



CHARTER REVIEW COMMISSION MINUTES
Meeting Date: March 9, 2016
Council Chambers

A. CALL TO ORDER

Made by Justin Markey, Solicitor and Clerk of the Commission at 6:01 p.m.

B. ROLL CALL

Present: Ron Clawson, Mary Ann Driscoll, James (Jack) Gainer, Thomas Marino, Andrew Mullins, Connie Nutter, Richard Orendas

C. ELECTION OF OFFICERS

Nomination for Chairperson - Nomination of Andrew Mullins by Thomas Marino.

YAYS: Ron Clawson, Mary Ann Driscoll, Jack Gainer, Thomas Marino, Andrew Mullins, Connie Nutter, Richard Orendas

NAYS: None

Nomination for Vice Chairperson - Nomination of Thomas Marino by Andrew Mullins.

YAYS: Ron Clawson, Mary Ann Driscoll, Jack Gainer, Thomas Marino, Andrew Mullins, Connie Nutter, Richard Orendas

NAYS: None

D. ADOPTION OF COMMISSION RULES - Motion by Ron Clawson, second by Jack Gainer

YAYS: Ron Clawson, Mary Ann Driscoll, Jack Gainer, Thomas Marino, Andrew Mullins, Connie Nutter, Richard Orendas

NAYS: None

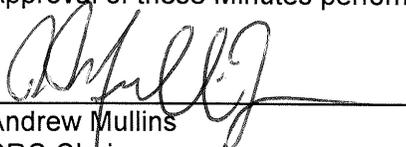
E. DISCUSSION

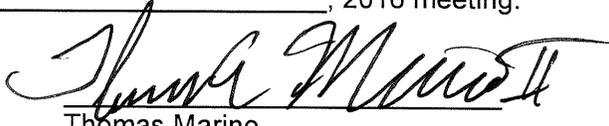
Mr. Markey explained the Commission, its role and its expectations moving forward. Mr. Markey explained that a written report will be produced along with recommendations for proposed charter amendments. Mr. Markey explained that the general election for 2016 will occur on November 8, 2016. The Ohio Constitution allows charter amendments to be placed on the ballot no earlier than 120 days prior to the election (July 11, 2016) and no later than 60 days (September 9, 2016). The goal of the Commission should be to produce recommendations by the end of June in order to allow Council to timely place the Charter amendments on the ballot for the November election. This will avoid unnecessary costs.

F. ADJOURN

Andrew Mullins adjourned the meeting at 6:30 p.m.

Approval of these Minutes performed at the _____, 2016 meeting.


Andrew Mullins
CRC Chair


Thomas Marino
CRC Vice Chair

**RULES AND REGULATIONS
CHARTER REVIEW COMMISSION OF THE CITY OF NORTON, OHIO**

ARTICLE 1: STAFF SUPPORT

Rule 1A: Designation of Clerk

The Solicitor of the City shall act as the Clerk of the Charter Review Commission.

Rule 1B: Duties of the Clerk

The duties of the Clerk of the Charter Review Commission shall be as follows:

- A. Attend all meetings of the Charter Review Commission, determine quorums, keep minutes of all meetings and record the votes of each member;
- B. Assist the Chairperson in the preparation of the Agenda for Commission Meetings;
- C. Provide required notices of meetings;
- D. Serve as the Public Records Manager for the Commission until the Commission completes its work;
- E. Transmit the final report of the Charter Review Commission to the City Council;
- F. Perform any other duties that are prescribed in these rules or that the Chairperson or the Commission determines are necessary for the performance of the Commission's duties.

Rule 1C: Additional Staff Services

The Mayor shall provide the Charter Review Commission sufficient additional staff services needed to effectively perform its duties, including, but not limited to working space, office supplies, and information technology support. In the absence of the Clerk, the Mayor shall designate a Clerk Pro-Tem to perform the duties of the Clerk.

