



Minutes of the Charter Review Commission from Wednesday April 2, 2025, 6:30 p.m.

1. Call to Order

2. Roll Call

Charter Review Commission Members Present: Denny Mariola, Dennis Campbell, Rick Charles, Christy Staats, Nancy Binzel, Janice Arch

Charter Review Commission Members Absent: Amy Jones

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

3. Approval of Minutes

- Approval March 25, 2025 Minutes

Motion made by Denny Mariola, seconded by Nancy Binzel to approve March 25, 2025, Minutes.

Vote – Yeas: Denny Mariola, Dennis Campbell, Rick Charles, Nancy Binzel, Christy Staats, Janice Arch

Nays – None. Motion carried unanimously.

4. Old Business

- Draft of adding language of incapacity of The Finance Director within Vacancy Section: 6.08

Mr. Reilly had presented the first draft for language of incapacity of The Finance Director that mirrors the language in the section of Acting Mayor of the charter.

The commission thanked Mr. Reilly for creating the draft.

- Draft of adding language of incapacity of The Law Director within Vacancy: 9:07

Mr. Reilly had presented the first draft for language of incapacity of The Law Director that mirrors the language in the section of Acting Mayor of the charter.

He explained that the Law Department is the only department where the Deputy is the second in command. Where the other departments it's listed as the Assistant.

Mr. Charles had wanted to clarify that the position mentioned in the vacancy of the Finance Director of Assistant Director of the General Division was still not a position listed in the job code. He wants to have language that covers if that position is not filled or listed within the job code. He wants to have language to cover whomever is second in command.

Ms. Binzel had asked what had happened while the Finance Director was out last year due to a medical emergency. Mr. Reilly explained there was a memo that was in place to help cover his absence.

Mr. Charles had asked for another sentence added to the draft that "the mayor can appoint until the position is filled" Mr. Reilly will have a second draft for the next meeting.

At this point within the live stream, it was cut off due to wifi being disrupted and a new stream was started again. The commission secretary had taken notes before and after the live stream being interrupted and meeting minutes are conducted from said notes.

- **Research Topics**
 - i. **Why did the Law Director go from being appointed to elected in 1991.**

Mr. Reilly had provided the commission with a copy of the minutes of when the Law Director Position was changed from an appointed position to an Elected Position. The commission had discussion regarding that change and agreed that they understood the change and think it provides a nice "checks and balances" within the City to have it be an elected position rather than appointed by the Mayor.

5. New Business

- **Article X: Planning Commission and Zoning Procedure**

Mr. Reilly gave an overview of the Planning Commission and how they formed and their terms. Within section 10.02 the charter states that the commission must hold a meeting every month. Mr. Cowan (City of Stow Planning Director) was present for this meeting. He had stated that the only change he could see being considered is the action of they must hold a meeting every month. If there is no business on the agenda, a meeting still must take place. He was getting feedback from the commission in regard to what they thought about having that changed that if there was no business that a meeting did not have to take place. Ms. Binzel had asked how often that happens. Mr. Cowan had stated that it did not happen often, but it has happened in his time here with the City.

The commission had discussed but ultimately decided to leave it as it read due to the fact they feared that it could allow the Planning Commission to push back applications just to not hold a meeting or delay applications if that was changed within the charter.

Within section 10.05 Mr. Reilly had explained regarding public hearing notices that involve 300 or more residents, a written notice would not be required, for example- the zoning code re-write. Since the new zoning code will be affecting all the residents, they will not have to send out certified letters to every resident. He had wanted to provide a real-time example of when this would take place.

Live stream started recording again at this point in the meeting.

Mr. Reilly went on to explain in section 10.06 Action by Council, can be confusing and he wanted to clarify this section. He and the Law Department read and understand the second portion of the section to state that if Planning Commission has approved something, and council can then reject it with a simple majority of the vote, however, if Planning Commission rejects, then for council to pass it, it would require five (5) votes.

- **Article XI: Board of Zoning and Building Appeals**

Mr. Reilly had explained that Board of Zoning and Building Appeals (BZA) had stated this board handles Residential projects. Stated that there are incidents where they handle nonresidential projects, whereas Planning Commission and Council handles the Commercial / Industrial Projects.

