



Charter Review Commission Minutes

Stow City Hall Boards and Commissions Room, Thursday, February 26, 2015, 5:30 p.m.

Members Present: Andrea Denton, Kelly Johnson, Robin Kory, John Long, Tim Schofield, Annal Vyas, Nicole Walker, and Mary Botts

Members Absent: None

Also Present: John Baranek, Director of Finance, Councilman Brian D'Antonio, Ken Barnhart, Parks and Recreation Department, and Marsha McKenna, Stow Sentry, Andrew Defreitas, Stow Patch

Meeting called to order at 5:32 p.m. by Robin Kory

Swearing In – Nicole Walker was sworn in by Mary Botts as a member of the Charter Review Commission

Approval of Minutes – Motion to approve the minutes of February 19, 2015 by Andrea Denton, seconded by John Long, motion passed 7-0 with no changes.

Ms. Kory said we had sections 1 through 6 to review. We are going to be reviewing the chapters and a brief synopsis and if there are any questions or comments, concerns, anything you think we need to discuss we will bring it up and just keep on trucking.

Article 1, Name and Boundaries. – There were no questions.

Ms. Denton did ask what's the difference between a Village and a City? Mr. Baranek said it is population. Once over 5,000, it is a City.

Article 1.02 Boundaries – There were no questions or issues.

Section 2.01 – Municipal Powers. – There were no questions.

Section 3.01 – Election and Term – There were no questions.

Section 3.02 – Qualifications – Is two years of residence enough time? Want to look into timeframe, age, background and education requirements. Members would also like to compare to other cities.

Section 3.03 – Judicial Powers – There were no questions.

Section 3.04 – Executive and Administrative Powers – Ms. Kory asked why the Mayor was not in charge of Finance and Law and Mr. Baranek said that these are separately elected positions. Mr. Schofield said so as we are going down through this, while we

don't see any direct changes but I know you have talked about bringing people in from that. I see John is here today. If he were to come in and say, hey, I want to go back through and get to 3.03, that would need to be reviewed again. Mary Botts said he would tell you what his concerns are and how he feels about the Charter and related to his position. You will get a lot of information from Council, Elected Officials and Department Heads and they can also answer a lot of your questions. We invite them and then they will come and if they have concerns, some don't have any at all and some do. You will get a lot of information from them. Mr. Vyas said so you ask them to come in and you can ask them questions so they can actually expound on why it is the way it is when you get to that point. So do they come in and give information and then we seek information? Mary Botts said both. They will come in and give you any concerns they have or any opinions, and you are free to ask them questions.

Mr. Long said we have not really come to a paragraph yet that I haven't felt is kind of hard to comprehend. I am a pretty simple guy. I don't read a lot of words, paragraphs, sentences, statements that legal people put together, both in my line of work and outside my line of work so there are, over the first six articles, and there are places in here where to be simply stated, what does that mean so my question is this, who would be here, because I thought the Law Director would be present at these. Mary Botts said she would attend if we need/invite her. Mr. Long said because someone would have to interpret, we haven't come to that yet, but when we do come to that, if this is something we hash out between us on how we want to interpret that or do we have to have legal counsel here so we are comfortable moving forward onto the next article based on how we put it in the language that we use. Ms. Botts said the best thing to do is to work on what questions you have for her or if you are confused about a section, then we can have her (Law Director) in here and she can answer your questions.

Mr. Schofield said Mary has provided us with Hudson's and Kent's Charter so we can crosscheck a little bit to see. Mary said other Charters are also online to check.

Ms. Kory said if you have a question we will just add it and make a list and give it to the Law Director every week.

Ms. Johnson said I am curious. I got the attachment you sent about the questions they had for the last Charter Review. What was actually changed from the previous one to the one that is front of us now. I see they had questions but I don't know what changed. Mary Botts said in the Charter Book, at the bottom of each Section, they have the date that section was changed but I will forward onto you the list of what was changed in 2010. Ms. Johnson said that would be helpful to cross reference as well. Mr. Schofield said the 2010 says, giving the Mayor the courthouse budget since it is not listed there, we are assuming that didn't get approved at the time? Mr. Baranek said the court is a little different animal in that the judges can approve their own budget and submit it by court order so they have that but in addition to that, since the last review, that is when the court came in and moved over to Stow so that could be an addition to that. To hold judges to a lower budget than what they feel they should have. They can always court order it higher. Mr. Schofield said I just saw that was reviewed in 2010.

