

**CITY OF DELAWARE  
2016 CHARTER REVIEW COMMISSION  
COUNCIL CHAMBERS  
1 SOUTH SANDUSKY STREET  
MAY 12, 2016  
6:00 P.M.**

**AGENDA**

1. Roll Call
2. Approval of the Motion Summary for the meeting held April 28, 2016, as recorded and transcribed.
3. Review of Submissions from the Public
4. Review drafts of Proposals Requested by the Commission
5. Review of Delaware City Charter, Articles 15-20
6. Review of Article 21 (time permitting)
7. Next Meeting Date: May 19, 2016
8. Adjournment

**NOTE: The report would need to be completed by July 5 as the Commission is charged with reporting to City Council by July 11, 2016.**

**2016 CHARTER REVIEW COMMISSION  
MOTION SUMMARY  
April 28, 2016**

ITEM 1. Roll Call

Chairwoman Santos called the 2016 Charter Review Commission Meeting to order at 6:01 p.m. .

Members Present: Jeremy Byers, Jack Hilborn, Stephanie Steinbeck, Cathy Falter, Charlotte Joseph, Mayor Carolyn Kay Riggle, Vice-Chairman Dan Bennington, and Chairwoman Mary Jane Santos

Members Absent: Megan Cochran

Staff Present: Darren Shulman, City Attorney and David Moser, Assistant City Attorney

**Motion to Excuse:** Mayor Riggle moved to excuse Ms. Cochran, seconded by Ms. Joseph. Motion approved by an 8-0 vote.

ITEM 2. Approval of the Motion Summary for the meeting held April 14, 2016, as recorded and transcribed.

**Motion:** Ms. Steinbeck moved to approve the Motion Summary for the meeting held April 14, 2016, as recorded and transcribed, seconded by Ms. Joseph. Motion approved by a 5-0-1 (Byers, Hilborn, Santos) vote.

ITEM 3. Review of Submissions from the Public

**PUBLIC PARTICIPATION:**

Andrew Brush  
1180 Jaeger Street  
Columbus, Ohio 43026

Mr. Brush discussed the continued growth to the city and the recommendation for additional wards.

Mr. Brush discussed the current pay status for members of Council and the need to compensate representatives appropriately for their various duties that are required with the position. Chairwoman Santos recommended input from the Finance Director on feasibility. Mr. Hilborn requested information on the pay rate of comparable charter cities.

ITEM 4. Review drafts of Commission requested changes to Articles 3 and 4

Sec. 15. COMPENSATION

Mr. Shulman reviewed the changes. A discussion was held on if Council is able to vote for a raise effective during their term. Vice-Chairman Bennington recommended that the wording "occurring after the elections held for both the at-large and ward seats" be removed. The Commission recommends approval with the recommended change.

Sec. 16. MEETINGS

The Commission recommends approval as submitted.

Sec. 17. RULES OF ORDER AND JOURNAL OF PROCEEDINGS

The Commission recommends approval as submitted.

Sec. 21. MUNICIPAL CODE AND SUPPLEMENTS

The Commission recommends approval as submitted.

Sec. 26. PUBLICATION

The Commission recommends approval as submitted.

ITEM 5. Review of Delaware City Charter, Articles 7-15

ARTICLE VII. MAYOR AND VICE MAYOR

Sec. 42. SELECTION; TERM

A discussion was held on potential changes to reflect that the Mayor will be chosen by the highest vote and the Vice-Mayor to be elected by any of the remaining six members of council. The Commission recommends proceeding with no changes.

Sec. 43. POWERS AND DUTIES OF MAYOR

The Commission recommends proceeding with no changes.

Sec. 44. ABSENCE OR DISABILITY OF MAYOR; SUCCESSION IN CASE OF VACANCY; PRESIDENT PRO TEM

The Commission recommends proceeding with no changes.

Sec. 45. SALARY OF MAYOR

The Commission recommends proceeding with changes to reflect that the Mayor's salary will be more than Council Members.