The terms for BZA are staggered that way they have some continuity of operations.

The difference in meeting times in comparison to the Planning Commission, is there is no requirement of having one meeting a month, but if there are no business items they are not required to have the meeting that month.

BZA does not have the power to grant conditional zoning certificates, nor grant variances for land use that would be given to the Planning Commission.

Mr. Cowan stated that BZA handles specifically Single-Family Dwelling Variances. He explained that they can handle a commercial or industrial variance where the variance does not require site plan approval from planning commission. For very minor commercial and industrial properties can be handled by the BZA board but primarily it is reserved for residential properties.

Mr. Reilly explained section 11.05 that there are instances where the board can hear appeals regarding a decision by a public official. Where an applicant does not agree with the decision by the City Official, they can then appeal that decision, and the board will hold a public hearing on such an appeal.

However, an applicant cannot appeal a decision based on the building code, those decisions are heard by the State of Ohio Board of Building Appeals since it is regarding the Building Code.

Mr. Cowan stated that the Board of Building Appeals Board also hear appeals for orders of condemnation. Where the Building Official has deemed a building a dangerous building it is automatically appealed to the BZA board.

- **Town Hall Feedback**

The commission discussed the Town Hall that was held April 1, 2025. They discussed the one question that was brought up by a resident at the Town Hall. The question was asked about possibly including an email that goes out regarding meeting notices along with adding in the social media within the draft of Section 4.12 Public Notice.

Mr. Campbell brought up residents could be getting email notifications on multiple different meetings and that could be cumbersome to be receiving many emails regarding meeting notices.

Mr. Reilly stated that this resolution that is being considered for change also includes notices regarding resolutions, legislation, where its not just a single email, it would be many emails. Whereas a social media post could just have a link to the agenda for the upcoming meeting with the legislation and resolutions attached.

Mr. Charles had asked why the email blast that would go out could just also have the link and be a copy of the social media post and not a full separate email.

Ms. Arch had asked if there were statistics of how many people already are signed up for the notices currently for council, planning commission etc. She stated that if its only say 2% of the population that is signed up currently, that it wouldn't make sense to send out an additional email.

Mr. Reilly stated he could get that information for her.

Ms. Binzel had suggested that maybe an email that goes out on a Friday that has a listing of all the meetings for the next week with a link for the agendas / ordinances.

Ms. Staats had thought that may be cleaner for a person's inboxes.

Mr. Campbell had brought up the concept of this being more of a best practice rather than having it be put into the charter regarding the email portion. He also discussed the "terms and agreements" with the current email terms they are currently signed up for.

Ms. Arch had asked if we would be using the same platform that we currently use for email notifications.

Mr. Reilly had stated that we would use the same platform as we currently use.

Ms. Binzel states that she does not propose changing the charter for this portion, especially if down the road email becomes obsolete, she recommended that it becomes more of a best practice rather than changing the charter.

Mr. Reilly stated that this currently could be something we have in place. Mr. Reilly stated that he was giving the commission homework to see if they can get onto Granicus (the agenda management system) to see if there is a place to sign up for email notifications.

Ms. Morris had looked at the city website during the meeting and let the commission know that Granicus does allow for email notification sign up to get agendas and legislation emails of council and meetings.

Mr. Campbell asked if anyone wanted to see the original proposed change to Section 4.12 Public Notice changed to include email.

Ms. Binzel stated she couldn't imagine adding to the ballot for emails to be sent out to the public.

The commission also discussed recommended that it gets brought up as a best practice. They stated that was the only feedback given thus far from the Town Hall.

Mr. Campbell had asked if the commission wanted to vote on the three proposed changes thus far to send to the council.

Mr. Reilly gave the three proposed changes from the Charter Review Commission.

1. Proposed Change (Version 2) Article 20 Charter Review Commission:

Section 20.01 Composition and Term

In January, 1980, and each 5 years thereafter, the Mayor shall, with confirmation by Council **by the last meeting in January in the year in which the Charter Review Commission shall convene**, appoint a commission of 7 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 as provided in Section 20.02 are completed. The members shall serve without compensation. Special Charter Review Commissions may be established by Council when necessary, with appointments to be made by the Mayor and confirmed by Council.

