

City of Norton
CHARTER REVIEW COMMISSION
Wednesday, November 7, 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 6:03 p.m.

I. ATTENDANCE:

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

ABSENT: Gene Becker, Charles Campbell

II. CONSIDERATION OF MINUTES:

The Commission reviewed the revised minutes from the Wednesday, September 12, 2007 meeting and Chairperson Vimont called for a motion. **Ms. Megan Booth moved to approve the revised minutes of September 12, 2007; seconded by Mr. Robert Daymut. ROLL CALL: Ms Booth-Yea, Mr. Daymut-Yea, Ms. Sue Ringkor-Yea, Mr. Christopher Judge-Abstain, Ms. Vimont-Yea. The motion passed 4-0-1, approving the revised minutes. The minutes were signed and processed accordingly.**

III. OLD BUSINESS:

Chairperson Vimont thanked everyone on the Commission, their Secretary Cindy, and all in the audience for their input, comments, help, arguing, debating, etc. which helped make them a better commission.

Chairperson Vimont discussed the Elections results regarding the Charter Amendments that made it to the ballot and passed. Three of the four amendments that were brought to the ballot by petition were also passed. She stated that this shows how important it is for citizens to get involved in the political process to make important changes. She said overall, the Commission had a good track record with six of their twelve proposed Charter amendments being passed. She stated that they have left some good information through the minutes, that will hopefully give the next Commission a good starting place.

Chairperson Vimont reported on the last three proposed Charter Amendments the Commission created. The proposed Amendment on the length of time between Commissions was revised by Council. Council rejected more frequent meetings, but accepted a limitation on the amount of time the Commission has to do its work. The proposed Amendment now reads that the Commission will be appointed every five years and must complete its work within twelve months of the first meeting. Chairperson Vimont stated that she hoped this would mean the next Commission would meet more frequently and that would be her recommendation.

(At this time, Chairperson Vimont made an announcement that if the audience wanted their comments and questions included in the minutes, they had to step up to the microphone to do so.)

Ms. Violet Carr, 3185 Weber Drive, Norton, Ohio 44203, approached the podium and asked the Commission for a clarification on the five-year deal. She realizes that a Commission is appointed every

five years by the Charter. She wondered if some time before the Commission is formed, regardless whether or not it has been five years, can the citizens ask that the Charter be changed? Chairperson Vimont answered that she thinks the citizens can bring up changes at anytime by petition. Ms. Carr concurred.

Mr. Daymut felt strongly about what happened with the Commission; people having to go by petition to place things on the ballot that the Commission could not get through Council. He stated that he felt Council does not want anything going through them, that they feel diminishes or compromises their right for power. Ms. Carr concurred. The Charter changes that the people placed on the ballot, he felt, were the ones that the Commission tried to get passed through Council. He felt that the most important Charter amendment the Commission wanted passed, was that whatever the Commission approved would go straight to the ballot, instead of going through the Council for approval. He felt that the Commission will never get Council's approval to do this. He stated the Charter Review Commission could have accomplished more, if they did not have to seek Council's approval to go to the ballot. He said everything the public got to the ballot was fought by Council; he also felt Council blocked the Commission in many ways too. He brought up the amount of time lapse for a Commission to meet, and felt five years was too long; many concurred with him. He stated that the Commission should have more power than the Council, because Council was given their power originally from the Commission through the Charter.

Ms. Carr agreed with Mr. Daymut by saying the power of the Council came from the Charter, which is the public's constitution. She commented that the Charter Commission came innocently to do their jobs and asked Council what their wishes were, but then were hampered in doing their duties. She agreed that Council did not want the amendments proposed by the people, but at the ballot all were approved but the police issue. She feels the Charter Commission should have pre-emptive power over the Council. She continued to go over what issues were permitted to be placed on the ballot through Council. The issue of having the Mayor actually reside within the city limits was discussed. Most felt that it was an embarrassment to the City not to have it on the ballot, so that is why the Council allowed that amendment to go onto the ballot. Discussions were had about the hard time the people had getting their amendments, through petitions, placed on the ballot. It took trips to the Secretary of State and Attorney General to make them accept these and then there was controversy over their publication. She felt the public had to tell them line by line what to do, even though they should have known, according to the laws. With the help of the media, the controversy over publication could have had a different outcome. Ms. Carr urged the Commission members to write a letter or mark in a journal the difficulties and stonewalling they have had to deal with in the Commission's almost two year stint. She doesn't want the next Commission to come in to do work in vain; that would show the new Commission the power structure within the City. She feels the Council thinks of the Charter as something to manipulate and overcome. She ended by saying she was proud of the members on this Commission.

Mr. Daymut stated he felt that the voting public did not connect the Councilpersons they were voting for, with the Council members that gave them a difficult time with the charter amendments; if so, he felt the outcome would have been different. Mr. Daymut continued to complain about the tactics used to force the outcome of the election into acceptance of the same police force; he stated it was not a personal issue but one of saving money.

