

Village of Oakwood  
Charter Review Commission  
Minutes  
May 6, 2020

**ATTEND:**

Jim Climer – Law Department (Chair)	Andrea Lowe– Mayoral appointment
Amos Berry Jr.– Council President appointment	Gloria Blevins– Ward 1 appointment
Noral Copeland– At large appointment	Joel Hladky– Ward 4 appointment
Audrey Severns – Ward 3 appointment	Nicole Goode - Ward 5 appointment
Johnnie Warren-Council President	Chris Callender-Ward 1
Eloise Hardin-Ward 2	Candace Williams-Ward 5
Danielle Birch - resident	Debra L Hladky – Clerk of Council-Secretary

**ABSENT:**

Jackie Graves– Ward 2 appointment	Dan Stanton– Mayoral appointment
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\* Arrived late

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Meeting opened at 7:17 pm by Climer  
Pledge of Allegiance  
Attendance Taken

Motion to approve minutes of April 22, 2020 made by Mr Hladky seconded by Berry  
VOTE 6 YES: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe

**Climer:** We prepared resolutions for the recommended Charter Changes. If we can get through them this evening, we can get those to Council for consideration in a timely manner.

CRC 2020-01 A resolution referring to Oakwood Village Council recommended amendments to Oakwood Charter Section 6.01

**Climer:** This would bring our election dates in line with State Law provided in Presidential years when primary elections are held in March.

Motion to adopt made by Copeland seconded by Mr Hladky  
VOTE 6 YES TO ADOPT: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe  
Motion passed

CRC 2020-02 A resolution referring to Oakwood Village Council recommended amendments to Oakwood Charter Section 6.05

**Climer:** This provides a candidate holding an elective office in the Village will be required to resign that office prior to filing nominating petitions to run for a different office in the Village of Oakwood. This request originated with At-Large, Elaine Gaither. The Oakwood Charter provides the two At-Large Council seats and Ward 1 Councilperson run with the Mayor. Wards 2-5 run in another election cycle. If someone in Ward 2 seat wants to run for Mayor, he/she may do so from a safe seat. Their seat is not up

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for election for another two years. Whereas, if Council-at-Large seats or Ward 1 decide to run for Mayor, they must give up their seat. It is all or nothing. If they lose the position of Mayor, they also lose their Council seat. This levels the playing field. **Williams** asked about other options. **Climer**: I haven't done research, I was not asked to do so. If that is the desire of the commission. **Warren**: Just like Councilperson Gaither said, a person running for office should be willing to give up their seat. I did that in 2003; gave up my seat to run against the Mayor ,but it was the vote of the people. **Williams**: It was originally set up like that. Ward 1 could be pulled in with the other Council members. The At-Large positions have an advantage in that if the Mayor were to step down, you automatically step up. **Warren**: That is consistent with other municipalities. If anyone wanted to research, you have had plenty of time to do so. **Williams**: Some communities, all seats run at the same time. **Warren**: That is horrible. **Williams**: Based on what I was hearing from another Councilperson, it was set up staggered so all Council people would not go out at the same time. I just wondered if anything else has been explored. **Warren**: As the Law Director stated, no. **Berry** asked why was it staggered? Why not have them all run at the same time? **Warren**: You could lose your entire Council and Mayor at the same time. There would be no continuity. If you have a veteran Councilperson, a new person can be tutored by a veteran to keep the community going. It is important to have familiarity with the community and the businesses. Sixty-eight percent of our revenue is supported by businesses. If a business is thinking of moving into the community, it may cause us to lose that business if we don't have consistency or stability. **Williams**: Again, that is the way we choose to do it. It is a matter of choice. **Goode**: Who is responsible to bringing back information about how other communities run their elections? **Warren**: Throughout the history of this committee, the Charter is reviewed. If they find something which doesn't work, the committee may look to see what might work. **Climer**: Sometimes legislation is proposed, I do look at what other communities are doing. However, I am paid hourly and frankly. There has not been a request for other proposals. I do not do that on my own because that isn't something the Village has signed me up to do. I do not freelance; I am paid hourly. **Hladky**: We can pass this tonight and will have another five years prior to the next Charter Review; it can be changed then. **Williams**: Does the CRC meet every five or ten years? **Climer**: Every five. **Goode**: What you are requesting would keep us progressive. **Hardin**: I hear a question of the committee; what is the norm? It is the pleasure of the committee. If some of you want to suggest research I can do that. **Warren**: I don't believe the Law Director said he recommends this. He said he doesn't do this. **Hardin**: This is what he prepared based on his understanding. **Warren**: We can take a roll call if this is what the committee wants to do. **Hardin**: You and I are not on the committee. I was just repeating what was said. **Climer**: There are a few options; the committee can vote on it tonight and send it to Council to move it to the ballot or not - or, the committee can table it for me to research what other communities do. **Hardin**: At what point does this go to a public hearing? **Climer**: There is no requirement. The public is free to attend this meeting as are the members of Council. The residents are also welcome to attend Council meetings. **Hardin**: Thank you. **Goode**: So for clarification, you would be the one to research. Are you the only person? **Climer**: If someone else wants to do that, certainly.

