

**Members Present:** Jim Corso, Richard Brady, Naomi Twine, Lovey Leavell, Jim Recker, Sharon Johnson, Steve Poggiali, Lance Warner, Dennis Timple, Wendy Dempsey, Darwitt Garrett, Wesley Poole and Herman Robinson.

Lance Warner said Dr. Lawrence Keller will speak about form(s) of government at the May 11 meeting of the Charter Review Committee. Lance Warner suggested having other speakers at future meetings to discuss different issues specific to their area of expertise. Sharon Johnson said she would also like to hear from members of our Law and Finance Departments. Sharon Johnson said she would like the Committee members to consider adding another Section to the Charter for penalties for Charter violations and said she has done some research about this. Don Icsman said he has never come across this and the powers in the Charter emanate from the State of Ohio's Constitution and would be self-executing and is a remedy for penalties. He will research this. Lovey Leavell said we should be cautious if considering punishment for violations.

Richard Brady said he would like to discuss ordinance enactment under emergency measures. Don Icsman said he will be providing training for the staff regarding emergency legislation and can make the same presentation to this Committee. It was decided this will be added to the Agenda for the May 25 meeting of the Charter Review Committee.

Sharon Johnson said consideration should be given to submission of petitions from the citizens as the last time a petition was presented to the city, legislation was passed as an emergency rather than honoring the petition.

Lance Warner asked everyone to fill out their worksheets and send them to Kelly Kresser so that future Agendas could be prepared. Wesley Poole said issues should be discussed according to their importance and ranking and asked if every section of the Charter would be addressed. Lance Warner said it is not intended to cut anyone off and the sections having the most checks would take more discussion time than others. He said it is important to know the background and purpose for sections and learn what other communities have experienced. Darwitt Garrett said if two or three meetings are spent for one topic or section, there will not be time to address all areas of concern.

Dennis Timple said he had issues about Section 4 and the three-year residency requirement.

Lance Warner said there seemed to be a lot of interest in Section 6, Salary & Bonds. Don Icsman said the Commissioners are required to provide a bond upon their election according to state law. He said in the past, there have been discussions about increasing compensation for Commissioners, including insurance coverage. Lance Warner said research could be done to see what other communities pay their elected officials. Wesley Poole said for the level of work expected, there are too many hours and Lance Warner said this becomes a matter of compensation vs. civic responsibility. Herman Robinson said he believed in compensating for serving but that "you get what you pay for". Dennis Timple asked if the City Commissioners could provide an estimate of the number of hours they work. Darwitt Garrett questioned whether the city could afford to give raises. Dick Brady said he did not believe anyone runs on the basis of gaining income. Steve Poggiali asked how long the Commissioners have been paid at their current rate and Don Icsman said their salary was raised to \$2,500/year in 1999. Steve Poggiali said there has been discussion about extending term limits by one term (four years) so that commissioners can obtain ten years of service and become vested in the PERS system. Herman Robinson said the term "salary" may be misleading as it is really a "stipend". Darwitt Garrett suggested issuance of a gas card with limited amount of use as a way to increase benefits.

Sharon Johnson asked about the bonding and Don Icsman said these are done for possible misconduct, as acceptable by our Bond Counsel, and are paid for by the city; they are kept on file with the Finance Director to protect the city. He said state law would be followed where not covered. Lance Warner said examples from other communities could be provided at a future meeting as well as asking the City Commissioners to address the issue.

**Upon motion of Dennis Timple and second of Jim Recker, the members voted to approved the minutes of April 14, 2010. All Ayes. The motion was declared passed.**

Lance Warner asked if there were any other Charter articles that any of the members may want background information about for future meetings. He said for practical purposes, there should be a limit of two or three recommendations made for placement on the ballot. Jim Corso asked if the City Commissioners have the last say about what items will be placed on the ballot and Lance Warner indicated they would make those decisions.

Herman Robinson said he would like to discuss Section 31, City Manager Appointment, and the kind of person wanted as a City Manager.

Sharon Johnson said she would like to discuss Section 25, Expenditures, and define the \$10,000 limit as the attorneys for the marina district were in excess of \$139,000. Don Icsman said the \$10,000 is in principle and some jobs were exempt from the competitive bidding process, e.g. those with a particular expertise for explicit jobs. He said the legal fees for the marina district were over a three-year period. Dennis Timple asked about the study for the two wind turbines which were two independent contracts, each under \$10,000, and if this should have gone through competitive bidding. Don Icsman said the City Commission exercised their right to request the scope of the study and the City Manager then signed the contract.

#### **Public Comment**

Kim Nuesse asked if there was interest in tweaking the existing language for term limits or is their interest for a new form of government. Lance Warner said all of the above. Kim Nuesse said there are professional search firms for choosing a City Manager and they would look at the community needs when looking at candidates. Kim Nuesse said sometimes it is a matter of education to understand the \$10,000 threshold for emergency legislation and Don Icsman can provide information about this at a future meeting. Kim Nuesse said if hours worked were correlated with public expectations, time would be in excess of 40 hours/week. She said there are weeks where she puts in 25 – 30 hours. Lance Warner said Dr. Keller will speak to the responsibilities of a City Manager and the hiring process can be looked at.

Dannie Edmon thanked Sharon Johnson for questioning the petition submitted to the city as this showed there is a hole in the Charter that can work against the petitioners. Dannie Edmon asked if a bio was available for Dr. Keller and said that every section of the charter should be discussed.

Wesley Poole asked if the City Commissioners could be asked for the average number of hours they work each week so that this could be discussed at a future Charter Review Committee meeting. Any information they can provide to feed into a decision about whether or not to pay future Commissioners more money, including the committee meetings attended, would be helpful.

Jason Singer said there are two ways to look at this, matching salaries to the work Commissioners are doing or defining how much work they want to do and defining the workload.

Upon motion of Steve Poggiali and second of Wendy Dempsey, the members voted to adjourn the meeting at 6:33 p.m. All Ayes. The motion was declared passed.

Respectfully submitted:

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Date

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Kelly L. Kresser, Clerk of the City Commission

Approved:

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Date

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Lance Warner, Chairman

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