

City of Aurora, Ohio
2014 CHARTER REVIEW COMMISSION
MEETING MINUTES
March 31, 2014

The 2014 Charter Review Commission of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, March 31, 2014 for the purpose of holding a regular public meeting. Commission Chairman Dr. Larry Oswick called the meeting to order at 6:30 p.m.

ROLL CALL:

Present: Jane Adams
William Keckan
Charisse Louis *arrived at 6:33 p.m.*
Dale Moravec
Dr. Larry Oswick
Nancy Schnell
Liz Sutter
Mary Thomas

Absent: Richard Vlasak

Also Present: Scott Wolf, Council at Large Representative
Harold Hatridge, Ward 6 Council Representative
Dean DePiero, Law Director
Donna Hawks, Clerk of Council

Consideration of Minutes

MOTION: Approval of the February 17, 2014 Charter Review Commission Meeting minutes

Ms. Adams moved; Mr. Moravec seconded. The motion carried on a unanimous voice vote. Dr. Oswick abstained.

Establish Meeting Dates & Times - Future Meetings as Needed

Commission members decided that 6:30 p.m. would be an appropriate time for future meetings.

Present the Review Process

Dr. Oswick explained the review process. He said Commission members were asked to read the Charter in its entirety. He said they then were assigned specific areas for review and input.

Review all Articles

Articles I & II

Ms. Thomas said Article I & II are very straight forward and did not recommend any change.

Article III

Section 3.03 - Eliminate special election for council vacancy. Appointment is effective until the next general election at which point person elected fills the unexpired term.

Mr. DePiero stated special elections cost the city money and usually have low interest. He said the thought process is that Council would appoint someone to fill the vacancy and that person would be appointed until the next municipal election. Mr. DePiero said the suggestion was made to be more efficient, to save money and to avoid a special election. Mr. DePiero said the change in Section 4.07 is the same concept.

Section 3.15 – “The Council **together with the Mayor** may establish or approve the establishment of departments, divisions, boards and commissions . . .”

Mr. DePiero explained the change allows for the Mayor to be included in the process of establishing a new board or commission.

Dr. Oswick indicated that the prepositional errors should be corrected.

Section 3.05 – Mr. Moravec said he has been asked if there needs to be six wards in the city and if there needs to be three at large councilmen.

Councilman Hatridge explained the advantages to having both ward and at large council representation.

Councilman Wolf stated he attended a conference conducted by the Ohio Municipal League over the weekend. He said according to what he learned at the conference given Aurora’s population the citizens are appropriately represented by Council and wards. He explained the advantages of having at large council representatives.

Section 3.11 – “Measures that pass by emergency shall be posted for a period of not less than 15 days after their taking effect for publication purposes only.”

Mr. DePiero explained when an emergency clause is in place the legislation goes into effect immediately; the change states that it will be posted for 15 days after for publication purposes only.

Section 3.12 – Tabled until further review.

Article IV

Section 4.01 – Dr. Oswick questioned the date, January 1994 and suggested further clarification to establish if that date should be changed.

Section 4.05 – Tabled until further review.

Mr. DePiero explained the change allows for the Mayor to appoint an interim director or department/division head for 90 days while a decision is being made for a permanent appointment. Mr. Keckan suggested further discussion on this matter.

Section 4.07 – Eliminate special election for mayoral vacancy. Mr. DePiero stated it is the same concept as in Section 3.03.

Section 4.08 – Mr. DePiero said the suggested changes are clean-up language that would allow the Mayor to bring his or her team into office. He said it clarifies the language.

Article V

Mr. Keckan said he did not feel that anything in the section needs to be discussed.

ARTICLE VI

Section 6.02 – Tabled until further review. Increasing contract bid limit from \$10,000 to \$25,000.

Mr. DePiero said the Finance Director made the recommendation per the suggestion of the State Auditor. Mr. DePiero said that Mr. Paul will attend the next meeting to provide further information.

Section 6.05 – Mr. Keckan said he would like to know if that is a common division and said he would like the Finance Director to comment on that.

Article VII

Section 7.01 – Insert in the last line of third paragraph: “as may be required by the Mayor and/or Council.”

Article VIII

Mr. Keckan said he did not feel that anything in the section needs to be discussed

Article IX – Tabled until further review.

Ms. Schnell indicated in the third sentence a comma is needed after the word function and second comma after the word operations and also to omit the word “and” after disposal.

Dr. Oswick said he would like to know the budget for the Parks and Recreation Department.

Mr. Moravec asked if the parks under the jurisdiction of the county should be addressed in the Charter. Mr. DePiero stated that it might not be appropriate to include them in the Charter.

Dr. Oswick stated he feels the description for Parks and Recreation is inadequate. Mr. DePiero said he would like to review the Codified Ordinances as it relates to recreation, senior issues and parks. Dr. Oswick said it would seem that this section would include that. Mr. Moravec recommends having Mr. Kraus, Director of Parks and Recreation attend the next meeting.

