

Brookville Charter Review Commission
Regular Meeting
September 15, 2025
Minutes

Chairperson Rutherford called the meeting to order at 6:00 pm. Asked if there were any questions or comments with the proposed minutes from the August 5, 2025, meeting. Hearing none, he requested a motion. Member Wright made a motion to approve. Member Keaton seconded. Vote 6-0 to approve.

City manager Kuntz informed the group that Member Mohr recently submitted his letter of resignation for personal reasons. Manger Kuntz asked the Commission if they believed they needed to request the City Council to appoint anyone to replace Member Mohr. The Commission members stated they believed they were in a good position to move forward with only six members and didn't believe City Council needed to name a replacement. The Commission stated they were too far into the review process that it would take some time to get a new person up to speed.

Member Vandercook asked about the working draft provided to the Commission by staff, specifically Section 2.02, relating to term limits of City Council members and the period between when a citizen is term limited and when they could run again for a City Council seat. Law Director Stephan provided a historical summary of the legislation which was voted upon by the city's residents. There was general discussion about this issue and what the perceived intention behind said legislation was. The Commission built consensus that they believed a person needs to sit out a full four years after the serve on the City Commission before they can run for a City Council position again. Commission members also agreed that a recommendation should be made to the City Council for them to consider adding clarification language on this point.

Member Keaton went over her notes on the working draft with the group. Law Director Stephan also discussed his recommendation for Section 3.04.A.4, specifically his recommendation that this subsection should be removed from 3.04B as a vacancy condition which should receive a hearing by the City Council. As Section 3.04B deals directly with a recall of a City Council member, this condition falls under the language of Section 10.03 of the City Charter and shouldn't be eligible for a City Council hearing.

Member Colston recommended as a housekeeping note, to be included with the Executive Summary Recommendations that all references in the current City Charter to items being in effect starting in 1979 should be removed because that date is now inconsequential to the city's operations. The Commission members agreed with this sentiment and asked that it be included with the final Executive Summary Recommendations. General Commission discussion about Section 4.11.

Member Colston asked about being able to include electronic notification in the legal advertisement requirements. He asked if this item could also be included with the Executive Summary Recommendations.

Law Director Stephan explained he believed legal notifications should still be required for zoning matters, as this was a ballot initiative a few years ago and the intent of that section of the Charter was to ensure legal notifications were included with a newspaper in general circulation within the city's limits.

Members Wright and Keaton spoke about the considerable cost impact upon the city that legal advertisements in newspapers were.

It was agreed to recommend where appropriate, electronic notification on the city's website should be a suitable option to be included in Section 4.14, however for any zoning matters, legal posting should still be required to be in a newspaper of general circulation within the city, and that this item would be included with the Executive Summary Recommendations.

Member Keaton also commented to the best of her knowledge, the city has never carried out the requirements set forth in 4.14.A.1, specifically to post the entire text for legislation because it's cost prohibitive for a city Brookville's size. Law Director Stephen agreed with this.

Law Director Stephan recommended the entire 5.01 section be stricken, except for the first line due to Ohio Supreme Court decision that makes it illegal to require an employee to reside within city limits.

Member Vandercook asked about the need to include executive experience in the requirements for the city manager. There was general discussion about this question and the city manager's contract requirements. It was agreed they will recommend a line be added at the end of Section 5.01.C the manager's contract must follow the City Charter.

There was general discussion about the City Council's relationships with general city employees.

Member Wright asked about the inclusion of the phrase "chief law enforcement officer of the city" as found in the opening sentence of Section 5.03.A.

There was general discussion about the city manager having responsibility and being included with the hiring of department heads. It was agreed to recommend the addition of the line "the hiring of department heads will be the result of a written recommendation by the city manager and have majority concurring vote of the City Council" under Section 5.03.

Member Vandercook asked some clarifying questions regarding state requirements of the city's Finance Director. Member Keaton provided additional information regarding state requirements.

Member Colston recommended removing the language clarifying the original members of City Planning Commission from 1979 in Section 7.01 as it's no longer relevant. He asked for this to be included in the Executive Summary Recommendation.

Manager Kuntz informed the Commission members the City Council requested an update from the Charter Review Commission on a quarterly basis. Chairperson Rutherford stated he would be happy to do so and will provide an update in either October or November.

Member Keaton asked about including language related to quorums for all boards and commissions. Law Director Stephan told the group the city's Zoning Ordinance provides for rules on quorums specific to zoning and planning boards. Member Colston asked for a clarification on boards and commission roles within the Charter and Law Director Stephan gave some background on this question. There was general discussion about board quorums and the roles of the Mayor and City Council members being on the city's Planning Commission. Member Keaton asked about residents not being able to be on other boards if they're on City Council. Member Wright recommended the group bring up the topic of City Council members being on the Planning Commission per the City Charter as part of their Executive Summary Recommendations. There was general discussion related to Section 7.03

Member Keaton recommended the Charter should change the member total on the Board of Park Trustees from four members to five members. There was consensus to recommend this change.

Member Keaton recommended removing language in the first line of Section 7.07.A.1 specific to the election of a Board Secretary due to the regular practice of the city's Clerk of Council serving in this role for all Boards. There was consensus to make this recommendation.

There was general discussion to add the line, "or the Ohio Revised Code" at the end of the second sentence in Section 8.02. There was general discussion about recommendations made by city staff to the City Council regarding bid projects. It was recommended the first line in Section 8.02.C be changed to read "Contracts awarded after competitive bidding shall be awarded by the City Council to the lowest, most responsive and responsible bidder, as reviewed and recommended by the Manger." It was also recommended to remove the second line of this section. There was consensus to make this recommendation to the City Council.

Chairperson Rutherford asked if the group believed the threshold for petitions was lower when compared to other jurisdictions. Law Director Stephan said he would investigate this. Stephan said he would also research the language related to form submittal and the requirement for the City Council to reimburse the election authorities.

Member Colston motioned to adjourn.

Chairperson Rutherford seconded the motion to adjourn.

Vote 6-0 to adjourn, 7:50