



Minutes of the Charter Review Commission from Wednesday March 5, 2025, 6:30 p.m.

1.) Call to Order

2.) Roll Call

Charter Review Commission Members Present: Denny Mariola, Dennis Campbell,
Rick Charles, Amy Jones

Charter Review Commission Members Absent: Janice Arch, Christy Staats,
Nancy Binzel

City Officials Present: Drew Reilly, Hannah Morris,
Kyle Herman, Steven Hooten

3.) Approval of Minutes

Approval of February 26, 2025, Minutes:

Motion made by Rick Charles, seconded by Amy Jones to approve Approval of
February 12, 2025, Minutes.

Vote – Yeas: Denny Mariola, Dennis Campbell, Rick Charles, Amy Jones.

Nays – None. Motion carried unanimously.

*Christy Stats and Janice Arch arrived during the Old Business Section at 6:32 and 6:35
respectively*

4.) Old Business

At the meeting on February 26, the Commission had requested a draft amendment
changing to section 20.02 date of August 1, to July 1st.- Law Director Reilly provided
a draft to the commission.

Mr. Reilly explained that he had not submitted to Council.

Previously discussed when the Commission could submit to the Council and then onto the Board of Elections, Mr. Reilly confirmed that they can submit at any time to Board of elections on any amendments approved by Council.

Mr. Charles wanted to clarify why they are proposing an amendment if they had already decided to move up this Commission deadline for this year's review.

Mr. Reilly explained that this is for future Commissions and changing it in the actual Charter.

This will allow for time for review and any corrections or changes need to be made.

Mr. Charles brought up that if this changes anything with when members of Charter Review needed to be appointed, or if applications needed to be submitted.

He wanted to discuss the timeline for future if this deadline is changed in the Charter from August 1 to July 1, if they needed to have a deadline for applications and approval for Members. This way the Commission still had time to review and discuss any possible amendments.

Mr. Charles proposes that if they are going to change the deadline then they should codify the timeline of the process since there is nothing in the charter having a deadline for applications and approval of Charter Review Members.

Mr. Mariola suggested they table this idea and think about it for the next meeting.

Mr. Reilly recommended that this is a good suggestion to have the Law Department draft language then next meeting they can look at it and then can amend if they don't like the language, then the commission can vote on the final draft before getting submitted to Council.

Mr. Campbell thought that this could also allow time to get feedback and engage the residents for opinions as well before submitting to Council.

Mr. Charles proposed having in the drafted amendment to outline a timeline where the Commission needs to be appointed by the Mayor and be sworn in by the second meeting in January so they can start by mid-February to have the first meeting.

Mr. Reilly explained that every commission member should be allowed to ask for draft language even if the rest did not need to see it. The drafted amendment would then be discussed in the "Old Business" section during the next scheduled meeting.

5.) New Business

- **Article I: Name And Boundaries**

Mr. Reilly stated that the Charter they have shows if that section was amended and when, if there was no date that means it has been in effect since the Charter came about. Explains that whether it is a City or a Village and that is dictated by the State based on population. That it did happen automatically when population changes if it would ever change again. Boundaries have not been changed also since the start of the charter and if they annexed property that it would happen automatically and they wouldn't have to legally go back to change it.

- **Article II: Municipal Powers**

Mr. Reilly explains that this section has also not been changed since the start of the charter and that he would not recommend any changes to this section.

- **Article III: Mayor**

Discusses the qualifications and powers of the Mayor, a lot of this section also has not been changed, but the Commission will work through each section and discuss as they go through. Some things have been changed recently, but explained if things haven't been changed for over twenty years he hadn't really expected a lot of push to amend those sections.

Section I: The Mayor's term is four years and it commences on January 2nd.

Mr. Charles had questions regarding the language stating "and the mayor shall hold office until the successor is elected or qualified". He wanted to know what would happen if someone was elected Mayor, then after the fact was deemed unqualified, then does it becomes vacant, or the previous Mayor stay as Mayor.

Mr. Reilly explained that other sections of the Charter state that the previous mayor would still be the mayor in that instance due to provisions of unexpired terms. Or if the newly elected Mayor passes away before being sworn in, the previous mayor would stay in the seat until the vacancy is set or the President of Council is selected as Acting Mayor until they can fill the vacancy.

Section II: Qualifications

The Mayor has to live in the city two years prior to the election and has to be a qualified elector of the municipality.

Sets their office at City Hall and the Mayor must devote fulltime and effort during business hours and other times, as necessary.

The mayor cannot hold other elected offices or otherwise be employed now nor hold other offices in the municipality.