Article XIII

Section 13.02 – It was recommended to change in the second paragraph “or” to “of.” Ms. Thomas recommended changing after “maintained by the Clerk of the Planning Commission” eliminate the last clause and insert “who shall be appointed by the Mayor.”

Section 13.04 – In the third paragraph take out “more than” before “two-thirds.” Only two-thirds vote should be required. Mr. DePiero asked the Councilmen in attendance how they felt about the change.

Mr. Hatridge said it would have to be something drastic for Council to change a recommendation from the Planning Commission. Dr. Oswick said that in the entire Charter it is the only super majority that would be and the rationale is that the Planning Commission is a knowledgeable body and we should abide by their recommendations. Mr. DePiero said he does not have an opinion on it but that he wanted to point out that it is the only place where you need seven votes. Dr. Oswick said the rationale is since the Planning Commission is an august body then a super majority is needed to overrule them. Dr. Oswick suggested tabling this item until a vote is taken.

Article XIV

Section 14.01 – Ms. Louis questioned the date in the first sentence. Mr. Keckan said in the second sentence it is unclear to him as to when the five years begin and suggested clarification. Mr. DePiero said the Planning Zoning Director should be able to provide information on that.

Ms. Louis indicated a space is needed in the first sentence between the words “appointment in.”

Section 14.03 – Insert a comma after “Commission.” Paragraph C. - The end to say “Historic or Landmark District(s).” Mr. DePiero explained that the Landmark District is the area downtown and there are various areas in the community that are part of the Historic District.

Paragraph A. – Ms. Louis proposed adding “future” before welfare of the City.

Paragraph B. – Ms. Louis proposed changing the first line by omitting “and expand upon” and adding “meaningful.” Mr. Moravec said he does not agree that “expand upon” should be omitted. Dr. Oswick said he is hesitant to drop the word. Mr. DePiero explained the Master Plan would not preclude the city from expanding green space. Ms. Louis said some of the time she feels too much thought is put into acquiring green space. Mr. DePiero suggested to Ms. Louis to possibly come up with alternative language that everyone could live with.

Section 14.05 – Change the first line to “Within four months. . .” and add at the end of the sentence “from Planning Commission.” Mr. DePiero explained the change is for consistency so that Council will have the same amount of time to review the Master Plan as the Planning Commission.

Article XV

Ms. Adams did not recommend any change.

Article XVI

Section 16.01 – Mr. Moravec indicated that Ms. Faith Lyon, Director, Portage County Board of Elections, asked that the Commission consider moving the filing deadline for candidate petitions from 75 days prior to the election to 90 days prior to the election to be more consistent with the county.

Article XVII

Section 17.03 – Ms. Adams said to remove the duplicate paragraph at the end.

Article XVIII – Tabled until further review.

Section 18.01 – Mr. Moravec stated he is concerned with the liability issues of certain franchisees. Mr. DePiero explained this article refers to creating a franchise for example for cable TV. Mr. DePiero said he would like to conduct more research. Mr. Moravec said he did not understand the third paragraph. Mr. DePiero said he believes it has to do with right a-ways and said he will look into it further.

Article XIX

Mr. Moravec said it is self-explanatory.

Article XX

Mr. Moravec suggested clarification of the five-year time frame. Mr. Keckan suggested the five years began from the date of appointment.

Article XXI

Mr. Moravec said it is self-explanatory. Mr. Moravec recommended using a new ward map at the end of the Charter.

Assign Tabled Articles to Appropriate Commission Members

Dr. Oswick said there are 9 issues tabled. He said he will meet with Mr. DePiero and review the tabled items. He suggested to the members if there is anything else they would like clarified to please email him

with that information. Dr. Oswick said the Finance Director and the Parks and Recreation Director will attend the next meeting.

Mr. Moravec asked if meeting information is reaching the public. Mr. DePiero stated he announces the meeting date and time at City Council meetings. He said that meeting information is also on the city's website.

The Commission decided to meet next on April 22 or April 29 at 6:30 p.m.

Citizens Comments

Mr. George Mazzaro, Eldridge Road, thanked the Commission for their service to the City of Aurora. He said they are working on the most important document of the city. He asked what rules the Commission is working under. Mr. Mazzaro provided his suggestions for **Section 6.02** and **Section 13.04**.

Councilman Hatridge thanked the Commission for their time and service.

Mr. DePiero said it is reasonable for the Commission to operate under the rules of City Council.

MOTION: To operate the Charter Review Commission under the same rules as Council

Ms. Adams moved; Ms. Sutter seconded. The motion carried on a unanimous voice vote.

Adjournment

MOTION: To adjourn

Ms. Louis moved; Ms. Adams seconded. The motion carried on a unanimous voice vote.

The meeting was adjourned at 8:23 p.m.

Dr. Larry Oswick, Chairman

Donna Hawks, Clerk of Council