Chairperson Vimont again commented that the democratic process does work, especially in this instance. The Commission is bound by Council, but by the citizens getting the amendments to the ballot by petition shows the example of the democratic process working.

Some in the audience wanted to talk and Chairperson Vimont said that they would have to come up to the microphone in order to be part of the minutes. Chairperson Vimont apologized for allowing the audience to talk from their seats at the last meeting, but to be part of the minutes, the public had to approach the microphone.

Ms. Brenda Anderson 3272 Weber Drive, Norton, Ohio, 44203, came to the microphone and said she had a point to make. As the Commission knows, she has attended meetings in the past with passion, etc. She was there to meet the challenges of the Charter but she thanked her cohorts (Violet Carr and Charlotte Whipkey) for the journey they had taken together up to that point. She wanted the public to know the admiration she has for Mr. Daymut, but she was upset with the other members for the lack of support or leadership given to them. She expressed that the Charter was for the people's needs, not for her group's wants. She failed as an individual to get across to the Commission her beliefs. She felt that there are four areas in the Charter for the future that need commitment, change, acknowledgment and pushed through for each and every citizen. These areas are as follows: 1.) The right to petition. Her group had to appear before Law Director Mike Lyons with no help from the Commission with knowledge that two of the members were lawyers on the Commission. It should be cleaned up; made clear and knowledgeable for the ordinary citizen; 2.) Issue of full time Mayor. This is not addressed in the Charter. She said certain questions need clarified if the City has a full time Mayor, like would the City pay both salaries of a full time Mayor and City Administrator at \$70,00.00 each; 3.) Issue of an equalization board. This has been addressed by the Commission, but tabled by Council. As an example, she stated that 1500 people in the City would be crippled with bills of \$30,000-\$40,000 that they could not meet for one infrastructure; and 4.) Censorship. She has spoken before the Commission and throughout her neighborhood regarding this issue. She talked about how the Commission was a product of it through their video, and how it was censored. She wondered why the Commission even had to have permission to have their video aired. She stated that these four issues were not wants, but serious needs for the community. The next item she discussed was the advertising of the amendments. She stated the poorly constructed view of how the City handled the advertising of these amendments at a cost to the taxpayers of Eight Thousand Dollars (\$ 8,000.00). She went on to complain that Council, Administrators and Clerk had the information seventy-five (75) days prior to acting upon it and failed. She spoke about the Clerk of Council and how she just got an Eight Thousand Dollars (\$8,000.00) a year raise to be certified. Ms. Anderson felt that the Clerk had been sloppy in her job duties and had poor work habits. She said the Clerk of Council openly admitted that she was sorry, but that it just slipped by her. Ms. Anderson again wonders why the Commission wasn't there to help her group, saying that they had to do the legwork regarding this oversight of advertising just to bring it to the attention of those in charge. She stated that Ms. Whipkey was presented a rough draft of the new Charter. Ms. Anderson questioned how this could be handed out, when the election results have not yet been given a seal of approval by the Election Board. She wonders if there is any protocol here in the City of Norton. Her last issue was with the meeting minutes. She stated she thought the minutes of the last meeting were incomplete and went on to condemn the secretary for her minute taking. She challenged the members on the Board to help her group as private citizens and not fade away from their public duty. She stated change will happen only if they can keep the fire alive.

Ms. Charlotte Whipkey, 4624 Albert Avenue, Norton, Ohio 44203. Ms. Whipkey said she had nothing more to elaborate on from what her cohorts said. She wanted to stress that she truly believed that the Commission as a whole, needed to demand to know why the video was never published. She said that the Commission was never given the option to put a disclaimer on it; you or they could have added the disclaimer. Apparently the problem was that Chairperson Vimont had misstated something during the presentation. There was difficulty for Chairperson Vimont and Ms. Booth to touch base regarding this situation, so Ms. Booth had to make the corrections herself. Ms. Whipkey emphasized that they did get the corrections made; Chairperson Vimont concurred that they did turn in the corrections. Ms. Whipkey's point was that they were turned in and had the video for two weeks, but said nothing. Chairperson Vimont said that her understanding of the situation was that Ms. Ann Campbell, Administrative Assistant, is in charge of the tapes, but she was out of the office the week the video was turned in. There was therefore, no one available to handle the request. Ms. Campbell viewed the tape the next week and found the problems. Ms. Whipkey voiced her opinion by saying she had relayed in the past to Mr. Rick Ryland, Administrative Officer, that perhaps he should have someone else trained to fill the job when Ms. Campbell is unavailable. She stated that Ms. Campbell was self-appointed to do this job. She suggested that the student who does the taping of the Council meetings be trained to do this, but that was met with opposition. She thinks there is no excuse for not showing the video. She feels the situation happened as it did because the Commission

added the petitioned amendments to the tape, even though there was a disclaimer statement that the Commission did not do it, they were "petitioned". Ms. Whipkey wanted to state for the record that the only reason the Mayor's residency passed at Council, was because it was the same evening they passed that big raise. Even after that, they brought it back to Council's floor to discuss it again, realizing they would have been in more trouble if they had not passed it. She agreed with Ms. Carr that the Commission should leave their records for the next appointed Commission, letting them know that they should also beware of statements from the Administration. They should listen to the people and not give them as hard of a time as their group was given. She knows that the Commission thought their group had a vendetta, but the Commission found out later that was not the case.

