



City of Hudson, Ohio

Meeting Minutes - Final Charter Review Commission

Andrew R. Duff, Chair
George W. Roth, Secretary
Marcia W. Boote
Robert M. Cain
Ann Coleman
Joseph Mulligan
J. Randall Nye

Wednesday, May 6, 2015

7:00 PM

Town Hall

1. Call to Order

Mr. Duff called to order the meeting of the Charter Review Commission at 7:00 p.m.

2. Roll Call

Present 7 - Ms. Marcia Boote, Mr. Robert Cain, Dr. Ann Coleman, Mr. Andrew Duff, Mr. Joseph Mulligan, Mr. Randall Nye, and Mr. George Roth

Ms. Boote entered the meeting at 7:03 p.m. after the roll call.

City Officials & Staff Present: Mr. Basil, City Council Representative; Ms. Howington, City Manager; and Mr. Hunt, City Solicitor.

3. Approval of the Minutes

A. [15-0061](#) MINUTES OF PREVIOUS CHARTER REVIEW COMMISSION MEETINGS.

Attachments: [April 29, 2015 Meeting Minutes - DRAFT](#)

There being no changes, a motion was made by Mr. Roth, seconded by Mr. Cain, that the minutes be approved as submitted. The motion carried by the following vote:

Aye: 7 - Ms. Boote, Mr. Cain, Dr. Coleman, Mr. Duff, Mr. Mulligan, Mr. Nye and Mr. Roth

4. Public Comments

None.

5. Discussion Items

A. Review of Proposed Amendments from Previous Meetings

Commission members reviewed proposed changes previously discussed regarding the following sections (see document attached to record copy of these minutes):

Section 3.02, Meetings: *No additional changes.*

Section 3.03, President: *No additional changes.*

Section 3.04, Clerk of Council: *No additional changes.*

Section 3.05, Powers (of Council): *Members discussed proposed new language, intended as reciprocal language to rights provided to the Mayor in Section 4.02, "The Council shall have the right to request and receive information in a timely manner on all matters addressed by, or participated in, by the Mayor in the Mayor's official capacity." All members were in favor of the proposed language.*

Section 3.07, Quorum and Procedure: *No additional changes.*

Section 3.09, Ordinances and Resolutions that Take Immediate Effect: *No additional changes.*

Section 3.11, Vacancies: *No additional changes.*

Section 3.12, Administrative Service: *Members agreed on the following amended language, "The Council and its members shall deal solely through the City Manager in respect to any part of the administrative service, or the daily operations thereof, for which the City Manager is responsible. ~~The Council may by ordinance adopt rules and regulations for its members with respect to the provisions of this section.~~"*

Section 5.01, Removal Process: *No additional changes; however, members agreed that a new section regarding a "Suspension Process" (separate from the Removal Process) be proposed, which would provide for the ability of Council to suspend the City Manager with four votes for a specified period of time.*

Section 5.03, Powers and Duties: *No additional changes. On a related matter, Mr. Roth proposed that the appointment of a Director of Public Safety (see Section 8.02) position require approval of a majority of City Council. Discussion followed regarding the fact the City Manager is responsible for the duties of this position currently, and City Council would need to authorize adding a separate position of Director of Public Safety, and at that time would have discretion to require Council approval of such appointment.*

Section 6.04, Contracts and Purchasing: *Mr. Nye questioned if change orders require follow-up bidding. Mr. Hunt said that any expenditure exceeding \$25,000 requires Council approval, and any change order for a total contract cost exceeding that amount also requires Council's approval. Mr. Nye proposed that a local Charter provision be considered, similar to the State Treasurer's "Open Checkbook" program, to provide public transparency of local government expenditures. Ms. Howington said that staff is currently exploring options and affiliated costs of implementation in dollars and staff time. She said that City Council could choose to enact legislation requiring such a local program, and there was consensus among Commission members that a Charter amendment requiring same was not needed.*

Section 8.05, Municipal Parks: Commission members agreed to the following amended language in the first paragraph: 1.) "The Park Board shall, ~~as may be directed by Council, supervise~~ make recommendations as to the following matters:.....;" and 2.) "~~The City Manager shall hire Parks management personnel, with the advice of the Park Board.~~" Commission members agreed to the proposed language in the third paragraph.

Section 9.02, Planning Commission - Powers and Duties: No additional changes.

Section 9.07, Architectural and Historic Board of Review - Powers and Duties: No additional changes.

In addition, the following previously discussed change was agreed to:

Section 9.01, Planning Commission - Composition and Terms: "The Planning Commission shall consist of seven (7) electors of the Municipality, appointed by Council and not holding other public office,"

[15-0070](#)

Proposed Amendments from Previous Meetings

Attachments: [Proposed Charter Revisions \(Part 3\) 5-6-15](#)

Proposed amendments from previous meetings were considered.

6. Additional Amendment Proposals

A. Ethical Standards

Mr. Nye proposed a Charter amendment to establish an Ethics Board to autopsy municipal decisions, through direct or unanimous complaints from stakeholders, and/or to investigate matters on its own. He also expressed concerns relating to a personal matter regarding the disposition of land on which the former Hilltop Motel stood. (See information attached to record copy of these minutes).

Discussion followed, and all remaining Charter Review Commission members were against Mr. Nye's proposal, agreeing that there was no need for an Ethics Board with duplicative responsibilities of those already established for City Council, the City Manager and the Ohio Ethics Commission. Mr. Hunt offered his opinion and provided additional details regarding the subject property transaction. Ms. Howington explained processes in place for handling citizen complaints and reviewed the proceedings for transfer of the subject property. Mr. Basil said that the proposed Ethics Board would require staff time, budgetary needs, subpoena power, and the ability to incur costs to the City, and he noted that no other board has this kind of power.

This matter was discussed, and a consensus of Commission members did not favor Mr. Nye's proposal to recommend an amendment to create an Ethics Board.

7. Discussion Items for Future Meetings

Mr. Duff said that the next meeting is scheduled on Wednesday, June 3, 2015. He asked members to review all proposed amendments for final discussion and recommendation of proposed amendments to City Council. He said that the Commission's recommendation will include whether to submit any of the proposed amendments as separate ballot issues.

8. Adjournment

There being no other business, a motion was made by Mr. Cain, seconded by Ms. Boote, that the meeting be adjourned. Mr. Duff adjourned the meeting at 8:26 p.m. after the motion carried by the following vote:

Aye: 7 - Ms. Boote, Mr. Cain, Dr. Coleman, Mr. Duff, Mr. Mulligan, Mr. Nye and Mr. Roth

Andrew R. Duff, Chair

George W. Roth, Secretary

Minutes prepared by Elizabeth Slagle, Clerk of Council.

Upon approval by the Charter Review Commission, this official written summary of the meeting minutes shall become a permanent record, and the official minutes shall also consist of a permanent audio and video recording.