There were no further questions on Section 3.04.

Section 3.05 – Veto Power – Ms. Denton said I don't understand what that meant exactly, that she could approve or disapprove the finance but not the rest of it? It just seems to be a confusing sentence because she can approve or disapprove the whole or any part but otherwise the Mayor's approve or disapproval shall be addressed to the entire resolution, almost saying like it can be a part. Ms. Kory said I think that if the resolution has 10 items in it and none of them are financial, she can't say I am good with one through five but not the rest but for the financial pieces, she can say yes to one or two. There were no further questions on Section 3.05.

Section 3.06 – Acting Mayor – Ms. Denton said is there any reason there is no time in there, like out of the municipality, like what you considered absent? It seems like there should be some sort of a cutoff point. Ms. Kory said so how long is absent or inaccessible acceptable or unable to perform duties? Mr. Schofield said I think (c) should be included in that as well (unable to perform the duties). Mr. Baranek said if the Mayor is out of town and something would happen where they would have to enter into an emergency contact or whatever, they wouldn't be able to do it verbally so that is why you would have a succession. Say they were in Columbus as opposed to here and a tornado came through here and they needed to do something where they needed emergency contract for something that they would need to sign, then that could take effect. I don't think we have ever had somebody step in as acting Mayor even when the Mayor has been in like Mayor Drew is now in Washington DC, it is more or less in case something drastic would occur. Ms. Kory said do you want to see if we can define the timeframe? The part that was amended last charter. Ms. Johnson said it looked like they were thinking about adding something about military service in there. Mr. Baranek said that regarding military service with the way things are with people being in the reserves and as active as the reserves are, bringing them up and moving them out, and that was the case with our previous Law Director. He was called up and had to leave so that might be a reason why they were looking at that section. Ms. Kory said that is a good question about adding that. Mr. Lowdermilk (stepped into the doorway) said I don't think you can discriminate against that. Mr. Baranek said no but I think they want it for succession as Acting Mayor. Mr. Lowdermilk said well even with that, when you start talking that and discriminating. Ms. Walker said no one would ever want to do that, I can assure you.

Ms. Kory said so do we just want to add something regarding the Acting Mayor or what happens if they get called up? So we should add those two questions for research.

Mr. Schofield said can I take us back to 3.02 real quick, from the 2010 Commission, they make the comment in there about at least two years continuous resident, is that a long enough time? So if I move in here and I am here two years, is that a sufficient enough amount of time to qualify me for the Mayor? Mr. Baranek said I think they put that in there because there are different offices, depending on where you are within the government. You don't necessarily have to be a resident but we have to move in so we can designate a time period that they felt a person would be familiar enough with the city to become a Mayor and maybe that was just an arbitrary number they put out there. Ms. Walker asked what is the requirement for Council? It is two years. Ms. Kory said are there any suggestions on extending that time from a 2 year timeframe? We will add that to the list that 3.02 is not clear. Ms. Johnson said they were also reviewing the age.

Should they be 21, 23, 25? Should that be put in there if someone that young would be qualified. Maybe a degree? Ms. Kory said so you want to look at qualifications overall. Age, degree, time in city. Is there no age limit right now? No, there is not on any position. Mr. Baranek said in some of the positions there are certain educational requirements along with residency. Mr. Schofield said is that true of other cities? Mr. Baranek said the Law Director may know if there is a law in the State of Ohio something as to why there is a reason why you don't designate age or whatever. I only know the U.S. President has to be a certain age.

