Charter Review Clerk
Lisa Elders

Chair of Charter Review: Mike Ketcham

Charter Clerk: Lisa Elders

Date: May 6, 2024

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11. Persons of exceptional professional or scientific qualifications engaged as consultants,
12. Employees whose service is temporary, seasonal, or part-time.
12. Unskilled laborers as defined and authorized by the Civil Service Commission, and,
13. ~~Temporary employees who are not employed for more than ninety (90) continuous days or for more than ninety (90) days in one year.~~

Officers and employees in the Unclassified Service of the City shall not be appointed or promoted pursuant to competitive examination and shall serve at the pleasure of the appointing authority and may be removed, suspended or otherwise disciplined without cause, except as may otherwise be provided in portions of this Charter applicable to such officers or employees.

-The Civil Service Commission shall be governed by the laws of Ohio applicable to cities and its own rules not inconsistent with this Charter.