

CITY OF SANDUSKY
2015 CHARTER REVIEW COMMITTEE MINUTES

MAY 5, 2015

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Mike Will, Chairman, called the Charter Review Committee (CRC) meeting to order at 5 p.m. and led the Pledge of Allegiance.

Members present: Donovan Cole, Dennis Feltner, Talon Flohr, Darwitt Garrett, Andrew Gundlach, Anthony Jones, Nicole Lloyd, Christine Mack, Mike Meinzer, Chris Parthemore, Michael Will & Conor Whelan.

Members absent: Jennifer Washington and Dan Kaman.

Staff members present: Eric Wobser – City Manager, Kelly Kresser – Commission Clerk, Naomi Twine – City Commissioner.

APPROVAL OF MINUTES

Upon motion of Darwitt Garrett and second of Dennis Feltner, the members voted to approve the minutes of the April 7 meeting and suspend the oral reading. The Chairman declared the motion passed.

Upon motion of Dennis Feltner and second of Chris Parthemore, the members voted to approve the minutes of the April 21 meeting and suspend the oral reading. The Chairman declared the motion passed.

OPEN DISCUSSION - CHARTER WORKSHEET

Mike Will asked to discuss charter sections not specific to the upcoming meeting regarding the different forms of government in Ohio. This has been scheduled for May 19 although Darwitt Garrett and Chris Parthemore are unable to attend; the city will tape the meeting and provide a DVD to anyone who wishes to receive a copy.

The members went through each of the 87 Sections of the Charter in order to determine which Sections can be checked off with no changes or further discussion, while others were identified for further discussion at a future meeting. Mike Will said Andy Gundlach received information from the Erie County Board of Elections regarding the cost to put issues on the ballot. If an issue is added during a primary or general election in an even year, the cost is negligible because advertising and printing costs for the ballot are spread out. In an odd year, special elections cost \$10,000 - \$15,000 to cover the costs for advertising, polling, etc. For example, in November, 2014 the income tax levy issue cost approximately \$500; in March, 2012, a proposed charter amendment cost approximately \$375; in November, 2010, the charter amendment issue cost approximately \$269. In contrast, in November, 2009, the city's ballot issue cost \$6,400 for one issue. Each charter section change would require a ballot issue.

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<u>SECTION</u>	<u>DESCRIPTION</u>	<u>DISCUSS FURTHER?</u>	
		<u>Yes</u>	<u>No</u>
-	-		
1	Name & Powers		X
1(a)	Tax Rate for territory within city, but outside SCS District (8-29-60)		X
1(b)	Gender (11-7-89)		X
1 c	Compliance with open meeting laws (11-7-89)		X
2	Form of government (11-7-89)	X	
3	City Commission. Creation and powers (11-5-91)	X	
4	Qualifications (11-7-89)		X
5	Vacancies (11-8-77)		X
6	Salary and bonds (11-2-99)	X	
7	President (11-7-89)		X
8	Municipal bonds		X
9	Clerk and employees	X	
10	Meetings (11-7-89)	X	
11	Penalty for absence (11-5-96)		X
12	Legislative procedure (11-7-78)	X	
13	Ordinance enactment (11-7-78)		X
14	Emergency measures (11-7-78)		X
15	Record and publication (11-7-78)	X	
16	Price and mode of publication	X	
17	Law Director and assistants (11-7-79)	X	
18	Department of Finance and Audits (11-7-89)	X	
19	Accounting procedure		X
20	Assessments and licenses		X
21	Payment of claims (11-7-89)		X
22	Certification of funds		X
23	Money in the fund		X
24	Emergencies		X
25	Expenditures (11-7-00)	X	
26	Sinking Fund Trustees (11-8-77)		X
27	Civil Service (11-7-89)		X
28	Other boards and departments		X
29	Advisory boards		X
30	Salaries and bonds		X
31	City Manager; appointment		X
32	Powers and duties	X	
33	Heads of departments		X
34	Platting Commissioner		X
35	Limitation of assessments		X