ARTICLE 2: ORGANIZATION; OFFICERS

Rule 2A: Vacancy

If a resignation or vacancy occurs within the Commission, a new appointment shall be made and confirmed as soon as is practical, using the appointment process provided for in the Charter of the City.

Rule 2B: Officers of the Commission; Terms

The officers of the Charter Review Commission shall consist of the Chairperson and Vice Chairperson, who shall serve terms equal to the duration of the current Charter Review Commission.

Rule 2C: Organizational Meeting

No later than April 1st of each year in which a Charter Review Commission is appointed, the Clerk shall call an Organizational Meeting of the Charter Review Commission, at which time the Commission shall elect one of its members as Chairperson and one other member as Vice Chairperson. The Commission may, by parliamentary motion, add additional items to the agenda for the Organizational Meeting.

Rule 2D: Clerk’s Role at Organizational Meeting

The Clerk shall preside over the Organizational Meeting until the Chairperson is chosen, after which the Chairperson shall preside over the remainder of the Organizational Meeting.

Rule 2E: Election of Officers

The Chairperson and Vice Chairperson shall be elected at the Organizational Meeting. The election for Chairperson shall take place first, followed by the election for Vice Chairperson. A minimum of four (4) votes shall be required for election to either position.

Rule 2F: Duties of the Chairperson of the Charter Review Commission

The Chairperson shall preside at all meetings of the Commission, appoint the officers, set the agenda for meetings of the Commission, implement the public participation process, and perform all other duties, consistent with the City of Norton Charter and these rules, that are necessary to lead the Commission in completing its duties.

Rule 2G: Duties of the Vice Chairperson of the Charter Review Commission

The Vice Chairperson shall preside in the absence or disability of the Chairperson at all meetings of the Charter Review Commission, shall perform all the duties of the Chairperson during such absence or disability, and shall perform all other duties, consistent with the City of Norton Charter and these rules, that are necessary to assist the Chairperson in the performance of his/her duties. The Vice Chairperson shall make best efforts to attend all meetings of the Commission in order to be available to perform his/her duties.

Rule 2H: Officer Vacancy

If a vacancy occurs in the office of Chairperson, the Vice Chairperson shall become Chairperson. If a vacancy occurs in the office of Vice Chairperson, either by succession to

Chairperson or for any other reason, the Chairperson shall conduct an election for Vice Chairperson at the next meeting of the Commission, using the procedure set forth in Rule 2E.

Rule 2I: Absence or Disability of Chairperson and Vice Chairperson

In the absence or disability of both the Chairperson and the Vice Chairperson, the Clerk shall conduct an election for Chairperson Pro-Tem, using the procedure set forth in Rule 3D, except that a majority of those voting shall be sufficient for election.

Rule 2J: Commission Officers Entitled to Vote

The Chairperson and the Vice Chairperson shall be entitled to vote on all matters.

ARTICLE 3: QUORUM

Rule 3A: Quorum Defined

A quorum of the Charter Review Commission shall consist of four (4) members.

Rule 3B: Clerk to Determine Quorum

The Clerk shall determine the presence of a quorum by roll call at the beginning of each meeting of the Commission, shall announce when a quorum is present, and shall keep a record of members present.

Rule 3C: Absence of Quorum

Whenever a quorum is not present, the Commission may not conduct any business until a quorum is restored, except to adjourn, to adjourn to a future date and time, or take any other action permitted in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

ARTICLE 4: MEETINGS

Rule 4A: Commission to Meet at Least Monthly

The Commission shall meet at least once every calendar month until its final report is presented to City Council.

Rule 4B: Regular Meetings

Prior to the conclusion of the Organizational Meeting, the Chairperson, with the assistance of the Commission, shall determine and announce the date, place, and time of Regular Meetings of the Commission to be held during the following month, providing at least three (3) days' notice before the first meeting. As soon as is practical after each announcement is made, the Clerk shall post the same information regarding the meeting on the City's webpage and

disseminate it to the local news media. The agenda for each meeting shall be included in the original posting, if available, but may be posted and disseminated later, provided that at least twenty-four (24) hours' notice is given.

