
Ashland City Council

Ashland City Council Charter Review Commission Special Session Thursday February 1, 2007 7:00 pm

Economic Development Conference Room

Roll Call: Bob Valentine Ward 1, Bob Valentine Ward 2, Ruth Detrow Ward 3, Paul Wertz Ward 4, Glen Stewart At-Large.

Pledge of Allegiance:

SESSION: There is only one item of business on this evening's Special Council Session's agenda and that is to get the Charter Review Commission kicked off and get things going, and at this point I would like for Rick Wolfe, our Director of Law walk us through the parameters that we may be working under.

Richard Wolfe, Law Director- Just a very quick overview, Good evening everybody. The Charter for the City of Ashland, is our Constitution. There is a Federal Constitution, there is a State Constitution and Municipalities are authorized to enact a Charter which is much like this but are Constitutions of the State and the Federal Government. They are not necessarily meant to be changed often or easily or frequently but it is important that they be reviewed. One of the provisions in our Charter requires that there be a review of the Charter at least every 7 years, could be more often, but it requires a review at least every 7 years. It is not a command or a directive that it be changed, but that it be reviewed as times and circumstances change, sometimes the needs of municipalities change and there could be reasons or particular issues that need to put into the Charter or things that become obsolete and need to be changed. By the same token, there may not be. I would suggest that the function of this committee should not be measured by it in terms of success or failure by whether or not you come up with proposals for changes or whether you decide that things are okay the way they are and do not recommend no changes. This isn't a once every 7 years only opportunity. There are several ways a Charter can be changed. Council on its own could initiate a change which in any event requires it going to the ballot. A petition could be circulated with a certain number of signatures which would cause Council to consider a charter change and through this process, if upon review and on recommendation of Council and Council accepting those recommendations and electing to put it on the ballot, there could be changes to the Charter. So it is a healthy process, it is something that is good for the community to look at it's essential document, the authority and the means by which it operates along with State law and to look at it periodically and to see whether or not it is as it should be here or if there is something that needs to be changed. In the past, there have been recommendations to Council and Council has accepted some of them. I don't recall that previously whether there have been times where there has been recommendations when Council didn't accept any of them but I know the last time I think there were 2 or 3 issues that were put on the ballot out of 10 or 11 that had been recommended. So it is a good thing, there is a nice cross-section of the community and certainly you should solicit input from the community, you certainly have a right to organize it in whatever way you see fit as a committee. You can set up someone to record your activities, someone to conduct the meeting. That does not give anyone any more authority than anyone else. You are a review body and a body to recommend to the legislative authority, you can fill their needs for changes to the city's

charter and probably a good place to start would be to look at past recommendations. The last time around, I think those records are probably available and already provided. I think you all have copies of the charter so how you conduct the review process is certainly up to you. It might be well to report to Council periodically as to your activities but that is pretty much it. There is a time frame that we need to hit. If there are to be changes to be considered by the electorate, it has to be at a general election which will be November and the cut off date for that is August 22 or 23; I am not sure of the exact date. It is the Thursday of that week. So whatever that date is, that is the last date for something to get to the election board. So there is still plenty of time. Council would then need time to consider legislation so I would suggest that you have a target date for a final report being at the 1st of July because that would give Council at least 3 opportunities with to Regular meetings in July and then any Special Meetings that might be necessary in August if it is necessary for Council to act on any matters. I generally don't participate in your process, but if you have questions at any time, you are more than welcome to contact me or if you have some issues that you want to discuss and you need me at meeting, call me and I will be happy to assist in anyway that I can. And, unless you have any questions, that will pretty much be it.

Stewart- Well, We do have the record from 2000. There are several proposal or changes, they weren't suggested changes, they were put in there for consideration at a future date which now is a future date and how many were there 5 or 6?

There were 8 the past committee looked at. They did not feel that at that point and time it was appropriate to suggest to Council that they be changed. You may want to look at those, but there is no command, this is your opportunity to take on and go through this Charter and make whatever recommendations you all want to make.

Howard Scanlan: Is it prudent for City Council within the next 7 years and the next committee is formed to call this committee for another review?