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SECTION	DESCRIPTION	YES	NO
36	Improvements by direct labor		X
37	Sewer, water, and gas connections		X
38	Expenditures in excess of \$2,500 (11-7-89)		X
39	Time of making contracts		X
40	Modification of contracts		X
41	Bids in excess of estimate (11-7-89)		X
42	Contracts - when void		X
43	General disqualifications (11-7-89)		X
44	Time of holding elections (11-7-89)		X
45	Ballots (11-8-77)		X
46	Petition for place on ballot (11-7-00)		X
47	Declaration of candidacy (11-8-77)		X
48	Election (11-7-89)		X
49	General laws to apply		X
50	The estimate	X	
51	Appropriation ordinance (11-7-89)		X
52	Revision of appropriations		X
53	Transfer of funds		X
54	Unencumbered balances		X
55	Grants limited		X
56	Period of grants (11-7-89)		X
57	Assignment		X
58	Right of purchase		X
59	Extension by annexation		X
60	Right of regulation		X
61	Forfeitures		X
62	Accounts and reports (11-7-89)		X
63	Grants not included (11-7-89)		X
64	General provisions		X
65	State laws to apply		X
66	Recall petitions (11-7-89)		X
67	Notice		X
68	Recall election		X
69	Ballots		X
70	Filling of vacancies		X
71	Counting the votes		X
72	Effect of resignations		X
73	Miscellaneous provisions		X
74	Offenses relating to petitions (11-7-89)		X
75	General laws to apply		X
76	Audit and appraisal		X

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SECTION	DESCRIPTION	YES	NO
77	Ordinances continued in force	X	
78	Continuance of present officers	X	
79	Continuance of contracts and vested rights		X
80	Oath of office		X
81	Hours of labor (11-7-89)		X
82	Amendment of Charter		X
83	Saving clause		X
84	When Charter takes effect		X
85	When amendments take effect (5-7-74)		X
86	Residency requirement (11-7-00)		X
87	Review of Charter (11-7-89)	X	

NEW BUSINESS

Mike Will said the presentation has been scheduled for May 19 by Dr. Lawrence Keller with CSU/Levin College and Dr. Stephanie Walls with BGSU/Firelands College. Dennis Feltner asked if we are going to limit discussion and conversation to these two individuals and had originally suggested someone working in a city/municipality about their experiences. Mike Will said we do not have to limit our research but these two were scheduled according to their wealth of knowledge and others could be scheduled.

Darwitt Garrett asked if the members could discuss some of the items tonight and not necessarily wait for the meeting on May 19. Chris Parthemore said the charter positions are probably tied to the form of government, but others may not be; Mike Will asked to begin discussing these sections.

Section 9 – Mike Meinzer said the Clerk of the City Commission, as well as other charter positions, could be molded into another structure with its salary and benefits. The City Manager should have continuity and be in charge of the Commission Clerk position and Chris Parthemore asked Eric Wobser for his opinion about the advantages he would see with this arrangement. Eric Wobser said there should be a person to work on behalf of the City Commission and help to organize their legislative calendar and there are probably some efficiencies created by this position working independently of the City Manager. Mike Meinzer said he has heard a lot about checks and balances but to him there are too many checks and balances with all of the committees providing advice independently of charter officers. Darwitt Garrett said the clerk is the liaison to the community and the city commissioners; this position is necessary to be a buffer to allow the city manager to perform the day-to-day operations. Dennis Feltner asked about the previous reporting relationship and Kelly Kresser said when she worked for the City Manager, the Commission Clerk worked directly for the City Commissioners with a Legal Stenographer who provided backup for her as well as provided secretarial assistance to the Law Department. Kelly Kresser said approximately eighty-five to ninety percent of her work is done

for the City Commissioners while the other time is spent assisting other staff members. Dennis Feltner said this position has provided continuity for the changes in City Managers and Commissioners; this is value worth keeping and is a sacred cow which he does not want to touch. Darwitt Garrett said there have been budget restraints and cuts and some of the duties done for others have been taken on simply because of this. Eric Wobser said at times there were up to four persons in the City Manager's office and two persons in the Clerk's office. Connor Whelan said this position helps seven part-time persons be successful and it is important the Commissioners still have someone like this. Christine Mack said this position should remain constant and be a charter position and to think about this as a position, not as the person holding the office as this section will stay as written until the charter is reviewed again. Mike Will said he does not see the position or its pay changing and is a direct report to the city commission.

Section 10 – Meetings

Mike Will said it takes a lot of preparation to get ready for commission meetings which take place twice each month and Kelly Kresser said a calendar with deadlines is issued in November of each year for the following year with the timelines/deadlines. Eric Wobser said the staff works as much as two weeks before a meeting to prepare. Forty-eight hours after one meeting, legislation is being prepared for the following. Andy Gundlach said this section states it is up to the commission when they meet.