Rule 4C: Change in Time or Place of Regular Meeting

If compelling circumstances require such action, the Chairperson may change the date, time, and/or place of any Regular Meeting, provided that at least three (3) days' notice is given, using the same notification processes provided for in Rule 4B.

Rule 4D: Special Meeting

The Chairperson or any four (4) members of the Commission may call a Special Meeting of the Commission, provided that the date, place, time, and agenda of the meeting are posted and disseminated as provided for in Rule 4B with at least three (3) days' notice. Only items on the agenda may be discussed at a Special Meeting.

Rule 4E: Notice Required for Meeting to be Continued at a Later Time

The Commission may adjourn any meeting of the Commission to a designated day, time, and place. Notice of the day, time, and place at which the meeting is to be continued shall be given to all members and posted and disseminated as provided for in Rule 4B with at least three (3) days' notice, unless the meeting is to be continued at a time sooner than three (3) days, in which case notice shall be given as soon as is practical after the announcement.

Rule 4F: Agenda for Commission Meetings

The Chairperson, with the assistance of the Clerk, shall set the agenda for all meetings of the Commission; provided, the Commission shall provide for a public comment period during all meetings of the Commission. The Commission may limit public comment by any one individual to five (5) minutes but the answering of questions directed to the speaker by Commission members shall not be considered part of the five (5) minute limit.

ARTICLE 5: ORDER OF BUSINESS

Rule 5A: Order of Business

The Commission shall use the following as the regular order of business for Commission meetings:

- A. Call to Order
- B. Roll Call
- C. Public Comment

- D. Approval of Minutes
- E. Introduction of Proposed Charter Amendments
- F. Old Business
- G. New Business
- H. Announcements & Miscellaneous Business
- I. Adjourn

ARTICLE 6: COMMISSION WORK PRODUCT

Rule 6A: Final Report; Deadline for Submission

The final report of the Commission shall include all proposed amendments to the City of Norton Charter, a discussion of the rationale for the proposed amendments, and a summary of the Commission's activities, and may include procedural recommendations relating to matters such as the timing of submission of proposed amendments. The final report shall be submitted to City Council as a single document no later than the first day of July following appointment of the Commission.

Rule 6B: Form of Submission of Proposed Charter Amendments

Proposed amendments to the City Charter shall relate only to one subject, but may affect more than one section of the Charter. All proposed amendments shall be submitted in the following form:

- A. General subject of the amendment
- B. Section(s) of the City Charter affected
- C. Current language of sections affected
- D. Intended effect and rationale of amendment
- E. Exact language of the amendment, showing what language, if any, is to be deleted and what language, if any, is to be added.

Rule 6C: Vote Required for Approval of Charter Amendments

A proposed amendment must be voted upon separately and receive the affirmative vote of at least four (4) members of the Commission to be included in the main body of the final report.

Rule 6D: Minority Reports

The final report shall provide an appendix of minority reports, presenting proposed Charter amendments supported by less than a majority of the Commission. A proposed Charter amendment not approved to be included in the main body of the report shall be included in the appendix for minority reports if any two or more members sign a statement supporting the amendment and requesting its inclusion as a minority report. The supporters of a minority report may include a brief discussion of the rationale for the proposed amendment. The discussion may be edited for accuracy by the full Commission.

ARTICLE 7: PARLIAMENTARY PROCEDURE

Rule 7A: Parliamentary Procedure Manual

The parliamentary guide for procedural issues of the Commission not covered in these rules shall be Robert's Rules of Order, Newly Revised.

Rule 7B: Chairperson to Direct Meetings

All discussion in the Commission shall go through the Chairperson of the Commission. The Chairperson shall control the order of speakers and shall put motions offered by members before the Commission for consideration and action.

Rule 7C: Parliamentary Motions

Parliamentary motions shall be used as provided in Robert's Rules of Order.

