

**MINUTES**  
**LOUISVILLE CHARTER REVIEW COMMISSION**  
**MAY 14, 2020**  
**5:00PM VIA ZOOM**

**MEMBERS PRESENT**

Bob Nau, Chair  
Angie Burick  
Rick Flory  
Demond Germany  
Erika Siegfried  
Dave Thorley

**MEMBERS ABSENT**

Mark Sigler

**CHARTER REVIEW LEGAL REPRESENTATIVE**

William Hanna, Esq.

**CITY OFFICIALS PRESENT**

Larry Collins, City Manager  
Andy Turowski, Assistant City Manager/Police Chief  
Tiffany Justice, City Clerk – Secretary of the Charter Review Commission

Chair Nau presented the Notice of Open Meeting

Chair Nau welcomed Commissioners Siegfried and Thorley to their first meeting as appointed members

**Approval of the May 4, 2020 Charter Review Commission Agenda**

MEMBER FLORY MOVED, SECONDED BY MEMBER THORLEY, and the motion carried to approve the May 14, 2020 Charter Review Commission agenda. The vote: All yea.

Commissioner Flory reported that he contacted the Board of Elections and the billing is per polling site not by the number of issues.

**Approval of the February 20, 2020 Charter Review Commission Minutes**

MEMBER FLORY MOVED, SECONDED BY MEMBER BURICK, and the motion carried to approve the February 20, 2020 Charter Review Commission minutes. The vote: Thorley abstained, rest yea. The minutes are approved as presented.

## **UPDATE TIMING CONSIDERATIONS/MEETING SCHEDULE**

City Manager Collins reported that he had changed directions for Mr. Hanna in researching the quarter percent income tax going to utilities if it could be brought back to general fund by ordinance or election. This was brought upon by COVID-19 and loss to the income taxes, due to the job losses etc. Mr. Collins also stated that due to COVID-19 with the approval of Chair Nau meetings were placed on hold. Mr. Collins recommended the November ballot and Mr. Hanna agreed that would be a reasonable timeline. Commission agreed.

## **REVIEW PROPOSALS TO ARTICLE I OF LOUISVILLE CHARTER**

Mr. Hanna proposed going through each proposal in the draft provided by him from the suggestions at the last meeting. Chair Nau questioned if changes should be agreed to by the Article as a whole. Commission agreed.

Article I had no proposed changes.

## **REVIEW PROPOSALS TO ARTICLE II OF LOUISVILLE CHARTER**

Section 4 – Update language to Vice Mayor and election of Vice Mayor at the organizational meeting in January. Commission agreed with proposals.

Section 5 – Removed the power for Board of Control. Commission agreed to proposal.

Section 9 – Update and streamline vacancies in Council. Commission agreed to proposal.

Section 11 – Update language to appoint the City Clerk. Commission agreed to proposal.

Section 12 – Update and streamline language section to Organizational Meeting and update time of Council meeting to 7:00 p.m. as is practiced.

(B) To update the language and include all permissible Ohio Revised Code purposes for Executive Sessions. Update language to include economic development purpose, including the provision that must be called into Executive Session by a unanimous quorum.

Commission agreed with proposals from Section 12.

Section 14 – Discussion followed regarding unexcused versus excused absences, length of missed meetings before vacant, past issues with Council Members being ill, 5 meetings being 2.5 months and a long time to go without a Council Member who determines if excused or unexcused. Commission agreed to remove the strike-out of 5 consecutive missed meetings, and remain as originally stated.

Commissioner Thorley questioned the need for a timeline for the Mayor-Council Member to make the appointment of a vacancy if it gets to that point, and if the Mayor-Council Member is unable to fill the vacancy discussion should it go to the probate court for fulfillment. Mr. Hanna questioned if 30 days is adequate. Commission agreed to revisit Section 9 and add the 30 day fulfillment by the Mayor-Council Member.

Sections 15, 16, 17 and 18 – Discussions followed including:

Section 15 - Mr. Hanna included Resolutions to the Ordinances section to clean-up the legislative process.

Section 16 – Discussion followed on virtual meetings, and if the change becomes permanent. Currently, due to COVID-19 virtual meetings are only legally permissible until the end of the year 2020. Discussion followed regarding allowing publication for first reading and public hearing to be posted on City website instead of newspaper publication. Discussion included: people like reading the paper; times when the 3 days before the meeting are difficult due to holidays, vacations etc., the changes to newspapers and publication allowing this in the Charter now would alleviate issues if changes are made to newspapers in the future, wording section so that newspaper publication would be priority over website publication.

Section 15 – Commissioner Thorley questioned why expenditure of funds was struck out from ordinances and Mr. Hanna reported that the language made it so every contract would have to be by ordinance. Mr. Hanna reported that language was included in City Manager power later in the Charter to include a City Manager spending limit which would remove this wording in this section. Discussion followed on adding that wording to this section.

Section 18 – Discussion on streamlining language, re-including strike out language of amendments and notices followed.

Chair Nau stated that Sections 15, 16 and 18 needs to be revisited before the next meeting. Mr. Hanna suggested that he would provide alternatives and email those before that meeting. Chair Nau confirmed that the Commission needs to pull away from this discussion now and need to streamline and protect transparency in next meeting.

Section 21 – Discussion followed on emergency language, if this section should be under Section 15-Ordinances and Resolutions, appropriations as being effective immediately, if appropriation affect budget if they are emergency. Mr. Hanna stated that he will bring the ORC language on emergency passage to next meeting. Mr. Hanna reported that Section 22 – Resolutions was moved under Section 15 to have legislation under one section.

CHAIR NAU MOVED, SECONDED BY MEMBER THORLEY, and the motion carried approving changes to Article II, Sections 1-15 with the exception of an additional amendment to Section 9 to include the Mayor-Council Member to have 30 days to appoint a vacancy in Council and to revisit Section 15-21 at the next meeting. The vote: All yea.

Chair Nau encouraged Commissioners to be prepared for discussion of Mr. Hanna's emails.

### **REVIEW PROPOSALS TO ARTICLE III OF LOUISVILLE CHARTER**

Section 2 – Discussion on power 6 to include City Manager to make purchases and enter into contracts up to \$25,000. Commission agreed to proposal.

Section 3 – Mr. Hanna reported that proposals including eliminating the filing of a letter to City Clerk for an interim City Manager and Assistant City Manager language were included. Mr.

Collins reported that it does not define the role of Assistant City Manager and the daily responsibilities with that role as well as separating the interim basis of acting City Manager. Mr. Collins proposed language for this section to be emailed by him for review.

Chair Nau proposed not voting on Article III and revisit at next week's meeting.

Discussion of homework of Article IV-VI review, reviewing the rest of the Charter for next week, to email questions concerns directly to Mr. Hanna or Chair Nau, minimal review needed for Articles IV-VI. Mr. Collins reported that the following articles relating to departments could be streamlined by removing job descriptions for future flexibility as the descriptions need to change. Chair Nau stated that we can get through as much as possible next meeting.

Chair Nau stated that this language can be confusing to those in government positions, and can be extremely confusing to those that do not deal with it daily. Chair Nau stated that it is the job of the Commission to make the Charter as clear as possible and to be transparent while technology and times change but still have a good way to do checks and balances.

MEMBER FLORY MOVED, SECONDED BY MEMBER THORLEY, and the motion carried to adjourn. The vote: All yea.

The meeting was adjourned.

Respectfully Submitted,

Tiffany Justice, CMC

City Clerk – Secretary for the Louisville Charter Review Commission