

City of Norton
CHARTER REVIEW COMMISSION
Wednesday, September 12, 2007

The Charter Review Commission (CRC) of the City of Norton, Ohio, convened for a public meeting in Norton City Council Chambers. Chairperson Barbara Vimont called the meeting to order at 6:04 p.m.

I. ATTENDANCE:

PRESENT: Barbara Vimont, Robert Daymut, Megan Booth, Sue Ringkor

ABSENT: Gene Becker, Christopher Judge, Charles Campbell

II. CONSIDERATION OF MINUTES:

A.) Minutes from Wednesday, June 6, 2007, Meeting:

The Commission reviewed the minutes from their Wednesday, June 6, 2007, meeting and Chairperson Vimont called for a motion. **Mr. Robert Daymut moved to approve the minutes of Wednesday, June 6, 2007, as submitted; seconded by Ms. Megan Booth. ROLL CALL: Mr. Daymut-Yea, Ms. Booth-Yea, Ms. Sue Ringkor-Yea, Ms. Vimont-Yea. The motion passed 4-0, approving the minutes as submitted. The minutes were signed and processed accordingly.**

III. OLD BUSINESS:

A.) Discussion regarding the following:

1.) Nonpartisan Election Amendment:

Chairperson Vimont opened discussion on non-partisan elections by explaining that one benefit to them on local level elections is the candidates are more accountable to the public when they do not rely on party affiliation. She found, however that quite a few local area charters do not mention non-partisan elections. There was discussion regarding how the primary elections would work with non-partisan elections. Ms. Vimont said that all candidates would run in the primary and the top three would move onto the November election. There was further discussion and Chairperson Vimont called for a motion. **Mr. Daymut moved to recommend amending the language of Article VIII, by replacing the second sentence in Section 8.01 with the following language: 'All elections shall be nonpartisan, without party affiliation appearing on the ballot.'** Also in the first paragraph of Section 8.02 the language 'of political parties' should be removed along with the entire second paragraph. In Section 8.03, 'party' in the first sentence should be removed. Section 8.04 should be completely removed and thus the renumbering of the rest of Article VIII should be appropriately done. **The motion was seconded by Ms. Booth. ROLL CALL: Mr. Daymut-Yea, Ms. Booth-Yea, Ms. Ringkor-Yea, Ms. Vimont-Yea. The motion passed 4-0, approving CRC Resolution No. 10-2007. The resolution was sent to the Administration for it's information and to Council for it's action.**

2.) Time Frame for Charter Review Commissions:

The CRC believed that a five (5) year period between each Charter Review Commission is too large of a gap. After discussion, they agreed on a different period and a time limit for the CRC to meet. Chairperson Vimont called for a motion. **Ms. Ringkor moved to recommend that Section 7.01 should be amended as follows: 'In**

January, 2009 and each three years thereafter, the Mayor shall appoint, subject to confirmation by a majority of the members elected and appointed to Council, seven qualified electors of the Municipality holding no other office or appointment in this Municipality, as members of a Charter Review Commission to serve no more than 18 months. The members shall serve without compensation. Ms. Booth seconded the motion. ROLL CALL: Ms. Ringkor-Yea, Ms. Booth-Yea, Mr. Daymut-Yea, Ms. Vimont-Yea. The motion passed 4-0, approving CRC Resolution No. 11-2007. The resolution was sent to the Administration for it's information and to Council for it's action.

V. NEW BUSINESS:

A.) Communications for public education of proposed amendments on the November 2007 ballot:

Chairperson Vimont opened discussion regarding public education of the proposed Charter amendments on the November 2007 ballot.

Ms. Charlotte Whipkey, 4624 Albert Avenue, Norton, Ohio 44203, approached the Commission and asked if they would be standing behind the three petitions brought by the residents of Norton, while they are educating the residents of the Charter amendments? After discussion, Chairperson Vimont said that she would want some type of disclaimer on the petition that was not brought to Council by the CRC.

The CRC discussed a possible presentation for Channel 15 and she asked the Secretary to check with Mr. Mike Lyons, Law Director, as to whether or not the Sunshine Law would be broken if a few members get together to record the presentation. She said she would. They also discussed fliers to distribute to the public during the Loyal Oak Cider Festival. Chairperson Vimont asked the Secretary to check with the Board of Elections regarding if a disclaimer should be placed on the fliers. She said she would.