Mr. Long said this seems like an important thing to be brought up and discuss. What puzzles me is has this been hashed out before? I would think that up to this point, that it would have been discussed. I am sure they talked about it when they put it in the original Charter and there are inconsistencies and that is what that they hope that the Charter Commission picks up, or usually if someone comes into testify, they will bring issues up like that. If there are any issues that are in conflict or if you want to put some more designation on a position, that is what they usually have done in the past and it has been whatever comes out of the commission and the people that come and testify. Mr. Schofield said Council has two years of residency too. Ms. Kory said should I add that to things to review, right? Mr. Schofield asked if we are allowed to call in back former people who have been on Charter? Ms. Botts said as you can see, you start with all these lists that you have questions on it and when it gets down to the end, you kind of pick out the issues that you feel are the most important things that need to be looked at. Ms. Johnson asked if we had copies of the minutes from the previous Commission because if they are saying they were going to look at it, we can kind of look at what they discussed and get an idea of where they were going with that and why they did not put that into an amendment into the last charter. Ms. Botts said I believe they did look at the Finance Director and it was the qualifications that they did change. Ms. Kory asked about Hudson's Mayor. Ms. Botts said they have a Mayor and a City Manager. Ms. Kory said they have no qualifications for the Mayor but the City Manager says "shall be chosen solely on the basis of professional qualifications." That is not very detailed either so we can't even refer to that. Ms. Kory said so we are going to add some review on the qualifications, both time as a resident and age qualifications from an education standpoint background, we will look into that.

Ms. Denton said regarding 3.06, part of me thinks that it shouldn't have a time limit. If there is something that is an immediate kind of need. Let's say the Mayor ends up in a coma, you wouldn't want to wait two weeks to appoint someone. Mr. Vyas said that leads me up to the next comment at 3.07, but that was exactly the situation I was thinking about because the first sentence of 3.07 is "In the event of the death, resignation, recall or removal", I was thinking that normally you would have something, the legal incapacity would cover that. I don't know what anyone else's thoughts are, but that way you address all of the situations. Ms. Kory said so under Section 3.02, Acting Mayor, add something about what if the Mayor is sick and then keep that as the vacancy as well. Mr. Vyas said, yes some kind of incapacity, discussion.

Section 3.07 Vacancy – Mayor. So we want to research add something there. What if the Mayor becomes sick/incapacitated? Mr. Long asked Mr. Vyas to interpret that. Mr. Vyas said he had written notes about combining 3.06 and 3.07. Mr. Schofield said he

reads it as the person that they appoint from the City Council who is acting as the Mayor in the vacancy, doesn't lose their position on the Council but while they are acting as the said Mayor, they are going to get some help to support the Council meetings that they had. Ms. Kory said if you are the Mayor and you can't vote or fulfill the role of the Mayor and be a voting Councilman at the same time so while that Councilperson steps up to the Mayor, someone is going to fill in so we don't lose that position. If you were voted in to be the Mayor while you are filling the vacancy, you don't lose your position and someone is just going to help you cover the duties that you have so you can go back to that position once the vacancy is completed. Ms. Denton said she was curious why it wouldn't automatically be the Council President or some definite person if something has to be decided right away. Mr. Vyas said like a concrete order of succession? Ms. Walker said it could be because one Councilperson doesn't enjoy a superior position over another. Ms. Walker said you are representing different wards so if you were to put that in a hierarchy like this person is going to be first versus second, would suggest that some ward for the At Large are possibly more influential and more important than others. I am just guessing myself. Ms. Kory said my only question would be "President of Council or any number of Council designated by a five or more vote" so when does that "or" come into play? Do all the members of the Council say, we don't like the President of Council so we are going to vote for somebody else." Mr. Schofield asked it is still a vote though, right? Ms. Kory said it doesn't say. It says President of Council or any majority vote of Council. Mr. Long said I guess the question is who determines whether it is the Council President or another Council member? There is no definition of how they come to that choice. I think that is pretty important. Ms. Kory said she will add this to the list.

