

July 10, 2024 City Charter Review Committee Meeting

Meeting minutes

Call to Order

The meeting of the City Charter Review Committee was opened on July 10, 2024. Chair David Robinson conducted roll call, noting the attendance of David Robinson, Jackie Burns, Frank Silvia, Lisa Watson, Anne Edmonson, and Eric Ericsson. Rod Cross was absent. Also present were City Attorney Mike Adams and City Recorder Doug Wiggins. City Recorder Lisa Figueroa was not present.

Consideration of Minutes

The committee reviewed the minutes from the April 30, 2024 meeting.

Motion: Frank Silvia moved to approve the minutes as presented from April 30, 2024. Jackie Burns seconded. The motion passed unanimously.

Continue review of the Toledo City Charter

The committee conducted a detailed review of the latest draft of the charter chapters. Several grammatical, formatting, and substantive issues were addressed:

Section 3.11 - Compensation and Expenses

The committee discussed concerns about confusing language in the compensation section. The first paragraph stated that council members in office on July 1, 2025 may receive compensation for city council meetings, while the second paragraph indicated compensation would be set by ordinance after every council member's current term expired. Frank Silvia noted this was confusing, as some terms don't expire until 2027.

The committee agreed to restructure section 3.11 as follows:

- Create subsection 3.11(a) for initial compensation, keeping the first sentence but removing a duplicative "may"
- Create subsection 3.11(b) for the second paragraph about future compensation
- Reorder the compensation amounts listed as items a-e to be in a logical sequence (city council members, city council president, mayor, etc.)

Grammatical and Formatting Issues

The committee identified several grammatical issues throughout the document:

- In section 2.2, noted numeric indicators (10, 11) that needed to be removed
- In section 4.3, changed "may" back to "shall" regarding city attorney attendance at meetings
- In section 4.3, removed an extraneous bracket
- The committee agreed to remove a sentence in section 4.3 stating "The city attorney shall have the authority to settle claims and compromise debts in an amount not to exceed the city manager's purchasing authority" due to concerns about liability and proper authority
- In sections 6.1, 7.1, and 8.1, standardized language about approving/enacting clauses to consistently use "shall" instead of "may" or "must"

- In section 7.2(b), removed "at least a quorum of" as redundant since business can't be conducted without a quorum
- In section 7.2(c), changed "or" to "and" regarding amendments to ordinances
- In section 7.2(e), removed duplicative text about date of adoption
- In section 8.2(d), simplified language about endorsements
- In section 8.3, simplified language about the effective date of orders

Section 9.3 - Council Positions

The committee had an extensive discussion about council positions and elections. They determined that the section needed restructuring for clarity. The committee agreed to:

- Add a statement clarifying that all positions are at-large
- Add language explaining council terms are for 4 years
- Clearly specify which positions (1, 3, 5) would be up for election in 2024 and which (2, 4, 6) would be up in 2026
- Eliminate the word "biennial" which was causing confusion
- Break the section into subsections for better readability

The committee discussed how the position-based system would work, with Rod Cross explaining it would allow candidates to run against specific council members rather than simply having the top vote-getters win seats.

Section 9.5 - Qualifications

The committee discussed section 9.5(c) regarding employment restrictions for the mayor and council. They decided to simplify this to state "Neither the mayor nor a city councilor may be employed by the city," removing confusing language about "substantially volunteer in nature."

The committee also discussed the residency requirement in section 9.5(a), deciding to change the language to require residency "prior to taking office" rather than "immediately before election."

Section 9.10 - Quorum

The committee identified an issue with section 9.10 regarding remaining council members appointing new members if numbers fall below quorum. They determined that if only three members remained, they should only be able to appoint one additional member to reach a quorum of four, rather than all remaining positions.

The committee also agreed to strike the last sentence about temporary appointments for absent council members, as it conflicted with vacancy provisions and was unnecessary given the availability of Zoom for remote participation.

Section 10.9 - Future Charter Reviews

The committee improved language about future charter reviews, specifying that the charter shall be reviewed by "a city council appointed committee consisting of an equal number of city councilors and citizen members every 10 years." They eliminated the word "approximately" to make the timing requirement clearer.

After completing the comprehensive review of the charter document, the committee voted to approve the amended draft for submission to the Toledo City Council.

Motion: Rod Cross moved to approve the final draft to submit to Toledo City Council. Jackie Burns seconded. The motion passed unanimously.

The committee members were asked to attend the City Council meeting on Wednesday, July 17, 2024, at 6:00 PM to answer any questions about the charter amendments. City staff would distribute the edited document before the council meeting.

Committee members also discussed the possibility of staffing an informational booth at the upcoming Summer Festival to educate the public about the charter changes.

Adjournment

The meeting was adjourned at 11:20 PM.

APPROVED:

ATTEST:

Mayor Pro-Tem Tracy Mix

City Recorder Paul Johnson

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