



City of South Lebanon  
10 N. High St. South Lebanon, Ohio 45065  
Ph:(513)494-2296 Fax:(513)494-1656  
[www.southlebanonohio.org](http://www.southlebanonohio.org)

**Charter Commission Meeting  
MEETING MINUTES**

**Wednesday, June 8<sup>th</sup>, 2022 @ 6:00pm**

1. Call to Order by Jerry Haddix at 6:00 p.m.
2. Roll Call:  
**Charter Commission members present:** Clyde Adkins, Aubrey Corcoran, Bryan Corcoran, Scott Doughman, David Frasure, Peter Geraci, Ginger Mandelstein, Susanne Mason, Arthur McFarland, David Nathan Smith III, Angela Vick, Michael Wells, Donald Burke (Brian Payne and David Parsons – Absent)  
  
**Staff:** Jerry Haddix, City Administrator and Andrew Meier, City Solicitor  
  
**Visitors:** Catherine Cunningham and Tom Pannett, Kegler, Brown, Hill & Ritter (via Zoom), Lesa Banks (General Public)  
  
After the call of the roll, Mayor James D. Smith administered the Oath of Office to all of the Charter Commission members present. The Oaths are to be signed by each member.
3. Pledge of Allegiance
4. City Officials Introductions: Mayor Smith, Mr. Haddix & Mr. Meier each gave a brief overview of their background and their role with the City.
5. Charter Commission Introductions: All Charter Commission members in attendance gave a brief introduction and gave a brief overview of their background.
6. Special Counsel Introductions: Catherine Cunningham and Tom Pannett, both from the law firm of Kegler Brown Hill & Ritter gave an overview of their background and experience. Ms. Cunningham elaborated on her experience in municipal and land use law and past experience with the then-Village of South Lebanon with past annexations. Mr. Pannett is retired from the Ohio Department of Transportation (ODOT), serves on the City of Hilliard Planning Commission.

7. General Discussions & Sunshine Laws: Ms. Cunningham began the discussion in general re: the Charter Commission and municipalities. She gave an overview of the Charter Commission process and the development of Charter to presented to the voters. She stated that the Ohio General Assembly and municipalities are the only two entities constitutionally empowered in the State of Ohio. Per the Ohio Constitution, municipalities with a population under 5,000 are Villages and over 5,000 are cities. There are differences between statutory villages and Statutory cities. Any municipality (village or city) can have a Charter. There are a large proportion of the municipalities in the State of Ohio with charters. South Lebanon is currently in a transition from a village to a city.

Scott Doughman asked why Kegler & Brown was setting the agenda. Ms. Cunningham replied that it was for this first meeting only.

Ms. Cunningham then discussed the timeline for the charter approval process. The Charter Commission has one year from the May 3 election to get a charter on the ballot. The primary election in 2023 is set for May 2, 2023. The City Council has to certify the Board of Elections to get it on the ballot. November 17 would be the planned 1<sup>st</sup> reading by the City Council. The final charter would need to be completed by November 1<sup>st</sup>.

The next meeting is planned to have City staff from different department describing their function and roles/responsibilities.

Ms. Cunningham gave a brief overview of the different types of municipal governments including:

- Mayor/Council;
- Council/City Manager;
- Mayor/Council/Administrator; or
- Hybrid of the different types

The charter establishes the overall operation of the City. The transitional period can also be spelled out in the charter.

Ms. Cunningham stated that you can plan on meeting weekly in September and October, with bi-weekly meetings until then. The next meeting is planned for June 22.

A discussion ensued re: the applicability of the Ohio Sunshine Law (public meetings and records) to the Charter Commission. Ms. Cunningham reviewed the provisions of the Sunshine Law with the Commission members. Access to the Sunshine Law will be provided to the Commission members. With respect to remote meetings, the current exemption expires on July 1, 2022, and all public meeting after that date are required to be “in-person”. After July 1, members could participate in the meetings remotely but can not vote or be considered as part of the quorum.

Ms. Corcoran inquired about absences and what constitutes a quorum. For the purposes of the charter commission, 8 members present would constitute a quorum.

Mr. Frasure asked about the formation of subcommittees of the Charter Commission. Ms. Cunningham said there is nothing preventing that. Mr. Frasure asked about getting copies of other communities’ charter to the commission members. Samples will be provided.

Ms. Cunningham stated that charters can be amended as situations change in a municipality.

Ms. Corcoran asked if there is information and/or resources re: the different types of municipal governments. Ms. Cunningham said she will look into it. Mr. Corcoran stated that Andrew Meier provided information to Council that he thought would be helpful. Mr. Meier said he will provide to the Commission members.

Mr. Geraci asked Ms. Cunningham to confirm that any electronic communication is a public record. She said yes. She also stated that all emails, texts, etc., be retained until after the work of the Charter Commission is complete. Mr. Geraci also asked about notice of absences. She said that is something that can be set by the Commission.

Ms. Mason asked about how the meetings will be advertised. Mr. Haddix stated the meeting notices are published on the City's website as well as on the electronic sign in front of the building.

Based on feedback from the Commission, Ms. Cunningham says the Commission would like educational information on the different types of governments. A discussion began re: having city departments meet with the commission. The preference is to have City Departments come to the next meeting and have representatives from alternative forms of government at the meeting after that.

Mr. Wells asked if there were examples of cities that operate as a default city. Catherine will provide a list.

Mr. Doughman asked about the term "transitioning" and what does that mean. Ms. Cunningham explained the process to a default city and the option of forming a charter commission.

It was agreed that the next will include presentation by City officials. Mr. Smith recommended that the election of officers be put off until the next meeting. Mr. Meier described the role of the chairperson to the Commission.

Mr. Frasure asked about the role of Kegler Brown which Ms. Cunningham described there as a facilitator. Mr. Meier followed up on that by describing the role of the staff and the Charter Commission.

The issue of the recording secretary was discussed. Mr. Meier said that he will discuss the subject as well as funding for the position with the City Council at their next meeting.

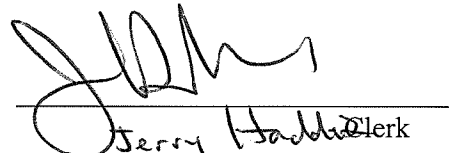
Ms. Corcoran asked if there is another space where maybe tables can be set up. Mr. Haddix said he thinks the large conference may be a better location.

The next meeting will be June 22, 2022, at 6:00 p.m. Meetings will be held every other week to give adequate time to prepare & review materials for the Commission members.

8. Adjournment-

Motion to adjourn presented by Mr. Smith, Seconded by Ms. Mason, Vote taken ALL YEAS.

  
- Chairman

  
Jerry Hadden Clerk