

Special Session of Village Council

August 4

14

Call to Order

The Special Session of Council was called to order by Mayor Mike Erwin. The meeting was opened with the Pledge of Allegiance.

Roll Call

Roll Call was completed by the Mayor. The following members were present.

Yorkie Bryant - P

Terry Erwin - P

Rebecca Isaacs-Niemesh - P

Judy Neal - P

John Poe - P

William Thompson - P

Purpose

The Mayor stated the purpose for the called meeting, Filing a Petition with the question: *Will a Commission be called to form a Charter Government?* He gave the floor to Councilman Poe to lead the discussion.

Poe stated over the past few months discussion ensued regarding the possibility of forming a Charter Government. He acknowledged he brought it to Council and provided information at previous Council meetings and it was determined time was needed to review and discuss the idea. He advised upon further discussion, we determined the best way to go about it was to allow the electorate to decide this. The first step is a Petition. As long as we have the required signatures he stated, the question is, are we as a community willing to explore the possibility of having a Charter government? The issue would then be placed on the ballot to go before the voters Poe advised.

The Councilman advised if the voters in November state they are willing to explore Charter government, fifteen (15) individuals would serve on a committee to frame a Charter to go back to the electorate to decide if Morrow would have a Statutory or Charter government. Poe stated he wished to offer Council the opportunity to vote on the issue as a courtesy and requested a legal view from Solicitor Kaspar. Kaspar made a recommendation; he stated he understood a petition was signed by the appropriate ten (10) percent of the electorate to go before the Board of Elections and an endorsement from Council was being sought. He advised the petition could be presented directly to the Board of Elections; procedurally it satisfies the legal parameters in place with the filing deadline of August 6, 2014. Kaspar advised a vote on legislation by Council would require suspending the rules on an emergency basis; otherwise it would be beyond the deadline for filing. Thompson stated we don't need to make this an emergency; he questioned the number of signatures required, 10% of the electorate versus 10% of those voting in the last election. Kaspar advised the petition must have 10% of the number of people who voted in last November's election. He read Chapter 705 of the Ohio Revised Code, Section 705.01.

Councilman Bryant stated we voted it down three months ago; it's not an emergency. Discussion followed. Poe stated it was never voted upon; no action was taken. At that time, we agreed Council members needed time to review the information provided. Councilwoman Isaacs-Niemesh asked Poe why now after working on the Comprehensive Plan. She asked why is Charter government being explored; the cost is huge she stated. Poe asked what cost she was discussing. She said the cost to do the work, giving every voter a hard copy of new Charter. Poe responded to the initial question stating benefits of a Charter government. He said the number one reason is the ability to attract economic development to our community. Isaacs-Niemesh asked how. Poe stated you opted out of working on it. She explained why she did not commit to working on the matter. Poe continued with the benefits. Poe added we would have the freedom to build our own government; it has remained the same since 1845 although many changes have occurred in the community. He advised many neighboring communities who have adopted Charter government are more efficient and streamline the way business is handled. He stated we could develop a strong business community with an improved tax base. Poe

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stated the residents will have an opportunity to decide; all the people that have an interest in building something for our government. The Councilman stated he wants the quality of life for Morrow residents to be as abundant as possible. He said he was concerned about today, not the past 30 to 60 year's administration. Poe presented the result of exploration with other communities, among them Loveland and Lebanon. He stated in Loveland, Charter government is making the vision with the Comprehensive Plan a reality; Loveland's downtown has improved. Bryant asked if Waynesville was contacted. Poe responded yes. The Mayor asked Poe to state the names of the communities in the region who had Charter forms of government. He stated Waynesville, Lebanon, Loveland, Mason and Springboro have Charter forms of government and South Lebanon, Maineville and Morrow have Statutory government. The Mayor stated those with Statutory government look exactly the same, not as vibrant as those with Charter government. Morrow would still fall under the statue of the State of Ohio, but there are some modifications we can make to support businesses. Residents vote on what they want for the community; it gives more flexibility such as tax breaks and creates an environment where job creation is possible the Mayor advised.