Section 20.02 Duties

The Charter Review Commission shall, in meetings open to the public, review the municipal Charter, and, no later than ~~August~~ **July 1** of the same year, recommend to Council such amendments, if any, to this Charter as in its judgment are conducive to the public interest.

Section 20.03 Submission to Electors

Upon approval by two-thirds of Council, Council shall submit to the electors all such proposed amendments to this Charter in accordance, in each instance, with the provisions of the Constitution of Ohio

Mr. Charles motioned to send this move version two of 20.01 to the council for review
Ms. Binzel seconded the motion.

Vote – Yeas: Denny Mariola, Dennis Campbell, Rick Charles, Nancy Binzel, Christy Staats,
Janice Arch

Nays – None. Motion carried unanimously.

Ms. Arch had asked if when these changes are given to the council if members from the Charter Review Commission should be present. They had decided they would have a representative present for the meeting if they had questions regarding the recommended changes.

2. Proposed Change: Section 3.06 Acting Mayor:

President of Council, or any member of Council designated by the majority vote of Council, in that order, shall become the Acting Mayor with all the powers of the Mayor in the event the Mayor, or one acting in that capacity for the Mayor, is temporarily: (a) Absent from the Municipality, (b) Inaccessible, (c) Unable for any cause or reason, to perform the duties of the Mayor, or (d) Until Council elects a Mayor in the event of the vacancy of said office as said procedures are set forth in Section 3.07 herein under. **In the event that the President of Council, while acting in the capacity of Acting Mayor is temporarily: (a) Absent from the Municipality, (b) Inaccessible, (c) Unable for any cause or reason, to perform the duties of the Mayor, or (d) Until Council elects a Mayor in the event of the vacancy of said office as said procedures are set forth in Section 3.07 herein under, then Council shall choose, by majority vote, a designee from their membership to serve as Acting Mayor.** Any member of Council performing the duties of the Acting Mayor shall relinquish his/her Council voting power on any motion or legislation

Ms. Binzel motioned to send this move Section 3.06 to the council for review

Ms. Staats seconded the motion.

Vote – Yeas: Denny Mariola, Dennis Campbell, Rick Charles, Nancy Binzel, Christy Staats, Janice Arch

Nays – None. Motion carried unanimously.

3. Proposed Change- Section 4.12 Public Notice:

Unless precluded by law from so doing, public notice, as required by law, or by this Charter, or by resolution or ordinance, shall be given resolutions, ordinances, statements, notices, measures, orders, proclamations and reports in the manner determined by Council, except that if public posting be selected as the medium, then a public posting on the City's website and **any other social media platforms utilized by the City** and not less than **6 3** public places in the Municipality shall be established for such public posting.

Council shall cause each resolution and ordinance to be given public notice commencing not later than 10 days after its first reading in the event that the rule requiring three readings is not suspended, and like public notice shall be given each resolution and ordinance after its adoption and approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be.

Ms. Staats motioned to send this move Section 4.12 to the council for review

Ms. Binzel seconded the motion.

Vote – Yeas: Denny Mariola, Dennis Campbell, Rick Charles, Nancy Binzel, Christy Staats, Janice Arch

Nays – None. Motion carried unanimously.

6. Next Meeting Topic Discussion

The commission discussed the availability of members to set up meetings for the remaining of the month of April:

It was decided on that the next meetings and discussions are as follows:

Wednesday April 9th: Discuss Articles 12, 13, 14, 15 and 18.

Wednesday April 16th: Discuss Articles 21, 22 and start 16 /17

Tuesday April 29th: Continue Discussing Articles 16 and 17

All meetings to start at 6:30 pm

7. Public Comment

No public comment at tonight's meeting

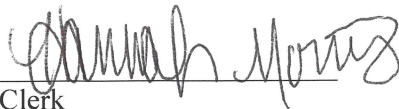
8. Other

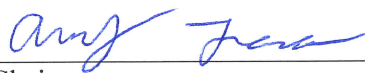
No other comment at tonight's meeting

9. Adjournment

Motion made by Janice Arch seconded by Rick Charles, to adjourn.

Motion carried unanimously.


Clerk


Chairman