

## PUBLIC AFFAIRS COMMITTEE MINUTES

FEBRUARY 24, 2014

The meeting was called to order by Mrs. Groat at 6:00 p.m.

MEMBERS PRESENT: Deborah Groat, Henk Berbee, Nevin Taylor

OTHERS PRESENT: Tim Aslaner

REORGANIZATION: Mrs. Groat was nominated as Chairwoman; affirmative voice vote was unanimous.

APPROVAL OF MINUTES: The minutes for the September 23, 2013 meeting were approved as presented.

### AGENDA:

- Council Rules of Procedure

Mr. Berbee suggested a change to Rule 2. H. Ordinances, 2.

\*\* There may be exceptions where a citizen's comments may be heard at 3<sup>rd</sup> Reading. Citizens **and Council Members** wishing to speak at 3<sup>rd</sup> Reading are required to contact the Clerk in advance of the meeting, and may only be heard with the consent of the presiding officer.\*\*

Mr. Berbee suggested a change to Rule 8 by adding "advance notice will be given via email notification." Mr. Taylor said advance notification will be sent by the Clerk to Council members' IPAD's. Mr. Aslaner said there may be situations where the Clerk may not be aware of consent legislation. Mrs. Groat suggested putting the burden on the Clerk or the presenter of the legislation.

Proposed language change: Clerk **or a sponsor of the consent legislation** shall give advance notice to Council Members of the consent legislation prior to the meeting at which it will be presented.

Rule 8 shall read as follows: The Clerk of Council will prepare and make available to each Council member, the agenda at least three days prior to each regular meeting. Persons desiring to introduce legislation will deliver the original of such legislation to the Clerk of Council by 4:30 p.m. seven days preceding the regular meeting. Proposed legislation submitted later than 4:30 p.m. seven days prior will be placed on the agenda

for the next subsequent regular Council meeting, unless the legislation is of an emergency nature, in which case, if Council shall consent, which requires a three-fourths vote of all Council members present, it shall be presented at the meeting for which the filing deadline was not met. Clerk **or a sponsor of the consent legislation** shall give advance notice to Council Members of the consent legislation prior to the meeting at which it will be presented.

Mr. Berbee noted a typo in the Charter, Section 3.04 Meetings, Officers and Organization of Council.

Council may adopt its own rules, regulations, by-laws, order of business, and meeting dates, and it shall keep a record of all its proceedings which shall be open for public inspection. It may elect or appoint a clerk and such other officers or employees as is provided by law. It may establish regular and special meeting dates it determines appropriate, but it shall have **a at** least two regularly scheduled meetings each month. Except where contrary to this Charter, provisions of Ohio law for non-Charter cities shall govern the meetings, organizations and officers of council (Amended November 5, 2013, Effective January 1, 2016)

Mr. Berbee asked about adding language for scheduling a meeting if one of the regularly scheduled meetings cannot be held. He recalled a meeting this past year where there was not a quorum and there was no meeting. A notice was put in the paper cancelling the meeting due to lack of quorum. Mr. Aslaner said a second regularly scheduled meeting should have been scheduled or if there is not a quorum, you go ahead and hold the meeting, call the meeting to order and announce there is no quorum to discuss city business. It was noted that language cannot be added to the Charter without putting it on the ballot for a vote of the citizens.

Mr. Berbee noted Section 11.03 of the Charter and asked why it was not removed. Mr. Aslaner said some of the information in the Charter is moot, but it would have been a separate issue on the ballot in order to remove that section. Since there was a major change to the Charter, Form of Government, the Charter Review Board did not want to put amendments that were really moot and really not applicable on the ballot.

Mr. Taylor said amendments will be proposed in late 2014 or early 2015 to the Charter that becomes effective in 2016. The Charter does not lay out the power train. An Ad Hoc Committee will be formed at some point to review the Charter and propose changes that layout detailed guidelines for the new form of government.

Back to Council Rules of Procedure, a suggestion was brought forward by a Council Member that we endorse and place in front of Council as a whole that the Invocation be read before the Pledge of Allegiance in the order of agenda item in every City Council

meeting on the basis that “God and Country” would be better served if such order were observed.

Mrs. Groat said, “If this committee endorses this suggestion and places it before Council, the decision will include my descending vote. I will offer these ideas to Council as a whole.

1) God and country is not my personal order of consideration. As a Christian, my hierarchy of allegiance is God’s family and then the authority of government. As a City Council rep, my obligation in my elected position is to consider city responsibilities as my primary focus. My Christianity is part of who I am rather than a function I serve or a chanting in which I participate to answer a political agenda. My allegiance to my country governs my allegiance to my city and is the primary focus of our shared representation. Allegiance to God will always come first with me, but it is part of who I am rather than part of what I do to impress the city residents.