Stewart: It is a onetime review. We could call for another Charter Review in 1 year if we chose to. But we are commanded to do so every 7 years. But they would probably not call this committee back. There is no prescription in the Charter that who would be brought back, if anyone. I don't know if any of you have served on the Charter committee.

Howard Scanlan: I was just asking, is there anyone here that served on the last committee? Yes. Kenneth Seidner. So you don't even have the same committee here of 7 years ago.

Rick-That is all right, times change, people are unavailable and people's interest change. So we have the benefit of one person who was on this process before and when I look around the room I see people who have been involved in various organizations and rule creating and establishing and so forth. This is not a whole lot different. This is a body to reflect or represent the community. To review our Charter document and to see if you think it needs any adjustments and if it does, Council can consider it. If you recommend that there are no changes and Council has something that they think should be changed, they can still act upon it. So, like I said this is not a one shot deal or a once every 7 year only opportunity. There are several ways that it can happen and as Mr. Stewart has mentioned, Council could ask to convene on a Charter Review Committee every year if they felt it necessary. But usually it is not necessary.

Bob L. Valentine, Ward 1- I new there were 3 things that got voted on but I forgot, there were other things we looked at.

Glen Stewart- Valarie, If you would make 12 copies. I don't know if you all are aware, we have one person that has excepted a position as an alternate if someone should drop out, It is Nevin Bowers. He is in Florida until the end of March, so it may not even be prudent is someone drops but that option is there. I say 12, so that we start a record of what we passed out as we have the charter. We need to keep a complete package for what we pass out. What this committee generates is their documents. The document in front of Elaine is a complete package that was done 7 years ago. It has the notes in it and it is complete. I think it is very accurate, I presume it is. I have no reason to believe that it isn't.

Ken Seidner- I think it is pretty accurate. I have a large file from last time.

Stewart- the reason I have asked Elaine if she would join us this evening because she went to it as the recorder, secretary. She is as knowledgeable or more than most of us Councilmen. Ken, you are probably pretty on top of it also. But if there were questions about the specifics of that, She can go to it rather readily. Something you may want to consider. Is if you want someone to be your recorder, we can handle that. We can handle it budget wise, we can handle it mechanically and the minutes will transcribed and you will receive them in a respectfully time. But if you want that and you can tell me and if you have someone in mind.

Ken Seidner- I think Elaine did that for us the last time, didn't she.

Stewart- She did. And Elaine has got to determine whether her typing hand will allow it. She has bone that is in several pieces under that bandage. That may not work. And that is up to Elaine to tell us in the next few days if she is considering this. Elaine retired yesterday. There are certain things she cannot do and we cannot hire her back as a city employee right away but it is my understanding that we could hire her back through Time Services. That is my understanding. If Elaine elects to come back, I have asked that she check that specifically because it could impact her retirement if they don't view it properly. So if Elaine cannot do it, I think that Valarie may. It might depend on the night that you need her because she has another obligation. So you need to elect a chair, you need to determine a meeting time and then you need to go to work.

Dorothy Stratton- I have a question. Access to records other than that. I mean if we want to know how something has been handled in the past 7 years. Do we need to know that?

Stewart- All of our Council records are accessible. What else would there be.

Ken Seidner- Last time around, anything we had asked for, was readily provided for us. Everyone was very cooperative about it. We have very few records that are not public documents to start with. I would like to facilitate that if you run into a hiccup, please tell me. There may be a reason at the time, but that is not my goal.

Last time around, we didn't have any problem.

You said we need to select a meeting time? It does not have to be the same day or same time? Can it be flexible?

Rick Wolfe -Say when you want to meet, what works. If you want to meet twice in 1 week you can do that. If you want to go a couple of weeks that is up to you. Your choice. You need to give notice of your meetings and your meetings are going to be public.

Dorothy Stratton- Is everything done as a Committee as a whole?

Rick Wolfe - Doesn't have to be.

Stewart- Didn't you split up the last time?

Ken Seidner- We had a couple of people that didn't work on something. But as a general rule we met 1 night a week.

