

**GEORGETOWN CHARTER COMMISSION  
MEETING MINUTES  
WEDNESDAY, MARCH 11, 2020, 7:00 PM  
Georgetown Elementary School**

**Meeting Called to Order:** 7:00 p.m.

**Members Present:** Mark Anderson, Amber Becraft-Johnan, John Paul Durham, Brian Faught, Andrew Dunn, Kelly Heslar, Michelle Hopkins, Greg Housh, Patrick Hornschemeier, Gary Potter, Matt Staggs, Zach Triplett, Jeremy Varner, Barb Virost

**Members Absent:** Michelle Hopkins, Arthur Owens

**Guests Present:** Joe Braun, Dave Guenther, Nancy Montgomery, Tyler Thompson

**I. Participation by the Public:**

**A. Topics discussed by commission so far:** Sally Mount sent word to clarify her comments from last meeting and Nancy Montgomery commented on her reporting on the meetings in the newspaper.

**B. In general:** Kelly Heslar added some ways to help get our message in the newspaper effectively, as well as ideas for putting it on the radio announcements.

**II. Approval of previous meeting minutes**

**Changes to previous minutes:**

In Section 3.02 delete the sentence: ...a majority of the members elected to Council shall constitute a quorum for the transaction of business at any meeting of the Council...

So this section now reads: A quorum for Council and for any of its committees and any board established by this Charter shall consist of a majority of the members of that body, but a lesser number may adjourn the meeting from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by the rules, regulations and bylaws of the Council. The term "by majority vote" shall mean a majority of the quorum present.

In Section 3.08 reserved should be reserve.

No other changes to the minutes and they stand approved as amended and can be published.

**Approval of text discussed at previous meeting**

**Changes to previous text:**

As noted above in the amendment of minutes, the text of 3.02 and 3.08 have been changed accordingly.

In Section 3.06 Although there were no changes to 3.06, Patrick Hornschemeier indicated in the Mayoral section it states if the mayor is removed he cannot run again for two years; he suggested we add the same for Council, stating: If removed, a member may not run for election for two years. After discussion and suggestions including permanent removal, not being appointed, and the time frame of four years instead of two, it was decided the following sentence be added to the

end of Section 3.06: If removed, a council member could not be appointed by council but may run for election after four years.

In Section 3.10 do we want to say that there would need to be a certain number of regular meetings of council. Other charters suggested one meeting every month. Dave Guenther indicated there are two meetings per month, and during the summer if there's a lot going on they may cut it down to one. Nancy Montgomery indicated there are six months where there are two and six months where sometimes there's only one. Patrick Hornschemeier proposed a Section 3:11 Meetings, No less than one regular meeting of Council shall be held each month. Matt Staggs suggested that they may have more because it could interpreted differently, but Patrick Hornschemeier pointed out that "no less than one" should cover that. Everyone was in agreement.

In Section 4.01: Instead of 2020 it should be November 2019 and then the next year should be December 31, 2023, which would have the effect that Mayor Cahall would simply serve out his current term.

Barb Virost suggested the addition of council and its members shall deal solely through the Village Administrator with respect of any part of administration with respect to powers, duties and responsibilities. In other words, they don't bypass the Administrator. After great discussion and reviewing Westerville's charter, Article 3.16, and Blue Ash's, Article 5.03, it was determined to create Section 3.12 – Relation of Council to Administrator: The Council and its members shall deal solely through the Administrator \*\*\*OR MAYOR\*\*\* with respect to any part of the administration of the affairs of the Municipality which are within the scope of the powers, duties, and responsibilities of the Administrator. After discussion, it was also determined that we need to revisit this after drafting Articles IV and V.

Jeremy Varner indicated for Council we have them elected on non-partisan ballot, but not so for the Mayor, and he feels he should also be listed as non-partisan. Nancy Montgomery indicated it's in the ORC that the mayoral position is non-partisan. Through discussion it was felt that this should still be specifically stated. The second paragraph of Article 4.01 now reads: The Mayor shall be a qualified elector of the Municipality and shall be elected on a nonpartisan ballot by the voters of the Municipality at municipal elections beginning 2023, and every fourth year thereafter, for a term of four years. This term shall commence on the first day of January following each election.

Jeremy Varner also indicated Section 3.08 indicates that "Council members shall not be prohibited from holding...", so in essence they're non-partisan ballots, but they're permitted to hold party positions. Discussion was held regarding his concerns of possible influence, legally and financially, and he believes this should apply to the mayor as well. No motion was made to accept this.

All text considered approved with changes noted and the cumulative text can now be promulgated to the public as product to date.