2) As I said when this body first voted to consider an invocation as part of our meeting agendas, the invocation which we had used is a formality rather than sincere prayer. Prayer consists of adoration, confession, thanksgiving and supplication. To take only the supplication component invocation and omit the adoration, confession and thanksgiving is heresy. I certainly do not want to start every City Council meeting with heresy, even as I voted against the invocation in the first place.

3) Do we have so little to accomplish in this committee that the order in which we pledge allegiance and offer a pretend prayer is really worth our time. Again, as in the beginning, consideration of offering an invocation at all, I see this issue as political posturing by one person rather than a concern of a representation of our constituents.

4) In short, the only appropriate changing of the order of our agenda is completely (inaudible) of a pretend prayer. Gentlemen, we have three choices and it’s on you because you heard my opinion, and I will gladly and joyously support whatever you two choose to do from here on out.”

Choice #1. We can endorse and present to Council as a rules change what the recommendation is to place the invocation above the Pledge of Allegiance.

Choice #2. We can choose not to endorse this recommended rules change, but present it to Council as controversial issue. The whole Council would then enjoy the responsibility of considering the whole thing.

Choice #3. We could also not endorse it at all and not choose to present it to Council, and thereby we have done our due diligence, but choose not to take it to Council.

Mr. Taylor moved to maintain the current agenda so that we can keep procedures and practices in the same order.

Mr. Berbee said he is very comfortable with Mrs. Groat's described personal feelings about this issue and is very comfortable with things that we do say for one and the order in which we do say it. He is in support of Mr. Taylor's motion.

Mr. Aslaner mentioned that if this Committee chooses not to bring the issue before Council as a whole, the Council member who proposed the change is welcome to bring it before Council.

Affirmative voice vote unanimous. This issue will not be brought to Council as a whole by this Committee.

- o Review Meeting Notice Requirements

Mr. Aslaner handed out the Ohio Revised Code Section 121.22 regarding Public Meetings. The code says we need to have a rule in place. There are two types of meetings, regularly scheduled meetings, special meetings/emergency meetings. We are supposed to have a rule in place whereby any person can determine when the time and place of all regularly scheduled meetings occur. For special meetings, we need to have a rule in place that states the time, place and purpose of the meeting.

Some things in our current ordinances are outdated.

Proposed changes are below:

CHAPTER 105  
Public Meetings

105.01 PURPOSE AND SCOPE. – **No changes.**

105.02 DEFINITIONS. – **No changes**

105.03 NOTICE OF REGULAR **AND ORGANIZATIONAL** MEETINGS.

Delete entire sections (a), (b), and (c) and replace with following language:

**The Clerk shall post a notice of all regularly scheduled meetings, committee meetings or meetings of newly formed bodies stating the time and place of the meeting at least three days prior to the scheduled meeting. The notice shall be posted on the television monitors, which are located in an area visible to the public during the usual business hours in City Hall.**

105.04 NOTICE OF SPECIAL MEETINGS.

- (a) Except in the case of a special meeting referred to in Section 105.05(d), the Clerk shall, no later than twenty-four hours before the time of a special meeting of a municipal body, post in **accordance with Section 105.03**, a statement of the time, place and purpose of such special meeting.
- (b) **No changes.**

105.05 NOTICE TO NEWS MEDIA OF SPECIAL MEETINGS. **No changes.**

105.06 NOTIFICATION UPON REQUEST OF INDIVIDUALS.

- (a) Any person, upon written request and as provided herein, may obtain reasonable advance notification of all meetings of any municipal body.

Such person may file a written request with the Clerk specifying the person's name, and the address and telephone number at or through which the person can be reached during and outside of business hours; the municipal body that is the subject of such request; and the number of calendar months, not to exceed twelve, which the request covers. Such request may be canceled by request from such person to the Clerk.

**If the person requests notification by mail**, each such written request shall be accompanied by stamped self-addressed envelopes sufficient in number to cover the number of regular meetings during the time period covered by the request and an estimated number of three special meetings. The clerk shall notify in writing the requesting person when the supply of envelopes is running out, and if the person desires notification after such supply has run out such person shall deliver to the Clerk an additional reasonable number of stamped self addressed envelopes as a condition to receiving further notifications.

- (b) **No changes.**

105.07 GENERAL. – **No changes.**

Mr. Aslaner noted that the meeting notices will also be sent to the media and posted on the website.

Mr. Taylor moved to approve the proposed language per above; affirmative voice vote was unanimous.

Mr. Aslaner will write an ordinance for these changes. The Committee agreed to sponsor all changes discussed this evening.

The Committee agreed to continue to meet on the fourth Monday of the month at 6:00 p.m.

Mrs. Groat said we need to start reconsidering signage. Mr. Hutchinson has some proposed changes. This will be on the March 24<sup>th</sup> meeting agenda.

The May Public Affairs Committee meeting will be held on May 19<sup>th</sup>, due to Memorial Day falling on May 26<sup>th</sup>.

The meeting adjourned at 6:45 p.m.