Chairperson Vimont took this time to explain to the rest of the Commission that Ms. Booth and she made a video to broadcast on Time Warner Cable for all of the amendments. In the video, when discussing the Amendment on the date of the first Council meeting of the year, she made a statement that she thought they would pay overtime if the meeting fell on January 1st; that was a mistake and they asked that she correct that. Disclaimers were put in front of the Amendments that were brought to the ballot by petition; of the three not brought through the Commission, that is what was stated, for the one brought by this Commission, but rejected by Council, that information was stated before the Amendment discussion. Ms. Booth commented that City Administration wanted a stronger disclaimer, like "the Mayor and the Council do not..." She put the additional statement in the front in a slide and just edited out the other comment, but that was not sufficient. Ms. Booth stated that the City did not seem to cooperate with getting the video to Time Warner so the citizens could view it prior to the election. She even e-mailed several people and brought it up here, but it went nowhere. Chairperson Vimont commented that she tried to look into forming a PAC or trying to get other advertising out there, but she just ran out of time. Mr. Daymut asked what it would take to get a PAC together; there was discussion. Mr. Daymut commented about his concerns regarding the financial information placed on the City's website by Mr. John Moss, the Finance Director, regarding the Police Department. He said Mr. Moss probably did not have his information screened, like their Commission had. At this time Ms. Carr talked at length "off the record."

Chairperson Vimont announced that the Commission does have three more charter amendments before Council, two have been approved with changes. One was about the Charter Review Commission meeting; Council took it back to the five (5) years with a twelve (12) month limit. The other was regarding the petitions. The Commission spelled it out that they wanted it to be the number of electorates (those who voted in the last election), but then Council took it back to read "according to State law." Ms. Whipkey was at the Council meeting and tried to get them to take it back to being spelled out as the Commission suggested, but they refused. There was more discussion about this complicated issue. Chairperson Vimont said the third and last Charter amendment, was on the non-partisan elections. Chairperson Vimont stated that one was interesting, because Councilwoman Brenda Hlas and many of the other Council members seemed to be for it. At the last Council meeting Chairperson Vimont was able to attend, however, they wanted to check to see if other cities found it to be an issue to determine if the City of Norton "needed" a non-partisan election. Ms. Hlas was going to research this issue and get back to Council. There was additional discussion and Chairperson Vimont stated the main reason for the non-partisan election was to take care of a crowded ballot. Chairperson Vimont said the Council seemed to still be in favor of the proposed Amendment, but they are looking at it further.

IV. NEW BUSINESS

None.

V. ENDING COMMENTS

Chairperson Vimont said that this was their official last meeting, as she stated earlier.

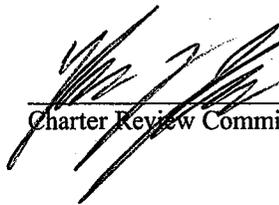
Mr. Daymut stated that Mr. Gene Becker was supposedly working on their memoirs, their legacy, but nothing had been produced. Chairperson Vimont commented that she thinks it is up to each individual member to leave a legacy. Ms. Whipkey asked them to leave a big note behind, stating that when a member on the Commission fails to show for the meetings and does not return phone calls, that person should be removed from the Commission. She did not understand, referring to Charter Commission member Charles Campbell, how he was allowed to continue on the Commission without a replacement being named. The Commission agreed that it would have been good to have information about what to do when this occurs, but did not think to ask the Council or City Administration regarding this issue. The Commission suggested that the next Charter Review Commission should be given this information when they are appointed. Mr. Daymut made comments about how happy he was that the Commission achieved what they did, but was disappointed regarding the tough fight they had.

Mr. Christopher Judge thanked Chairperson Vimont for the role she played in keeping the Commission on track; everyone agreed. Chairperson Vimont thanked them for their comments. She said she would like to leave the next Chairman comments on what she would do differently the next time; things she had learned.

VI. ADJOURNMENT:

Chairperson Vimont again thanked all, and declared the meeting adjourned at 6:52 p.m.

Barbara Vimont
Charter Review Commission ~~Chair/Vice Chair~~
*signed outside of mtg because
last official meeting was 11/7/07*


Charter Review Commission ~~Vice Chair/Member~~

12/14/07
Date

