

Brookville Charter Review Commission
Regular Meeting
November 3, 2025 APPROVED
Minutes

Members present were Chairperson Rob Rutherford, Vice Chairperson Sonja Keaton, Tim Colston, Anne Vandercook, Jo Wilder and John Wright. City Manager Jack Kuntz and City Law Director Rod Stephan were present for staff. 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 October 6, 2025, meeting. Hearing none, he requested a motion. Member Colston made a motion to approve. Vice Chairperson Keaton seconded. Vote 6-0 to approve.

Vice Chairperson Keaton asked if she could make a few comments regarding the working draft of the recommended changes to the City Charter. She stated she believed the word “Municipality” still needed to be changed to the word “City” in Section 3.07.E, 3.08.B and 4.06. She also stated she believed the group discussed adding similar language to Sections 6.01 and 6.02 as the group recommended in Section 6.03.C, specifically the City Manager would make a recommendation in writing to the City Council on the specific hiring of the Director of Law and the Director of Finance.

Vice Chairperson Keaton asked Law Director Stephan specifically about Section 8.02.A; about the Ohio Revised Code threshold for municipal contracts. Included with this discussion was the language in this section and if it should only include the Ohio Revised Code or if the recommendation should include keeping the current language, specific to the words “ordinance or resolution” and just adding “or Ohio Revised Code” after that phrase, or if they should recommend removing the words “ordinance or resolution.” The group decided to add the phrase “or Ohio Revised Code” to the pertinent sentences in 8.02.A and 8.02.B to be like what they’re proposing in Section 8.01.

Law Director Stephan recommended the group remove the third reading requirement in Section 4.11.B and remove the phrase “unless such additional readings are dispensed with as provided for by Section 4.04 of this Charter.” The recommendation was made to make the Charter language consistent with recommendations made in other parts of the Charter reducing the number of readings for legislation from three to two. There was general discussion about 2 or 3 readings and what other communities require in their Charters and Zoning Ordinances.

Law Director Stephan spoke to the group about a previous recommendation, specifically removing the second line in Section 10.01.B. Mr. Stephan recommended including language such as “signer of petition must follow standards and laws of the state of Ohio.” He told the group he would work on some possible language for the group to consider at the next meeting for this section. He emphasized that he believed it was important to keep legal language in the section to be compliant with state election laws. There was general discussion about this topic.

Law Director Stephan discussed all three Sections of Article 10 with the group and provided examples of what neighboring communities require in their city charters.

Member Wright stated he didn't believe it was worth making a change in the petition threshold.

Law Director Stephan provided examples of surrounding communities thresholds for referendum petition signatures. The cities of Centerville, Englewood and Union require 35% of the electors who voted in the previous municipal election. The city of Vandalia requires 15%. Brookville requires 10%. The city of Clayton requires 10% of the electors who voted in the previous Governor's election.

Law Director Stephan provided information regarding petition signature thresholds for recall initiatives. The Ohio Revised Code requires 15% of the electors who voted in the previous Municipal election but also permits Charter Cities to set their own limits. Brookville requires 25% of the electors who voted, which is the same as the cities of Clayton, Union and Vandalia. Mr. Stephan also discussed the recall process and points of conflict with the Montgomery County Board of Election earlier in 2025. Mr. Stephan believes the city's Charter needs to clarify a few points to avoid future conflicts. One example is to create a new 10.03.B which will be the same as the first line currently found in 10.02.B to be consistent across all Sections in Article 10. The current 10.03.B would then become 10.03.C.

The entire Article 10 needs to be scrubbed of the word "Municipality" and replace it with the word "City."

Law Director Stephan suggested the Charter Review Commission consider adding language to specify when the city could hold a "Special Election" to assist in avoiding future conflicts with the Montgomery County Board of Elections' current policy/interpretation of state law. The city's current Charter language requires a Special Election to be held within 45 days of when the successful petition is certified. The Board of Elections believes the Ohio Revised Code only permits them to hold elections during their normal schedule. There was general discussion about the cost of Special Elections to the City. The Ohio Revised Code requires the local jurisdiction to pay the cost of Special Elections.

Member Colston asked if Law Director Stephan would craft language as proposed for the Charter Review Commission to consider. Law Director Stephan indicated he would prepare recommended language for the next meeting.

There were no further questions for Law Director Stephan.

Chairperson Rutherford told Mr. Kuntz he would send bullet points to be included with his presentation before the City Council at their normally scheduled November 18 City Council meeting.

Member Wright asked Law Director Stephan if there were any issues or concerns that weren't addressed by the previous meeting's suggestions. Mr. Stephan indicated he believed everything was fine, but he would review the material one more time.

Member Colston motioned to adjourn.
Vice Chairperson Keaton seconded the motion.

Vote 6-0 to adjourn at 7:15