Bryant asked what kind of tax breaks can be given. Village Administrator Rod Smith stated tax abatements could be granted in which case businesses write checks to make the school board whole. Randy Osborne discussed financing for businesses which rent buildings and tax incentives can be arranged. Bryant commented on new business construction versus renters. Tomas Ryan de Heredia stated it could be handled through landlord abatement of business tax based on agreement times number of employees hired with fixed rent for 10 years as an example. He stated Loveland's Farmer's Market has grown, support by EBT Program. He added there were 900 registered voters in Morrow; the Ohio Constitution, Article 18 recognizes Charter government. Tomas Ryan de Heredia stated speakers could be invited to give insight. Our initial effort was to merely get it on the ballot. It takes two to three years for this to come to fruition. Thompson asked about the time limit. The Mayor stated it was one year. You can amend the Charter like you amend the Constitution.

Public Forum

We could fix things before they become entrenched. The Mayor stated it would come before the electorate. Mr. Randy Osborne stated he has a lot of experience in negotiation and with fifteen people working hard it shouldn't take long. Neal stated she was previously opposed; the State law allows \$45,000 expended at will. She stated we can change that if we have a Charter. One citizen stated the reason her name was on the petition; *you can be a part of it*. Thompson commented on current open meetings. He stated his objection to it was the Mayor stated in December 2012 he would get the Charter. He stated the Charter came up again in May 2013. Thompson stated he would not vote on it as an emergency. Poe stated there is a cost savings if we get it on the ballot now.

The Solicitor advised Council as a legislative body won't be submitting this. There are questions that are required to be answered, Council providing different information in terms of what would be included; Board of Elections will certify submission and ultimately return it back to Council. Council shall make determination about election. Kaspar further stated the Secretary of State provides forms and resources available to choose commission. Council will get the Charter petition back. You shall pass an Ordinance. Isaacs-Niemesh stated there was really no reason for Council to vote. Kaspar responded you would get in front of it. Thompson stated it's not an emergency. Kaspar advised it wouldn't affect the submission of the petition. Isaacs-Niemesh asked what the vote tonight would have to do with the election. Tomas de Ryan Heredia stated August 6th was the deadline for submission to get on the ballot. Poe stated we can move forward as a courtesy endorsement with an up and down vote. Discussion followed.

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Sue Nelson stated it's a good idea to move it forward. Thompson stated rumors are out on how things are to work. The answer is it depends on how it is written. Dave Ducker stated do we need or want change; we are asking for a look; what is the harm in looking. He stated the people who voted you in office are asking to make a change; let the voters decide. It doesn't hurt Council to give the citizens that right. Thompson stated he's not trying to stop it from going to the Board of Elections. Ducker stated Thompson remarked earlier in the meeting the Mayor made a statement in December 2012. He asked why live in and bring up the past; close the book. My neighbors and I have the decision.

Isaacs-Niemesh stated a question was posed to her regarding precincts. The Mayor stated the term is wards and it depends on how the commission is written. The Mayor stated there is equal distribution of power to residents. Isaacs-Niemesh asked how is this equal; wards, all vote on who is running. Tomas responded there would be a number of candidates for each ward; the wards would be represented. The populace would decide, one for each ward. It could be geographic or per capita. It would be a consensus; a fifteen member commission with Council and citizens working on the Charter. He further stated it is not a question of disenfranchising Council members; various formats could be explored. Sue Nelson stated it sounds interesting; it gets the community involved. Isaacs Niemesh asked who is writing the Charter. The Mayor stated there is a process. The internet can be used to save expense; we can investigate and use available resources. Randy Osborne stated change for change's sake is not good; but, meaningful change can be good. Tomas de Ryan Heredia stated we can put caps on the level of growth and development that may be added. We can maintain *Mayberry*. Thompson asked how many signatures were received. Poe advised they have not yet been certified; we have enough. He stated he wanted home to be a place we can be proud of and we want the people to speak. Poe stated he asked everyone at the table to participate. Bev Massey stated she signed to work on the commission because she absorbed a lot of the cost for the school levy because we don't have businesses. Isaacs-Niemesh asked if members have been set and if that goes on the ballot. Thompson stated every meeting is announced and open to the public.

The Mayor called for the vote and asked the Solicitor for the question. Kasper stated a vote is desired to endorse submission of the request for organizing Municipal Corporation of the Village of Morrow under a specific plan to the Board of Elections. The vote resulted in four yea; two nay, Bryant and Isaacs-Niemesh.

Adjournment

Motion by Councilman Erwin to adjourn; second by Neal. All yea.

Kathie Koehler, Fiscal Officer

Mike Erwin, Mayor