Rule 7D: Vote Required for Approval

A motion to approve the Commission's final report or a proposed amendment to the City Charter shall require a minimum of four (4) votes in the full Commission. All other motions shall require a majority of those present and voting, provided that a quorum is present, unless otherwise specified in these rules.

Rule 7E: Voting Procedure

A motion to approve the Commission's final report or a proposed amendment to the City Charter shall be done by roll call vote. Voting on all other matters may be done by voice vote, but the Chairperson shall insure that the Clerk is able to record the vote of every member on all matters.

Rule 7F: Amendments

All proposed amendments to a proposed charter amendment or a Commission shall be in written form, except that the Chairperson of the Commission may accept a verbal amendment that is clear, unambiguous, and may be presented in a single sentence or a few words.

Rule 7G: Duty to Vote; Recusal

Members shall vote on every question in the Commission, except when the member has recused him/herself, and except that a member may abstain from voting on a question related to the approval of minutes of a meeting at which the member was absent. A member shall recuse him/herself from voting whenever the member has a personal or monetary interest in any matter under consideration or when voting on the matter could for any reason violate state or county ethics law.

Rule 7H: Change of Vote

Prior to the announcement of the vote on any question in the Commission, any member may request to change his/her vote, and such request shall be approved by the Chairperson, except for good cause; however, no member shall be permitted to change his/her vote after the result of the vote has been declared.

ARTICLE 8: OPEN MEETINGS PROCEDURE

Rule 8A: Open Meetings, Public Comment

All meetings of the Commission shall be open to the public, be conducted only after prior public notice, include time for public comment, and comply with all other provisions of Ohio Revised Code Section 121.22.

Rule 8B: Minutes

The Clerk shall keep minutes of all meetings of the Commission. The Commission shall consider at each meeting the question of the approval of minutes from the previous meeting.

Rule 8C: Availability of Public Records

All records of the Commission that relate to public business shall be available to the public as public records as required in Ohio Revised Code Section 149.43. The Clerk shall serve as Public Records Manager for the duration of the Commission, after which the Clerk of City Council shall perform this role.

Rule 8D: Filming, Taping, and Recording

Any person may film, tape, or record any meeting of the Commission, provided that the filming, taping, or recording is done in a manner that does not significantly interfere with the conduct of the meeting. Anyone who wishes to film, tape, or record any meeting of the Commission is requested to notify the Clerk prior to the start of the meeting.

Rule 8E: Decorum

The Chairperson, with the approval of the Commission, may establish rules to insure decorum at meetings, including but not limited to rules relating to the respectful presence of the public and the use of audible communication devices.

Rule 8F: Charter Amendment Proposals to be Available on City Website

The Clerk shall ensure that the Commission’s page on the City’s website contains all proposed Charter amendments that have been submitted to the Commission. A proposed amendment shall be in the form provided for in Rule 6B to be included on the website. If a proposed amendment is substantively changed, both the original and revised versions shall be included.

Proposed Charter amendments may be submitted to the Commission by any member of the Commission at any Commission meeting which covers the subject of the proposed amendment.

Proposed amendments may also be submitted to the Commission by any member of the public by letter to the Clerk or by presentation at any meeting of the Commission which covers the subject of the proposed amendment.

ARTICLE 9: AMENDMENT AND SUSPENSION OF RULES

Rule 9A: Amendment of Rules

These rules may be amended with the approval of five (5) or more members of the Commission. A proposed amendment to these rules may be voted on at the same meeting of the Commission at which it is introduced only if the text of the proposed amendment is included in the published agenda for the meeting. As soon as is practical following approval of a proposed rules amendment by the Commission, the Clerk shall notify the Clerk of City Council by letter of the amendment. The notification may be in electronic format. Any amendment adopted under this rule shall apply only to the Commission at which it was adopted.

Rule 9B: Suspension of Rules

Any of these rules may be suspended by a vote of 2/3 of those present and voting at the applicable meeting of the Commission, provided that a quorum is present, and that the action taken is in compliance with the Constitution and general law of the State of Ohio and the Charter, ordinances, and resolutions of City of Norton.