Mr. Charles wanted to know what defines residency. Mr. Reilly explained that if you are registered to vote there, that defines residency, which is determined by the Secretary of State.

Section III: Judicial Powers- Mr. Reilly explained that this is boilerplate language and this section has not been changed since the 1950's

Section IV: Executive and Administrative Powers: States that the Mayor is the Chief Executive, and it specifically states that they are not the administrative head of council, clerk of council, department of finance or department of law, each of those roles have their own sections in the charter. States that they are the Conservator of Peace, means they are over top of public safety, who the chiefs of both fire and police report to and that they see that all laws, resolutions, and ordinance are enforced.

This gives the mayor signatory authority on all contracts.

The mayor keeps open line of communication with council- by means of the Mayors report.

Stated that this section had not been changed in 45 years.

Section V: Veto Power- this section had not been changed since the Charter was first introduced. Each resolution shall be attested to by the clerk of council, and that mayor has 7 days to veto. If the Mayor does not sign off in approval or Veto- it automatically approves.

There was discussion about what if the mayor had planned on vetoing and then something happened to the sitting mayor, what would happen, since the charter reads it would automatically pass after the seven-day window. Mr. Reilly explained that it would be discussed in the next section.

Section VI: Acting Mayor: Mr. Reilly introduced Deputy Law Director Steve Hooten, explained that the meaning if the mayor is temporarily absent, inaccessible or unable to preform the duties, the President of Council automatically becomes acting mayor. They discussed the language reads as confusing. That if both the Mayor and President of Council are incapacitated then it goes to the majority vote of the council and that the timeline starts when it was filed with the mayor.

Within the 2010 Charter Review Commission put forth a different language at the same time Council had submitted their own version as well. Both versions were on the ballot and both passed, one received 300 more votes so that one took into effect. Mr. Reilly explained that Mr. Hooten and himself dug into history ahead of tonight's meeting to have history. Explained it took multiple reads to get the original intent.

Mr. Charles explains that if it took so long to understand the language that this could be an opportunity to create better efficiency and it took six or so times to clarify, stated maybe have the Law Department draft something with clearer language for the next meeting. Mr. Reilly stated he can get a draft with clearer language and summarize that.

Section VII: Vacancy: This section has been changed since the start of the Charter. Mr. Reilly explained the section as it is now and discussed the previously proposed changes.

In 2020 the last Charter review tried to change the ordinance to if the Office of Mayor becomes vacant for any reason members of City Council shall appoint by a vote of 2/3 vote that any Stow resident who meets charter qualifications to serve as Mayor for the remainder of the unexpired term or until a successor is elected.

That proposal would eliminate the need for a special election- which the council did not pass to put on the ballot.

Mr. Campbell had questions about if there were timelines regarding special elections, Mr. Reilly would look into that.

Commission members wanted to know why and what reasoning the Council gave to not put that amendment onto the ballot. Mr. Reilly stated he would report back after looking at the minutes of that meeting.

Section VIII: State of the City Address: New ordinance proposed by council in 2023 stating the mayor give his annual State of the City at the first regular Council meeting in March and a written copy to be given to council as well.

- **Article IV: The Council**

Mr. Reilly said that this article has a lot of sections but a lot of them are legal boilerplate language.

Section 1: Legislative Authority- Sitting council is the legislative branch similar that the mayor is the executive.

This section has not changed in 35 years.

Section 2: Composition and Term: Seven Members, one member from each of the 4 wards and three at-large members. Two-year terms.

Ms. Staats asked why surrounding communities have longer terms, Hudson, Tallmadge, Cuyahoga Falls have longer staggered terms.

She questioned why Stow has two-year terms, considering part of that term will be prepping for an election. Cycling through the members quickly and not having stability on the council.

Mr. Reilly states that historically this gets discussed during Charter Review and that it was both in 2015 and 2020 switching to 4 year terms and staggering the election they did not want that switch, he was unsure of reasoning, and he would have to pull the minutes to know why neither made it to the ballot.

Ms. Staats states she would like to know the reasoning why the council did not want to put it on ballot so it would give more stability. Mr. Mariola would like to know as well why it was turned down by them as well.

Mr. Campbell said that he would like the data on this section and then based on that to have included this into getting engagement from the city as well as civic organizations and business organizations within the city.

Mr. Campbell also spoke about wanting to know the comparison of surrounding municipalities ward breakdown and sizing.

Section 3: Qualifications: Similar with the Mayor, they have to live in the ward for at least two years. Hold no other public office.

