



City of South Lebanon
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**Charter Commission Meeting
MEETING MINUTES**

Wednesday, August 31st, 2022 @ 6:00pm

1. Call to Order by Chairman Corcoran at 6:00pm.
2. Roll Call:
Present Members – Clyde Adkins, Richard Bertagna, Donald Burke, Bryan Corcoran, Peter Geraci, Ginger Mandelstein, Susanne Mason, William Melzer, Brian Payne, David Nathan Smith III, Angela Vick, Michael Wells
Absent Members – Aubrey Corcoran, David Frasure, Arthur McFarland
Staff – Jerry Haddix, City Administrator and Andrew Meier, City Solicitor
Visitors – Catherine Cunningham and Tom Pannett, Kegler Brown, Hill & Ritter
3. Pledge of Allegiance
4. David Frasure contacted Chairman Corcoran to let him know that attending Wednesday nights are difficult for him due to his work schedule. Chairman Corcoran proposed that he remain on the Commission.
5. Chairman Corcoran brought up the topic of term limits for Council members. A discussion ensued re: the topic and different scenarios. Ms. Cunningham asked if there are enough interested candidates to term limit Councilmembers. Mr. Smith gave some history on the number of candidates in past elections. Mr. Corcoran asked to table the discussion and he would seek input from outside individuals including the Mayor. Some questions were brought up such as if a person is appointed to Council, does that count towards the term limit?
6. Review and Approval of Minutes of **August 17th, 2022** Meeting
Susanne Mason makes a motion to approve and is seconded by Richard Bertagna
VOTE TAKEN: All yeas.
7. Tom Pannett reviews the changes that were made in the meeting from August 17, 2022, in Article 3. There were no comments.
8. Although “initiative and referendum” is next on the agenda, Mr. Pannett wanted to discuss some other powers of the Mayor. Mr. Pannett discussed the following topics with the Commission:

EXECUTIVE POWERS

- Set Council meeting agendas but Council can add items to the agenda;
- Mayor shall attend all Council meetings

- Appoints Committees (per Council section, Council will appoint committees);
- Perform ceremonial duties;
- Chief spokesperson with other agencies/governments;
- Attach Mayor's seal to official documents;
- Appoints members to boards & commissions with consent of Council with the exception of the Council-appointed members;
- Chief Executive Officer of the municipality;
- Supervises the administration of all functions of the municipal government except for Council;
- Chief conservator of the peace and sees that all laws & ordinances are enforced except as provided for in the Charter;
- Signs contracts & indebtedness. The Mayor signs contracts and agreements as approved by Council. Currently, Fiscal Officer usually signs as well. A discussion ensued re: the amount that can be expended without the Council approval. Currently, the Administrator's purchasing authority is set at \$25,000;
- Can declare emergencies;

JUDICIAL POWERS

- All powers granted by the State of Ohio;
- Appoint Magistrate to the Mayor's Court;

MAYOR'S COMPENSATION

- Mayor's compensation to be set by Council in the same manner as the Council members' compensation is set;
- Compensation rate to be set prior to petitions for elections are due to the Board of Elections;

MAYORAL VACANCY

- Ms. Cunningham brought up the topic of mayoral vacancy. It was discussed previously and Mr. Pannett read the language that was previously addressed.

9. The next topic was Initiatives & Referendums. It was decided that we would follow the Ohio Revised Code with respect to initiatives and referendums.

5-minute break was taken.

10. The meeting resumed and Mr. Pannett begin discussing the City Administrator's duties. Mr. Meier reviewed the current organizational structure. He also discussed the positions in a default statutory city, such as the director of public service and director of public safety. In previous meetings, the Commission decided to maintain a City Administrator position.

Mr. Meier discussed the boards & commissions that would be required under the statutory form of City government. The appointment of Planning Commission members was discussed. Ms. Cunningham discussed the various boards & commissions and their functions. She also discussed the boards & commissions that are required by State statute. Mr. Haddix explained the City's Zoning Code ordinance states that the Planning Commission and Board of Zoning Appeals shall be established per ORC 713.01 & 713.11.

Planning Commission & BZA are established through the zoning code. The Records Commission and Board of Tax Appeals are established by the Ohio Revised Code. It was a general consensus to give the Council the power to establish boards & commissions as needed or required.

Ms. Vick exited the meeting at 7:36 p.m.

CITY ADMINISTRATOR

- To be appointed by the Mayor with the approval by a majority of Council
- The qualifications are set forth in the job description
- Doesn't need to be a resident of the municipality
- Shall not hold any other public office or other private or public employment unless approved by a majority of Council
- Shall not hold any elected office. A discussion ensued re: this topic. County Central Committee is the only exception. It was agreed that the position holder has a duty to disclose to Council and the Council would make the determination if it was a conflict;

CITY ADMINISTRATOR POWERS & DUTIES

- Shall be responsible to the Mayor for the administration of all areas of the government assigned to him/her;
- Shall, until Council provides otherwise, serve as the Director of Public Service. Upon discussion, the Council would have the authority to create departments and positions as needed. The Director of Public Service would not be specifically called out.
- Shall report to the Mayor all matters pertaining to the welfare of the municipality
- Make recommendations to the Mayor & Council pertaining to the welfare of the municipality
- Perform other duties as required by the Charter or ordinances.
- Attend all Council meetings

CITY ADMINISTRATOR REMOVAL

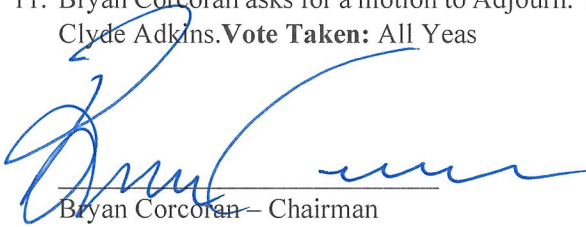
- After a brief discussion, it was agreed that, as currently the rule, if the Mayor is in favor of removal, two-thirds of Council would need to be in favor of removal. If the Mayor is not in favor of removal, it would require three-fourths of Council for removal. This would also be the case for the Fiscal Officer.

CITY ADMINISTRATOR COMPENSATION

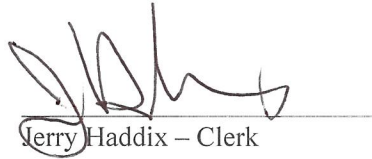
- Council determines the compensation for the Administrator
- If there is a vacancy, the Mayor shall appoint a replacement within ninety (90) days. In the meantime, the Mayor or Acting Administrator shall assume the powers of the office

The next meeting is scheduled for September 14. Ms. Cunningham will not be in attendance due to a prior commitment, but Mr. Pannett will be present.

11. Bryan Corcoran asks for a motion to Adjourn. Motion is made by Don Burke and seconded by Clyde Adkins. **Vote Taken:** All Yeas



Bryan Corcoran – Chairman



Jerry Haddix – Clerk