Mr. Vyas said in 3.07, it says a majority vote of all members that are elected or appointed to Council shall be required to fill such vacancy so a Council member can vote for him or herself, I just want to make sure that there is a majority because if there are seven council members. Ms. Kory said if you are acting Mayor, you don't get to vote. If you are the acting Mayor and you are voting on the vacancy. The last sentence of 3.06 says "any member of Council performing the duties of Acting Mayor shall relinquish his or her Council voting." So you could have a situation where you would be acting and then you are taken out and we have a 3/3 split and then there is no one. Ms. Kory said no because we have that person that filled. Section 3.07, the Councilmanic person is stepping in to do those privileges and duties. Ms. Kory said you still have your seven. Mr. Vyas said but it has to be by a majority vote to appoint the acting Councilman. Mr. Vyas said when you assume the duties of Acting Mayor, you immediately relinquish your council vote and then you have to appoint an Acting so it is Council then by a majority vote who elects a replacement and so I am just saying theoretically, could it not be that there is a 3/3 split? Ms. Kory said no. If Sara was the Mayor and this was the Council of seven, Sara goes away and I am the President of Council, I am immediately the Acting Mayor, we are down to six. I call in Mary, she joins the Council, she is the Councilmanic seven, so now she is there so when you vote on the vacancy, Mary is your 7th man. Mr. Schofield said we read this in order of 3.06, is step 1 and 3.07 is step 2. I don't know if it is in that order. If Council votes that I am the Acting Mayor, is it congruent that hey, do you still have your voting power in the sense of naming the successor for your council position. I get it that it says once you become Acting Mayor you relinquish your voting power but I don't know if that is immediate or in principal, that great, once we have the successor in place, now you have been relieved of your duties or no you don't. Ms. Kory

said I feel that 3.06 happens first. Mr. Schofield said once I am in your analogy, if you are voted in by the Council, is there one last vote until the vacancy until you officially become Acting Mayor. Mr. Vyas said I don't mean to be annoyingly fastidious, I am just trying to wrap around how this all works out. Ms. Kory said so the question is whether we will ever be at a 3/3 split for Council, right?

Again for 3.07, we are adding the incapacitated question and then regarding the Council, will they ever be at a 3/3 split and we will have them pull up the 2010 notes on what was changed.

Mr. Schofield said it was a topic in 2010 as well.

4.01 – Legislative Authority – No further questions.

4.02 – Composition and Term – Ms. Kory said I would like to propose reviewing the two year term. I feel that they just don't have time running for office and by the time you finally get in there and you get to know your job and exactly what your duties are, you have one year to make a change and then you have to start running again. I feel two years is too short to do anything. Ms. Denton asked is two years typical for council people. Ms. Kory said you only really had the ability to work 100% one year; you have six months onboard and six months at the end to run for re-election. Mr. Long asked what did the neighborhood communities do? What is their length of terms for council people. Ms. Walker said in Hudson it is four years under Section 3.01, Composition and Terms of their Charter. Ms. Johnson said Kent is two years. Ms. Kory said Hudson has it staggered expirations. This was one of the questions brought up at the last Charter Review. Ms. Kory asked if anyone was interested in adding a staggering term situation? Mr. Long said I think you bring up a very good point, and yes, I think it needs to be looked at it. Part of how I think we should look at it though is at least start with our neighboring communities and see what their pattern is. I think that may be a good starting point. I agree, I think at least it should be staggered so you are not getting everybody at the same time. Ms. Kory said we want to craft up some official questions and then ask our current Councilmen to attend and give us their feelings on both the longer term and the staggered election. Mary Botts will invite Council members to our meetings to testify.

Ms. Kory said also the At-Large Council person is every two years. We will ask about that. Mr. Long said so when it says it was amended on 11/6/90, what was amended. Mary Botts did not know what was changed in 1990.

Ms. Kory said we will throw some research questions together for that as well as invite Council to share their feelings once we get everything together.

4.03 – Qualifications – Ms. Kory said so we had discussed how two years may not be enough to know the City, know what the residents want. Do we want to add that question? Members added to the list, maybe making the two year residency longer.

Mr. Vyas asked what goes on during Council meetings. Mary Botts will send a few sample ordinances to the Charter Members. Mr. Long said it would be a good experience to go to a Council Meeting. It is a good exercise.