Section 4: President and Vice President: Voted on at the organizational meeting in January and they are one-year terms. Organizational meeting is held the first open day for the city. The president can only be elected for two consecutive terms. Mr. Mariola wanted to know the history and purpose of that ruling. If the president of council is acting mayor, they must relinquish their vote.

Section 5: Clerk of Council- States appointed and removed by council. The clerk's office shall be within City Hall. There was discussion regarding that the location was added recently and that the clerk's office has yet to be brought over to City Hall. The Clerk of Council was in the audience and gave her an explanation of why she would like the office moved sooner than later.

Section 6: Rules and Journal of Council: Council adopts their own rules and keeps a journal of all its proceedings, and it shall be open for public. They are kept in two mediums, both paper and electronic.

Section 7: Opening Prayer at Meetings: every meeting shall open with a prayer and if there is a request for a moment of silence it must be for at least one minute. Ms. Jones stated she would like to suggest possibly striking out the phrase "all mighty God" since not everyone believes in God and to make it more diverse across all beliefs. She asked if Mr. Reilly would create a draft with that language and provide a memo about the background of what religious observances are allowed at public meetings.

Section 8: Regular Meetings: States 7 pm on the first working day of January is the Organizational meeting and the mayor will preside over the meeting until the president is selected, and then they will preside over the meeting. They set their own meeting schedule and they are open to the public. Mr. Reilly explained there was a proposed change in 2020, changing it to 8 pm, and striking out within Council Chambers, but just listed within the City of Stow. In 2021 council proposed to change from 8 pm to 7pm and they will elect the president and vice president at that time. Mr. Mariola wanted to know how they let residents know if the meeting location was changed from council chambers to another location. Ms. Jones asked if there was any way to have the meetings start promptly at 7 since they have started late. Mr. Reilly explained they can start late, but they cannot start any earlier than 7.

Section 9: Special Meetings: Lists when and how special meetings can happen. They can't have special meetings to take final dispositive action that require a referendum or are subject to a mandatory public hearing, or compensation for employees. 72-hour notice requirement for special meetings. There had been proposed changes, in 2020 they took off that there could be no more than 6 special meetings and had to be held in council chambers, proposal was rejected by council. In 2021 the council adopted a different version that removed the cap of 6 special meetings and added in the notice that it shall state the date, location and time and took out the portion that it must be held in council chambers. Notice requirements can also be sent electronically to the council members.

Section 10: Quorum: States have to have 4 members to have a meeting that is voting on items.

Section 11: Legislative: all legislative actions shall be by resolution or ordinance and in written or printed form and can only contain one subject matter. Everything requires four votes except where it's required by a larger provision discussed further into the charter, some things require five or six votes. Every piece of legislation must be read at three separate meetings unless the council votes to suspend the rules.

Mr. Mariola asked if this is state law or what determines the number of votes since the Charter states some is 4 votes some is 5 some is 2/3 votes. Mr. Reilly explained that it depends on the piece of legislation that suspending the rules makes sense for timeline reasonings. Mr. Charles asked if this is an area that could be discussed the efficiency or if there are codified ordinances that what needs council approval and what does not. Mr. Reilly explained that this is not in the Charter on what the council approves and does not, its related to a codified ordinance.

Section 12: Public Notice: Requires all resolutions, and ordinances get posted at six public locations that are listed. We received an email from the clerk of council to the Charter Review Commission to discuss changing this section from six public places

to at least three. Within the codified ordinances it lists the six public places that the postings need to be made. The clerk of council had stated in her email that she notices that there is not a lot of traffic at the fire stations and with it posted at City Hall why must we post across the parking lot as well?

Mr. Reilly stated that if the Commission decides to propose the change from six to three places if it passes then they will need to ask the council to amend the ordinance as well of the required places of posting. He explained that the charter says six places and the ordinance states which those places are. Ms. Staats asked about having a virtual location, and if that counts as a public place of posting. They responded that it is already posted on the City Website but its not one of the required six.

Ms. Mottram explained that before covid they had more locations, Giant Eagle, and the schools, but since they didn't have access during covid it stopped getting posted as well.

Ms. Jones asked to get what council members thought about this and if they want to change the amount or locations.

Mr. Campbell asked if they could have the Clerk of Council speak since she was the one who sent in the request and was present at the meeting.

Ms. Mottram stated postings are more virtual and residents get their information from either the website or social media platforms. Explained her reasonings on why she would like to eliminate some of the locations.

Mr. Charles proposed changing it to a minimum of three locations and then maybe down the road then proposed the amendment to change the locations.