### **III. Continued Discussion of "Executive"**

#### **Section 4.03 - Qualifications**

...for at least two years... Changed to: ...for at least one year...

Barb Virost suggested the language from Section 3.08 for Council should be the same for the Mayor in 4.03, which would include the clause regarding absence.

Section 4.03 now reads:

The Mayor shall have been a continuous resident and qualified elector of the Municipality for at least one year immediately prior to election and shall continue to be a resident and qualified elector of the Municipality throughout the term of office.

Except as provided by or under this Charter, the Mayor shall not hold any other compensated office or position of employment with the Municipality, nor shall the Mayor hold any other compensated elected public office, including School Board; provided that the Mayor shall not be prohibited from holding an elected or appointed political party position, being a notary public or a member of the National Guard or a member of the reserve armed forces of the United States. Absence due to military service shall always be excused. The Mayor shall forfeit his or her office if he or she shall be absent for four regular meetings per year, except where Council has excused the absences.

If the Mayor ceases to possess, or shall violate, any of the qualifications herein enumerated the Mayor may be removed from such office, but failure to maintain said qualifications shall not render void or ineffective any actions of Council in which the Mayor participated.

#### **Section 4.04 – Removal**

...a vote of three-fourths (3/4)... Changed to: ...a vote of three-fourths...

Matt Staggs suggested this may be a paragraph that we have to come back to after getting further into the other articles.

...charge shall be published once in a newspaper of general circulation in the Municipality. Changed to: ...charge shall be provided by public notice pursuant to Section 13.07 once each week for two consecutive weeks. (NOTE: the phrase “once each week for two consecutive weeks is dependent upon how Section 13.07 is worded.)

Discussion held regarding how many members can bring charges. It was indicated by Barb Virost that this was how it was written for Council, so it was determined to leave it as is.

...moral turpitude. Changed to: ...moral turpitude, or for persistent failure to abide by the rules of Council.

Added as last paragraph: If removed, the Mayor could not be appointed by Council to any position, but may run for election after four years.

No other changes to Section 4.04.

#### **Section 4.05 Veto**

Discussion held regarding the Mayor having veto powers. Currently the Mayor does not have veto. Mason and Westerville specifically stated the Mayor does not have veto powers. Pat Hornschemeier suggested we may want to keep some of the language of this section. Determined that there would be no section for “Veto”, and this statement would be listed under Section 4.02 and Section 4.02 (B) is now reflected as:

(B) *Legislative Powers:*

1. The Mayor shall preside at and attend all meetings of Council, but shall not be considered a member of Council. The Mayor shall have no vote in the proceedings of Council, except in case of a tie vote or such other times when a vote of two-thirds of Council and the Mayor inclusive is required thereunder. The Mayor shall be an ex officio member of all committees created by Council and shall, at the annual organizational meeting of Council, submit recommendations for Council members to serve on committees of Council.
2. The Mayor shall not have a veto power over matters considered by the Council.

Deleted Section 4.05 as Veto.

#### **Section 4.06 Vacancies becomes the new Section 4.05**

Discussion held regarding Pat Hornschemeier’s suggestion of the distinction between the Mayor being vacant and an absence or disability. Newton Falls, Article 2.05 had language. Tyler Thompson indicated this language already exists in Section 3.04. Patrick Hornschemeier also suggested that if the President of Council declines to become the Mayor should we add: If the president of Council declines to become the Mayor, Council shall elect a Mayor from its membership by a majority vote of the members of Council.

After discussion, it was determined no changes will be made to Section 4.05 Vacancies.

#### **Article V – Administrator**

##### **Section 5.01 Appointment**

...six (6)... Change to: ...six...

Patrick Hornschemeier pondered whether we want to prohibit council members from becoming an administrator, but it was decided if someone is qualified on council that wants to do it, they should not be prohibited.

Matt Staggs suggested there should be a financial requirement for the Administrator. There is no section on qualifications. Section 5.05(C) was noted during discussion. Tyler Thompson indicated we’re getting more into the statutory charter appointed positions. We can effectively create job descriptions and requirements and this would be the place to put it. Further discussion was held and due to the time (8:45) it was determined to stop here and pick this up at the next meeting. Give some thought and actual wording to the document for what you would like added to this section. John Paul Durham suggested that qualifications should include some experience with town finances. Some of the other models do have qualifications for positions. Amber Becraft-Johnan also suggested when stating qualifications to use the phrase “or equivalent experience”. Jeremy Varner pointed out that we are different from some of the other places that don’t have the set up we have.

#### **IV. Adjourn**

Motion made by Kelly Heslar to adjourn. Meeting adjourned.