4.04 – President, and Vice President, of Council – Ms. Kory said so we run every two years and then every year we switch President and Vice President. Is there a reason they switch? Ms. Kory said so if you are elected President of Council for two consecutive terms, you are ineligible for that office for the next succeeding year. I have a problem with that. I voted for you, I like you, you did a good job, I want you to continue. Not, you did too good of a job and you need to go now. We like you, we voted for you, we chose you but our opinion doesn't count and even though you are the most qualified and best at the job, you have already done it for two years so you got to go. Mr. Vyas said do you prefer that it is unlimited or just a longer term. Mr. Vyas said if it is unlimited, now what happens when you get a President in there that is not good? Ms. Kory said we don't vote for you. Mr. Vyas said because once I am elected, you are saying...Ms. Kory said but your term is only one year long and you continually do a good job, even the rest of Council thinks you are awesome. Ms. Vyas said but you are saying you want to change the terms if it is not. Mr. Long said so you are trying to say that two years, and then every year thereafter you vote again, but you are still eligible if the other council members think you are doing a good job and they like the performance. That does not mean you are not eligible if your fellow council people think you should have another year, you should be allowed to be elected again. Ms. Vyas said it is a vote of eligibility as being unlimited. Ms. Kory said so it is that two consecutive terms ineligible for that office for the next succeeding year, that is what I have a hard time with.

Mr. Vyas said I would like to hear what the various Council Members have to say about that but Robin I think that raises a good point. I want to know what the push back is if council members have a particular viewpoint and why that is effective.

Ms. Kory said let's add Section 4.04, two consecutive terms of one year. That seems too short. I would be okay with the one year if they put continuing on. We want to look at the ineligibility to look at running and Vice President more than two times. Mr. Schofield asked I wonder if that has to do with the two year terms. Ms. Johnson said I was thinking that. I wonder if we recommend that they change it from two year to four year, if that would then have to be changed from a one year to a two year. Ms. Kory said even if you left it at a one year, that is still the same council vote. I am just trying to see why it wouldn't work or what would be a downside for voting in a successful President time and again. Ms. Walker said they don't want somebody to take over and stay there. You want to change leadership periodically so that somebody doesn't become, perhaps, too comfortable and then start taking over and no one else in the group is in a position to challenge that presidency. I know that is the case in some of the other activities that I am involved in and that is the philosophical reason why they post limited on that. They want new blood coming in, they want leadership to turn over, experience from other members of, whatever the body is that we are talking about here in council. So I am just wondering if maybe that was philosophically the reason for those limits. Mr. Vyas said so you are still asking, let's take the ineligibility off the table and just say you are always eligible. Mr. Long said I think if we can get some Council people and kind of obviously bounce this off them to see what their thoughts are because they are working within the

structure. Ms. Walker said I am not sure what the responsibilities and duties of the President are so I don't know what that all encompasses.

Section 4.05 Clerk of Council – No outstanding questions.

Ms. Denton asked if this person was an employee and do they have an office and are here all the time? Mary Botts said yes.

Section 4.06 – Rules and Journal of Council – Mr. Vyas asked do we know if Council has their own rules, regulations and by-laws? I would like to take a look at them. Mary Botts will ask Bonnie Emahiser for a copy.

Section 4.07 – Opening Prayer at Meetings – No outstanding questions.

Section 4.08 – Regular Meetings – Questions arose about why executive sessions are not open to the public. They asked what is exactly covered in Executive Session Meetings? Is it recorded? Why is it secret?

Mr. Long said it says “Executive session held in pursuit of Ohio Law shall not be open to the public.” Are those sessions taped? I, as a citizen, want to know what went on, can I at least hear a tape on that? What makes this an executive session? Mr. Vyas said I was thinking about. I kind of want to look at the code and see what executive sessions are pursuant to Ohio Law. I would like to just know about that a little more. Mr. Long said what I am thinking is if I want to go to the meeting and at least observe, for somebody not to be able to comment, I can understand that, but to sit in and just observe and listen, maybe it has to be more definitive what the matter of the executive session is.