Mr. Mariola suggested to be sure the language to where if the city acquires another high traffic location that can be added without having the charter to be changed but that it can be changed by the Council instead.

Section 13: Effective Date and Resolutions and Ordinances. Legislation normally goes into effect 30 days after the mayor signs it. Only time changes if it is determined that it is an emergency measure.

Section 14: Emergency Resolutions and Ordinances: Mr. Reilly explained that it must have justification for the term of declaring an emergency. That it is different from an actual state of emergency, it's more of a legal term that an ordinance takes effect when the mayor signs it rather than waiting 30 days.

Section 15: Compensation and Bonds: Council sets the compensation of the Mayor, Finance Director, Law w Director, and members of Council and each officer and employee, or member of any board or commission, of the Municipality, whether

elected or appointed, unless otherwise noted in the Charter. Explain when and how they can adjust the compensation, and there is state law that they cannot change it once the term has begun and that changes would take effect the next term. Mr. Reilly explained that the mayor and law director's pay was last changed in 2014. Prior to the change Council was able to change it without it going to the ballot, now it must go on the ballot.

6.) Next Meeting Time and Date and Charter Section Discussion

The members discussed when the next meeting dates would work best for the majority of members present. It was decided that the next meeting would be Wednesday March 12 at 6:30 pm. They decided to also schedule out two more meetings. Tuesday March 25 at 6:30 and then Wednesday April 2, at 6:30 pm were agreed upon. They decided to finish Article 4 with sections 16-18 as well as discussing Article 5: Wards

7.) Public Comment

Sonya Mottram sworn in- explained that it is difficult to have a new boss possibly every year with how the term limits are set. They may want to change how things are done and every year that is doable, but it could be easier to have someone in that role longer. She also states that as a resident she supports staggered terms of council members. She was shocked when she started working for council and realized she could have a whole new council, and it would be nice to have the experience of people who have served time as a member of council. She mentioned the location of the council chambers for the meetings, and said they almost always use council chambers except for during Covid, but if the commission wanted to note that there is sometimes packed crowd for controversial items on the agenda.

She was thankful for the commission understanding the location of council clerks' office to being changed to city hall. And she was thankful and appreciative of the Commission and considering changes.

Mr. Charles asked Ms. Mottram what her opinion was having the location of council meetings specifically be in council chambers. Ms. Mottram's thought was maybe in the language to stress that first is council chambers. Mr. Charles stated but if needed to accommodate a larger crowd than to have that verbiage in there. Mr. Charles asked Mr. Reilly to have the language state that it to be moved to a location to accommodate a larger crowd rather than the broad statement of having it within the city limits.

8.) Other

Mr. Charles brought up the previous meeting where Councilman Herman had presented the idea of having a Town Hall or getting public comment. He wanted to suggest that the commission gets a few pieces of legislation to go before council to hold the Town Hall to get the public's opinion prior. Also to have the website committee to put the meeting announcements on social media. Mr. Charles reiterated that he would love to have more input from the residents to get more input and feedback.

Mr. Hooten had suggested once the commission has a few proposed changes and then have a forum setting to specifically discuss those sections rather than discussing the whole charter at once to keep the time frame down as well.

Mr. Reilly mentioned that he will continue to give council updates during the Law Directors Report at council meetings as well.

Council member Herman had stated he has been researching ways to get more resident engagement that would represent a demographic cross-section of the city. He explained that the Charter Review Commission is like a mini-Constitutional Convention and being intentional about inviting others to be involved in the public comment and letting people know that you want the public and residents to be more involved and what is being discussed.

Mr. Charles asked if there was anything in the rules stopping members of the commission to go to meetings for civic groups such as the citizens for nonpartisan politics groups monthly meetings to get feedback or showing up to discuss what is happening within these commission meetings.

Mr. Reilly just cautioned them to be sure that they remember the open meetings training and not to have a quorum at said meetings.

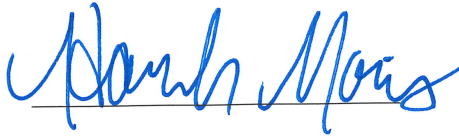
Mr. Campbell suggested letting the secretary know if they planned on going to a meeting so she can let the commission know so multiple people are not going to the same meetings in a row.

Ms. Staats let the commission know that she checked about getting more engagement and mentioned doing workshops or small group discussions to get resident feedback or also doing a survey with open ended questions or a google form to send out to resident

9.) **Adjournment**

Motion made by Christy Staats, seconded by Janice Arch, to adjourn.

Motion carried unanimously.



Clerk



Chairman