B.) Discussion regarding the amount of signatures required on petitions:

The CRC discussed the issue of petitions and the amount of signatures required for them to be valid. Ms. Whipkey stated that she found out from the Board of Elections that the Charter does not agree with the Ohio State Law regarding the number of signatures required on a petition that pertains to amending the Charter. The State requires ten percent of the number of voters in the last general election and the Norton Charter just states that it should be ten percent of the electors of the municipality.

Ms. Brenda Anderson, 3272 Weber Drive, Norton, Ohio 44203, approached the Commission and stated that she wanted to go on record stating that a lot of leg work was done to collect signatures, for the petitions regarding Charter Amendments. She said that Mr. Lyons researched those signatures and was in complete support of them, in fact the petitions had a validity rate of 91%. When the petitions were brought to Council, Council insulted her due to the difference between the State's language and the Norton Charter's language regarding initiative petitions. Ms. Anderson felt that this issue needed to be addressed and fixed to avoid future confusion.

The CRC discussed this matter further and Chairperson Vimont called for a motion. **Mr. Daymut moved to recommend amending Article X-Charter by deleting 'electors' from the first sentence in Section 10.01(A) and replace it with, 'number of voters in the last general election'. Ms. Booth seconded the motion. ROLL CALL: Mr. Daymut-Yea, Ms. Booth-Yea, Ms. Ringkor-Yea, Ms. Vimont-Yea. The motion passed 4-0, approving CRC Resolution No. 12-2007. The resolution was sent to the Administration for it's information and to Council for it's action.**

C.) Discussion regarding CRC Resolution No. 04-2006:

Ms. Violet Carr, 3185 Weber Drive, Norton, Ohio 44203, approached the Commission and asked for clarification of the CRC Resolution No. 04-2006, which combined the Parks and Recreation Board (PRB) and the Cemetery Board (CB).

Chairperson Vimont stated that this issue would be on the November 2007 ballot as issue #42. She explained that if it passes, the CB duties would combine with the PRB duties.

Ms. Phyliss Arkett, 1140 Gardner Boulevard, Norton, Ohio 44203, approached the Commission and stated that she was currently the CB Advisory, a title given to her by a former Administrative Officer. Ms. Carr wondered what would become of the current CB members. Ms. Vimont said that since the CB would be abolished they would not be a member of it anymore. She said that they could, however apply for any open positions that occur on what would be the new 'Parks and Cemetery Board'. Ms. Arkett felt it a shame to abolish the CB and merge their duties because the differences in issues regarding parks and cemeteries were opposite and needed to be handled separately.

VI. ADJOURNMENT:

Chairperson Vimont stated that the CRC would probably not meet again, but they reserved the right to schedule another meeting. With no further business coming before the Commission, Chairperson Vimont adjourned the meeting at 8:26 p.m.

Barbara Vimont
Charter Review Commission ~~Chair~~ Vice-Chair

Jacques
Charter Review Commission ~~Vice-Chair~~ Member

11/7/07
Date

**CHARTER REVIEW COMMISSION
RESOLUTION**

September 12, 2007

CRC RESOLUTION NO. 10-2007

RE: ARTICLE VIII-NOMINATIONS AND ELECTIONS

The Norton Charter Review Commission does hereby make the following recommendation:

(See attached Exhibit A.)

Votes: FOR 4 AGAINST 0 ABSTAIN 0

Therefore this resolution is:

APPROVED X DENIED TABLED

This resolution shall be sent to the Mayor for his action or for his information X, and to Council for its action X or for its information .

Barbara Vinard
Charter Review Commission
~~Chair/Vice-Chair~~

Sue Ling
Charter Review Commission
~~Vice-Chair/Member~~

9/12/07
Date

**ARTICLE VIII
NOMINATIONS AND ELECTIONS**

SECTION 8.01 REGULAR MUNICIPAL ELECTION.

The regular Municipal election shall be held on the first Tuesday after the first Monday in November of each odd-numbered year. ~~The ballot used in the election of Municipal officers at any regular Municipal election shall designate the candidate's political party or that as an independent.~~ All elections shall be nonpartisan, without party affiliation appearing on the ballot.