Section 4.09 – Special Meetings – No outstanding questions. Ms. Denton said I interpreted that to mean that you can't short cut that three reading rule by calling a special meeting. Mr. Long said you can't short cut but you can extend it because it can be postponed.

Section 4.10 – Quorum – Ms. Kory said so Council has to have four members at all times. Ms. Walker said the quorum is the operative word here to transact business so you are going to have to have four out of the seven to get any business done. If it turns out that you can get four people to show up at the time, then I think three, a lesser number than the quorum, can adjourn as it says, to compel the attendance of the people that aren't there that are prohibiting business from being done because you need the quorum to be able to get anything actually through. Mr. Long said the way I understand that is you can't have a meeting, there is no sense having one if there are under 4. Ms. Walker said I don't think that is true. I think any business that is on the table for an agenda, for an example, you need a quorum in order to get that done. But if you consistently got people who aren't showing up, and what the manner and penalties are as prescribed by a resolution or an ordinance, I don't know what those are. I am sure they are numerated somewhere in the Stow Ordinances but I think that this only comes into play when you consistently have less than four that are showing up and therefore you can't advance the agenda that is presented to Council.

Ms. Kory said so if you have four, you can vote but if you have three, you can still have a meeting you just can't do any voting. Maybe you can do additional talking about it. Ms. Walker said you can compel the absent members to attend. Now what that means, manner and penalties, I don't have the resolution or the ordinance in front of me to know but I am sure it is one of those two documents. Ms. Kory said I would be interested to know how you can compel them. Mr. Schofield said I think the word "adjourn", doesn't that mean they won't meet? Mr. Long said you need four to make any type of a decision and that gives you the quorum if you have four so if you have less than four; three, two, one, you can't make any type of a decision. You can't transact a business. Mr. Long said so my point is why bother. Ms. Walker said to compel the attendance of absent members. Ms. Kory said but you can still talk though, right? You can talk about the ordinance, maybe you need to learn more information. You can't vote on anything. Ms. Walker said I think what it means is a lesser number can get together to compel the attendance of absent members so you can transact business. Mr. Schofield said the word "adjourn" means to break off, to suspend, to put off or postpone. Ms. Walker said if you don't have a quorum, you can't get anything done. It is just like if you are on a Board of Directors or an HOA, you have to have that quorum present to be able to pass any resolutions or get anything done. Mr. Schofield said so you would suspend the meeting to come back later after you get these members who have not come to the meeting so we can get some business done.

Ms. Kory said my question is, how many meetings are you allowed to miss, especially in a row, and what penalties are imposed. What if you are purposely putting off that third and final reading or keep postponing business? What can Council do? Mr. Schofield said my guess is that it might be in the rules and ordinances of the Council that says how often they can miss or not miss. Ms. Denton said if it is those three readings, can they still hear a reading if they are not all there? Ms. Kory said my guess would be no. Ms. Walker said that would be my guess. You would need the quorum.

So the question is how many meetings can you miss.

Section 4.11 – Legislative Procedure – No outstanding questions.

Ms. Kory said my question there is an affirmative vote of four. If we don't have the full seven, if four is a quorum, so all four have to say yes. So on a full Council day, you need majority but on a smaller quorum day, you need unanimous. Ms. Denton said so if you have enough people for a quorum, what happens to the vote and why is not a majority on a quorum, three out of four, it has to be unanimous so you are potentially putting off that ordinance again based on people not showing up.

Ms. Kory said so the three readings is to give everybody time to research. Ms. Walker said I think also for the public to comment and be present.

Section 4.12 – Public Notice – Ms. Denton wanted to know where the postings go? Mary Botts stated our Clerk of Council posts them. Mary Botts will get a list of where they are posted.

Section 4.13 – Effective Date of Resolutions and Ordinances – No outstanding questions.

Section 4.14 – Emergency Resolutions and Ordinances – No outstanding questions.