Section 15 – Record and Publication

Mike Will said he was tying this to another section regarding price and mode of publication but to the extent they are not related, he has no further issue for discussion regarding Section 15.

Section 25 – Expenditures

Mike Will said there has been previous discussion about raising this amount from \$10,000 to \$15,000. Donovan Cole said he would like to hear more discussion and/or public opinion about this Section. Mike Will said he cannot provide specific examples about this, but stated the limit does get in the way when trying to be efficient. The public will express interest in operating efficiently, but the city is somewhat handcuffed. Nicole Lloyd asked how long the turnaround is to purchase something over the \$10,000 threshold and Mike Will said it was quite a bit of time and oftentimes items were passed as an emergency to help with this timing. Eric Wobser said it would be good to hear from Department Heads who manage this and the issue has come up with our Fleet Maintenance staff. There are opportunities through www.GovDeals.com for the older vehicles in our fleet and oftentimes we miss the window because of the turnaround time as there are logistical issues which may end up costing more than \$10,000. There are many expenses which are structured in a legal way to allow things costing more than \$10,000 over a period of time so as not to go before the City Commission. There needs to be accountability while giving the administration the ability to move quickly when they have to. Mike Will said the city is required to pass a budget each year and steps need to be taken if a specific line item were over budget at any point in time and this is a control mechanism. Mike Meinzer said

when he worked for the city the budget process was done line by line and each time a purchase was made for one item, the bid process would have to start over. Andy Gundlach said for budgeted items already approved, the staff should be able to make the purchase if over the amount in the charter. Eric Wobser said people want accountability and if the city commissioners were to spend their time counting pencils and paper, they are too busy to look at the bigger issues such as poverty, economic development and policy-related issues. Connor said \$10,000 and \$15,000 seem arbitrary and said there should be a way to show money is being spent at a public setting. Eric Wobser said items must be shown in a budget in order to make expenditures for purchases. Connor Whelan asked who could provide information to help make a decision about this. Mike Will asked to get feedback from the commissioners and department heads for the next Charter Review meeting on June 2. Kelly Kresser said she would collect this information and put it together for the next meeting. Chris Parthemore said a realistic consideration should be made if adjusting the \$10,000 limit on expenditures without competitive bidding and he thinks the budget is a terrific way to balance this. Christine Mack asked how many departments spend money which is not within their budget and Eric Wobser said this would require a budget amendment. Nicole Lloyd asked about expenditures which are \$10,000 or less and if these items can be purchased if not budgeted. Eric Wobser said items not budgeted cannot be purchased regardless of the amount although each line item may not be specifically detailed like this. Eric Wobser said there is state law which details how high a local government could go and this number could be set according to that; this could also be tied to inflation. Eric Wobser said \$10,000 is not perfect, but he thinks this does cripple our ability to do business on a day-to-day basis. Eric Wobser said as an example, the Water Department makes lots of large chemical purchases and for something like this it would make sense to raise this amount but he would have to speak with others. Anthony Jones said if he had a specific budget as a department head, once that money is spent, it is gone. Mike Meinzer said the budget process last for months and each expenditure must be justified. Mike Will said he believes Hank Solowiej and other department heads could help by providing information to the members about this issue. Dennis Feltner said sometimes expenses are broken up into different contracts to get around this dollar amount. Nicole Lloyd asked to find out what the state law limits are. Mike Will asked to hear back from the department heads, specifically Hank Solowiej, as well as the city commissioners and to understand the state law regarding expenditures to determine if this should be set by state law or according to inflation.

Section 50 – The Estimate

Chris Parthemore suggested tabling this Section until structure of government is addressed.

Section 78 – Continuance of Present Officers

Mike Will said he was not sure if this might be tied to Charter Officer positions.

Section 87 – Review of Charter

Mike Will said he recalls some discussion about having a review done in even years.

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Nicole Lloyd asked for input from Dan Kaman and Jennifer Washington about sections they wish to discuss at the next regular meeting scheduled for June 2.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, said there is not too much to continue discussing and this Charter Review could possibly wrap up and get Sections on the ballot for November if the members get serious about it. These have always been completed by August and there is no excuse for a delay.

ADJOURNMENT

The Chairman declared the meeting adjourned at 6:52 p.m.

The next meeting is scheduled for: Tuesday, May 19 at 5 p.m. with Dr. Lawrence Keller – Kent State University & Dr. Stephanie Walls – Bowling Green State University/Firelands Campus.



Kelly L. Kresser, CMC
Clerk of the City Commission



Michael J. Will
Chairperson