

Charter Amendments – November 2, 2021, Election Day

Frequently Asked Questions (FAQ) Page

Introduction: On Tuesday, November 2, the citizens of Marysville have an opportunity to vote regarding four (4) amendments to the City Charter. This FAQ page is designed to help answer questions you may have about the amendments and the process.

- 1. What is a Charter?** Under the Ohio Constitution (*Section 7, Article XVIII*), municipalities (*or cities*) can establish their city (*or local*) government under a document known as a Charter. If a city does not have a Charter, they are structured instead by Ohio Law (*also called a Statutory Government*). A chartered city is often said to be under "home rule." The Charter is very basic and general in what it covers. The Charter outlines the form of government, the basic structure of the government; it covers matters of local concern and assigns general responsibilities.
- 2. Why have a Charter and not go by the Ohio Law?** The Charter, or home rule, allows cities to define and refine how local government will work. It gives communities the opportunity and flexibility to self-govern for the people, and by the people, for matters of local concern. It can benefit the community.
- 3. Why is the Charter being amended (or potentially changed)?** Like any document outlining how an organization operates, it may require changes over time to improve services, become more efficient, or adapt as other laws change. It must adapt to the changing times.
- 4. Why are we making changes at this time?** The Charter itself has a self-examination process (section 12.05.01 in the Charter) in which every four (4) years, a Charter Review Board (CRB) is formed to review the Charter and to make sure it is written in the best possible way as to allow for the most effective and efficient local government.
- 5. Who is on the CRB and who determines the members serving on that CRB?** The CRB consists of nine (9) citizens of Marysville. A member of City Council appoints each. City Council includes a member from each of Marysville's four (4) wards or subdivisions, and three (3) Council members are at-large. Each ward is represented on the CRB. The CRB is traditionally made up of knowledgeable, concerned citizens who wish to serve and help make the community better.
- 6. Are members of CRB paid or do they receive anything for their time?** Not in years past, but this year, City Council provided an option to compensate members with a modest amount for each meeting. An amount similar to what other citizens received for serving on other city boards and commissions. Again, these are knowledgeable, concerned citizens who want to serve and help make the community better.
- 7. What exactly does the CRB do, and how do they come up with their recommended changes?** The CRB meets as often as needed. These are public meetings. They are provided the current City of Marysville Charter. Many CRB members have served on the CRB in years past. They may obtain legal advice from the City Attorney (an elected official). They have input from the City

Administration as the City Manager and Human Resources Director attend each meeting. The CRB may ask questions, do research, and consult other citizens or members of Council—as each CRB member sees fit. They decide, by vote, on a final number of changes (amendments) that go before City Council. City Council must ratify these amendments officially. The amendments go to the Board of Election to be placed on the ballot.

8. **How many amendments are on the November 2 ballot?** There are four (4). Citizens registered to vote can vote yes or no on each of the 4.
9. **What is the first amendment?** The first amendment is to **Article 5 – Mayor, Sections 5.01, 5.02, 5.03 and 5.04**. The change will more accurately represent the President and Vice President of Council's roles by replacing the title "Mayor" with "President of Council", except as it relates to the mayoral role in performing rare ceremonial duties and functions sanctioned by Ohio and Federal law. *(Below is the actual ballot language)*

A majority affirmative vote is necessary for passage.

To amend Article 5 - Mayor, Sections 5.01, 5.02, 5.03 and 5.04 in order to more accurately represent the roles of the President and Vice President of Council, by replacing the title "Mayor" with "President of Council", except as it relates to the Mayoral role in performing ceremonial duties and functions sanctioned by Ohio and federal law.

Shall the proposed Charter amendment, as recommended by the Charter Review Board of the City of Marysville be adopted?