Section 4.15 – Compensation and Bonds – Mr. Long said is it typical for Council members and other municipalities on making the decisions of pay scale? You have input and decision making power to determine your pay scale. Ms. Walker said under Hudson's it is under Section 3.10. Council sets their pay. Ms. Kory said one would think that they did proper research on similar cities and what other cities pay. Mr. Long said this is a pretty important decision. It does affect our tax dollars quite a bit. Ms. Walker said Hudson's charter sets the way the compensation for the Council at \$10 per month but then Council itself establishes salaries and compensation for the Mayor and each officer or employee of the municipality so the difference here is that at least the one I am looking at in Hudson, their Charter actually sets the amount of compensation for their council members. Ms. Denton says in Kent, it says the Council shall have the power from time to time to fix salaries or compensation of all officers other than council members and employees and members of Boards and Commission with the City whether or elected or appointed, including the Law Director, Director, Service Director, Safety, Civil Engineer or any Directorships created through additional legislation. It doesn't mention Mayor or City Manager. Ms. Johnson said so in Kent, so Council is not setting their own rate of compensation. Does it say that their Charter sets their rate? Ms. Denton said it does say that Council shall also have the power to fix the salaries and compensation for all its members every two years prior to setting their salaries. A nonpartisan group of citizens shall be appointed by Council to review and make recommendations on the salary of the council members. Salary adjustments shall not take effect until the next term of council members. So they get a little group to decide theirs. They are appointed by Council.

Mr. Long said I think personally I think we should dig into this a little further and see how other municipalities around us determine this and look at this a little closer. Ms. Kory said so we should look into how much City Council members are paid and compare that to other local cities? Mr. Long said is it typical for Council have discussion and determine what their compensation is for their own salary, Mayor, Finance and Law Director? I am curious to know a little more on how that is determined. What information/research is done to determine what is fair for each position?

Ms. Kory said regarding Council authorizing payment or reimbursement of expenses, incurred by officer or employees or member of any board or commission, what type of charges is Council authorized to repay or reimburse? Is there a dollar amount? Are these preauthorized expenses, items in the budget, or unbudgeted expenses? Are they Capital Expenses.

What does the premium of bonds refer to? Are there limits?

Section 4.16 Vacancies – Ms. Kory said regarding the vacancy of Council, should we put that down like we did for the Mayor? That brings up the 3/3 Annal. There is no majority in a six man vote. Ms. Walker said where this is any position where somebody is dealing with either the management of the City's money or a particular departments money, a lot of times the requirement is that you get bonded, that you take out an insurance policy

against wrong malfeasance that may happen and that is a requirement that is pretty common whenever somebody is serving in any type of fiduciary capacity so the bond is basically an insurance policy saying that I am going to go to my insurance company and say will you bond me for twice the amount of the amount of money that the fiduciary is responsible for. I think that is probably the spirit of what the bond is about but I invite everybody to certainly look into it. How long is an office vacant before it's identified as a vacant office? . How does this affect the fix person council with a 3-3 split?

Section 4.17 – Removal of Elective Officers - Ms. Walker said I think these can be construed as “or’s” and not “ands”, so vacancy can be defined by, in my mind, either A, B, C, or F. Ms. Kory said I think the question on 4.16, whenever the office shall become vacant for any reason, how long is it vacant for? How long is it considered before it is vacant? Ms. Johnson said going to the next page it says Council shall be the sole judge of the election and qualifications on its own members. In addition to the grounds for removal provided above, Council may remove any of its members for persistent failure to abide by the rules of Council, or for absence without justifiable excuse for three consecutive meetings.

Section 4.18 – Departments, Boards and Commissions – No outstanding questions.

Charter Review Members were asked to review Chapters 5 through 8 of the Charter for the next meeting. Mary Botts will invite Council Members to the next meeting on March 5th to testify and answer questions.

There were no further comments or concerns. The next Charter Review Commission Meeting will be held Thursday, March 5th at 5:30 p.m. in the Boards and Commissions Room.

Motion to adjourn by Nicole Walker, seconded by John Long. Meeting adjourned 7:40 p.m.

Mary Botts, Secretary

Robin Kory, Chairperson