SECTION 8.02 PRIMARY ELECTIONS

Primary elections shall be held on the eighth Tuesday prior to the regularly scheduled Municipal election for the purpose of nominating persons as candidates of ~~political parties for election to offices provided for by this Charter, to be voted for at the~~ succeeding regular Municipal election.

~~If the number of persons filing declarations of candidacy as candidates of one political party does not exceed the number of candidates to be nominated for such office, no primary election shall be held for such office and the persons so filing shall be declared nominated.~~

SECTION 8.03 NOMINATIONS

Each person desiring to become a candidate for ~~party-nominations to be voted for~~ at a primary election shall, not later than 4:00 p.m. of the seventy-fifth day before the day of such primary election, file with the Board of Elections of Summit County, Ohio, a declaration of candidacy and a nominating petition. Each nominating petition of a candidate for an office filled by election at large shall be signed by not less than fifty qualified electors of the Municipality. Each nominating petition of a candidate for ward Councilperson shall be signed by not less than twenty-five qualified electors from such ward. Each candidate shall file a separate nominating petition. Group petitions shall not be used.

SECTION 8.04 INDEPENDENT CANDIDATES DELETE THIS SECTION

SECTION ~~8.05~~8.04 OTHER ELECTIONS – RENUMBER THIS SECTION

SECTION ~~8.06~~8.05 GENERAL PROVISIONS – RENUMBER THIS SECTION

**CHARTER REVIEW COMMISSION
RESOLUTION**

September 12, 2007

CRC RESOLUTION NO. 11-2007

RE: ARTICLE VII-SPECIAL BOARDS AND COMMISSIONS

The Norton Charter Review Commission does hereby make the following recommendation:

(See attached Exhibit A.)

Votes: FOR 4 AGAINST 0 ABSTAIN 0

Therefore this resolution is:

APPROVED X DENIED TABLED

This resolution shall be sent to the Mayor for his action or for his information X, and to Council for its action X or for its information .

Barbara V. Mond
Charter Review Commission
~~Chair/Vice-Chair~~

[Signature]
Charter Review Commission
~~Vice-Chair/Member~~

9/12/07
Date

ARTICLE VII
SPECIAL BOARDS AND COMMISSIONS

SECTION 7.01 **CHARTER REVIEW COMMISSION**

In January, 1966, 2009 and each ~~five~~ three years thereafter, the Mayor shall appoint, subject to confirmation by a majority of the members elected and appointed to Council, seven qualified electors of the Municipality holding no other office or appointment in this Municipality, as members of a Charter Review Commission to serve until ~~their duties are completed~~ no more than 18 months. The members shall serve without compensation.

**CHARTER REVIEW COMMISSION
RESOLUTION**

September 12, 2007

CRC RESOLUTION NO. 12-2007

RE: ARTICLE X-CHARTER

The Norton Charter Review Commission does hereby make the following recommendation:

(See attached Exhibit A.)

Votes: FOR 4 AGAINST 0 ABSTAIN 0

Therefore this resolution is:

APPROVED X DENIED TABLED

This resolution shall be sent to the Mayor for his action or for his information X, and to Council for its action X or for its information .

Barbara Vinard
Charter Review Commission
Chair/Vice-Chair

[Signature]
Charter Review Commission
Vice-Chair/Member

9/12/07
Date

ARTICLE X
CHARTER

SECTION 10.01 AMENDMENTS TO CHARTER.

A. SUBMISSION TO ELECTORS

Council may, by affirmative vote of two-thirds of its members, submit to the electors any proposed amendment to this Charter, or upon petition signed by not less than ten percent of the electors ~~number of voters in the last general election of the~~ Municipality setting forth any proposed amendment to this Charter, Council shall submit such proposed amendment to the electors in accordance with the provisions of the Constitution and laws of the State of Ohio.

B. ADOPTION

If any such amendment is approved by the majority of the electors voting thereon, it shall become a part of this Charter, except that if two or more inconsistent proposed amendments on the same subject be submitted at the same election, only the one of such amendments receiving the largest affirmative vote, not less than a majority, shall become a part of the Charter.