ARTICLE VIII. GENERAL EXECUTIVE AND ADMINISTRATIVE OFFICERS

Sec. 46. CITY MANAGER; QUALIFICATIONS, ABSENCE OR DISABILITY

The Commission recommends proceeding with changes.

Sec. 47. TERM, SUSPENSION AND REMOVAL OF CITY MANAGER

The Commission recommends proceeding with changes and to remove wording "If Council removes the City Manager it shall immediately enter upon its journal a statement of its reasons for such removal".

Sec. 48. DUTIES GENERAL OF CITY MANAGER

The Commission recommends proceeding with no changes.

Sec. 49. RIGHT OF CITY MANAGER AND OTHER OFFICERS TO TAKE PART IN COUNCIL MEETINGS

The Commission recommends proceeding with no changes.

Sec. 50. APPOINTMENT, SUSPENSION AND REMOVAL OF SUBORDINATES OF CITY MANAGER

The Commission recommends proceeding with changes.

Sec. 74. MANNER OF AWARDED CONTRACTS; EXECUTION

The Commission recommends proceeding with changes recommended by Mr. Shulman.

Mr. Byers and Ms. Steinbeck exited the meeting at 7:31 p.m.

Sec. 51. DUAL CAPACITY OF DEPARTMENT HEADS AND CITY MANAGER; EXCEPTION.

The Commission recommends proceeding with no changes.

Sec. 52. COUNCIL NOT TO INTERFERE WITH THE ADMINISTRATIVE SERVICE

The Commission recommends proceeding with no changes.

Sec. 53. AUTHORITY OF COUNCIL OVER DEPARTMENTS AND OFFICES; AUTHORITY OF CITY MANAGER TO PRESCRIBE POWERS

The Commission recommends proceeding with no changes.

Sec. 54. AUTHORITY OF CITY MANAGER TO REQUIRE REPORTS

The Commission recommends proceeding with no changes.

ARTICLE IX. CITY ATTORNEY AND CITY PROSECUTOR

Sec. 55. APPOINTMENT; ASSISTANTS; QUALIFICATIONS; DUTIES GENERALLY.

The Commission recommends proceeding with no changes.

Sec. 56. DUTY TO PREVENT MISAPPLICATION OF FUNDS.

The Commission recommends proceeding with no changes.

Sec. 57. ENFORCEMENT OF CONTRACTS; PREVENTION OF ILLEGAL PAYMENT OF FUNDS.

The Commission recommends proceeding with no changes.

Sec. 58. DUTY TO COMPEL PERFORMANCE OF DUTIES.

The Commission recommends proceeding with no changes.

Sec. 59. TAXPAYER'S SUIT FOR ENFORCEMENT.

The Commission recommends proceeding with no changes.

Sec. 60. ORDER OF COURT; ALLOWANCES.

The Commission recommends proceeding with no changes.

#### ARTICLE X. DEPARTMENT OF PUBLIC SAFETY

Sec. 61. ESTABLISHMENT: APPOINTMENT OF DIRECTORS; COMPOSITION.

The Commission recommends proceeding with no changes.

Sec. 62. POLICE FORCE.

The Commission recommends proceeding with no changes.

Sec. 63. POLICE POWERS OF CITY OFFICERS AND EMPLOYEES.

The Commission recommends proceeding with no changes.

Sec. 64. PRIVATE POLICE AND DETECTIVES.

The Commission recommends proceeding with no changes.

Sec. 65. FIRE FORCE.

The Commission recommends proceeding with no changes.

ITEM 6. Next Meeting Date: May 12, 2016

ITEM 7. Adjournment

**Motion:** Mr. Hilborn moved for the 2016 Charter Review Commission meeting to adjourn, seconded by Ms. Falter. The meeting adjourned at 7:50 p.m.

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Mary Jane Santos, Chairwoman

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Elaine McCloskey, Clerk