YES
NO

10. **Why is the Charter currently inaccurate regarding the use of the title "Mayor"?** Two CRB processes ago (in 2013), the citizens voted yes to changing our 'City's form of government. The government went from "Mayor-Director-Council," to "Council-Manager." This change deleted the traditional "Mayor" who is elected by the people and served as the person in charge of the day-to-day operations of the City. However, that same CRB process left the term "Mayor" in the Charter to be used in conjunction with the term "President of Council." One councilperson has both these titles. This has confused citizens. This amendment, again, more accurately represents the actual roles of the President of Council. It "cleans up" language left from our former structure of government.
11. **Why even have a council member be sometimes referred to as "Mayor"?** There are some State of Ohio and federal laws and provisions that give powers to a "Mayor." The Charter accurately defines this as the ability to "Exercise military powers and functions granted to mayors of municipal corporations by the laws of the State of Ohio or the laws of the United States." Having a Council President be co-titled as the Mayor provides the President access to these rarely needed abilities/powers.
12. **What is the second amendment?** The second amendment will retitle Article VI from "Department of Administration" to "City Manager" and amend **Sections 6.01 and 9.01** by replacing the title "Director of Administration" with "City Manager." When we changed our form

of government several years ago, we changed the title "Director of Administration" to "City Manager." This is the typical title used in Ohio for our Council-Manager form of government. There is no existing "Department of Administration" making the current title inaccurate. This change conforms the Charter to the City's "Council-Manager" form of government. It "cleans up" language left from our former structure of government. *(Below is the actual ballot language)*

A majority affirmative vote is necessary for passage.

To retitle Article VI to "City Manager" and to amend Section 6.01 and 9.01 by replacing the title "Director of Administration" with "City Manager" so that the provisions more accurately conform to the City's "Council-Manager" form of government.

Shall the proposed Charter amendment, as recommended by the Charter Review Board of the City of Marysville be adopted?

YES
NO

- 13. What is the third amendment?** The third amendment *involves Section 9.01*. The current language gives the single authority to Council, to create various city departments and divisions. Again, several years ago, the CRB process changed our City's form of government from Council-Mayor-Manager to Council-Manager. In our current form of government, the City Manager is the day-to-day CEO of our City. Therefore, the City Manager is in the best possible position to structure the departments and divisions for maximum government efficiency. This amendment also clarifies that all new positions (employees) and all funding for all personnel, must still be approved by City Council under the Charter. There would continue to be significant oversight by City Council and adequate checks and balances. *(Below is the actual ballot language)*

A majority affirmative vote is necessary for passage

To amend Section 9.01 to change the responsibility to create departments and divisions from City Council to the City Manager, and to more clearly define that the responsibility to set the number of permanent employees and the salaries of employees rests solely with City Council by ordinance.

Shall the proposed Charter amendment, as recommended by the Charter Review Board of the City of Marysville be adopted?

YES
NO

- 14. Does changing the ability to create city departments and divisions give too much power to the City Manager?** Most cities in Ohio with the Council-Manager form of government provide the ability to create departments and divisions to the City Manager. This is a "best practice." Additionally, the City Manager reports to and works at the pleasure of, City Council. If the City Manager misuses any of his/her powers and/or abilities, he/she is subject to removal by Council. There is extreme oversight.
- 15. Does the City often create a new department or division?** No. It was last done over 15 years ago when the City created the Information Technology (IT) Department. It is rarely done.

16. What is the fourth amendment? The fourth amendment involves **Section 9.01** and will more efficiently detail the contents of the required City directory. The amendment changes the name from directory to "a listing." The listing would now include all employee classifications and their salaries or pay range, which is important data that should be readily available. The amendment would eliminate unneeded/inefficient sections. It removes the listing of all employee duties and all employee home addresses. *(Below is the actual ballot language)*

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| <p>A majority affirmative vote is necessary for passage.</p> <p>To amend Section 9.01 to more efficiently detail the contents of the required City directory, now referred to as a listing, by including all employee classifications and their salaries or pay range; and eliminating duties, addresses, and the arbitrary term "etc." (etcetera).</p> <p>Shall the proposed Charter amendment, as recommended by the Charter Review Board of the City of Marysville be adopted?</p> <p>YES NO</p> |
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17. Why do we want to delete the listing of all employee duties? The City of Marysville has over 200 employees. Listing all the employees' duties would make the directory (or listing) hundreds of pages long. The list of responsibilities is already contained in each position's job descriptions; listing the tasks again in a directory (or listing) is redundant and inefficient.

18. Why do we want to eliminate the listing of all employees' home addresses? This will also create a lengthy document. Additionally, listing the home addresses of police officers violates the Ohio Sunshine law; their addresses are an explicit exemption from public records under that law. Finally, we do not see a need for listing employee home addresses. We'd prefer not to list all our employees' home addresses out of respect for their privacy.

19. Who do I contact for more details? You can call the City Law Director at (937) 645-7370 or the Human Resources Director at (937) 645-7366.