Howard Scanlan- Would recommendations by this committed have to be voted unanimous ?

Ken Seidner- No. There were 11 things that we had. It was not unanimous for a lot of them. There was no animosity. We worked pretty good together.

Stewart- One of the things that the committee did, they did meet with Council on at least one occasion, they had a meeting with the Mayor.

You can call any group and state that we want to meet with you and I know Council will make themselves available.

Ken Seidner- I think there were some Department Heads that came in a talked to us also.

Stewart- I suggest if you would like a Dept head to come, let the Mayor know that you want him in and we will try to keep Council advised.
As Rick has already suggested, the filing date is the 23rd of August, that means that we need to act on it. We do not meet in August but we will meet in August if it is necessary.

Dorothy Stratton- I am wondering if there was anything designated as a public hearing. Do we have to notify anyone publicly that we are holding our meetings at any given time. Or is there a special meeting where the public is invited.

Rick Wolfe- I believe all of our meetings are opened to the public. Anyone wants to come. But that is different from having a public meeting where people are invited to come.
You can conduct this process pretty much the way you see fit. It is a review and advisory. As far as giving notice of your meetings, let the Clerk know of your schedule and she can notify the news media. Minimum of 24 hours to notify the media. Valarie will take care of that to notify the Times Gazette, Mansfield News Journal and the 2 Radio Stations.

Is this room always available to us?

Stewart- Almost always available. The only time is when another committee might be using it. If you want this room, call Nikki Economic Development (419)-289-3200 and convey that message.
Valarie if you would notify Scott, Maintenance of the rooms to prepare?

Bob Valentine, Ward 1- Last time they did this, didn't they hold the meetings a certain time of day of the week. I guess the point would be an alternative to this would be on the 3rd floor Court Room. It is rarely ever used other than Tuesday night meeting.

Stewart- I would say this Building would always be available without concern. I might not be this room though.

I would at this time, just like to go around the table and introduce yourself.

Ken Seidner, Ev Devaul, Elizabeth Hipp, Ron Baker, Dennis VanScoy, Howard Scanlan, Kay Conrad, Dorothy Stratton, Not here is Bernard Sargent and Bill Benz and Nevin Bowers is an alternate and also not present.

Dorothy Stratton: Anything we should not do? That would be ill advised.
Any requirements? Are we only to conduct business here when the public is notified?

Rick P. Wolfe II, Law Director- If a majority there is a requirement to have an open meeting. If 3 of you want to meet for breakfast, there is no notice required. You may talk on the phone. If you run into an issue and need to talk to me, call me. As long as it is less than the majority. Well if you are having a question whether it is proper subject matter check with us.

Dorothy Stratton: I was thinking of private conversations vs public and if we were given some type of date collection. To solicit comments.

Rick Wolfe -As far as the existing Charter, something new could be added or existing provisions could be deleted. Normally rests with council and they are relying on you to do this effort on behalf of the city and the Council and to do an in-depth review and study and consider if there is any recommendations to be considered.

All Charter Members received copies of the charter. As far as copy of all the suggestions that were put in for reconsideration, we will get that for you. I think one thing you might want to do is to suggest that you establish a chair person at the next meeting date. It may not be a repetitive meeting day but to establish your next meeting date and if there is other material you want other than what you have already asked for, you are certainly welcome to call Valarie Bishoff, Clerk of Council to get what you need. I think Mayor Strine you said something to the Dept heads if they have any thoughts on changes, let us know. Also the Community may have recommendations as well. The book is kept in the Clerks office on the 3rd floor for your viewing and anytime you want to look at it, it will be available to look at there and we can make copies for you.

Mayor Comments: none

Anne Tomasek, Finance Director: If I can be of assistance, let me know.

Motion to Adjourn: Glen Stewart, seconded.

Ayes: Valentine W1, Valentine 2, Detrow 3, Wertz, Stewart.

Adjournment: Meeting adjourned 7:29 pm .

Charter Review members stayed for meeting after at 7:30pm to 8:30 pm.

Submitted by
Valarie Bishoff
Clerk_of_Council