Motion to adopt made by Mr. Hladky seconded by Severns

VOTE 6 YES TO ADOPT: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe

Motion Passed

CRC 2020-03 A resolution referring to Oakwood Village Council recommended amendments to  
Oakwood Charter Section 7.07

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**Berry** expressed he is having issues hearing those on the call. **Clerk** gave the dial-in number and access code, etc. **Berry** rejoined the meeting as the commission waited. After **Berry** rejoined the meeting, it resumed.

**Climer:** This modifies the section dealing with vacancies in the office of Council. The suggestion was made by Mr. Copeland. The person being appointed to an unexpired term, that appointee should simply fill that term. Currently that person would need to run prior to the end of the term depending upon the time the person is appointed to serve.

Motion to Adopt made by J.Hladky seconded by Blevins

VOTE 6 YES TO ADOPT: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe

Motion Passed

CRC 2020-04 A resolution referring to Oakwood Village Council recommended amendments to Oakwood Charter Section 7.13

**Climer:** This enables Council to pass by suspension of the rules, anything changing zoning or boundaries of the Village, franchise, contracts and excise taxes. There is a prohibition passing those items under an emergency. It is silent as to whether they can be passed under suspension. In doing this, Council does not have to hold three readings to pass these items. This was discussed at the last meeting. **Goode:** We will be suspending the three readings? **Climer:** Some items cannot be passed under emergency measure. One of the most frequent issues is zoning changes. The Charter is silent as to whether these can be passed under suspension. This section is silent under suspension, it is my interpretation it is permissible. This simply clarifies it. **Williams:** Is this the one you cautioned going against the state? **Climer:** No, that is a different one. **Hardin:** If there is something the commission is not clear on, this is an awesome responsibility. I commend you for taking your time. **Climer:** Options are to vote yes, no, or further consideration. **Hardin:** Maybe take another week? **Copeland:** This is one of the original ones. **Climer:** Yes. **Copeland** suggested putting this aside for further consideration. **Climer:** This originated with me, to streamline the zoning process. Emergency reading takes 66% and suspending of the rules takes 75% of Council. The revision suggested here, would allow zoning ordinances and other matters could be passed under suspension. **Warren:** Zoning is one of the items you are addressing here. **Climer:** Correct. There is a list of items which cannot be passed under emergency. Zoning is the one we run into the most. **Warren:** As what Councilperson Hardin suggested, could you send the commission an email listing the items which could be entertained under suspension and those which cannot. We suspend resolutions so we can get that to the family right away. I thought this may compromise that but you explained that is not the case. **Climer:** Correct. I will be happy to re-circulate the memo.

Motion to Table made by Copeland seconded by Lowe

VOTE 6 YES TO TABLE: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe

Motion Passed

CRC 2020-05 A resolution referring to Oakwood Village Charter recommended amendments to Oakwood Charter Section 7.14

**Climer:** This was suggested by the Secretary tonight, She is required to post items in five of the most public places in the Village which ends up becoming liter. Nobody looks at it. Deb feels it would be more effective and cheaper to have it posted in the Village lobby and on the website. **Goode** asked about the posting locations. **Clerk:** Village Hall, Sam's Club, Oakwood Community Center, Challoupka Sandwich Shop and Roseland Bowling Alley. Hardly anyone knows where those postings are located. **Warren:** We used to have two major papers; the Bedford Sun Times and the Bedford Sun Banner which no longer exist. **Goode** asked if two of the five places, in addition to posting it electronically. We share a Rec. center and the local library. **Clerk:** I don't know if those places post legislation and other items for other communities. **Warren:** It is posted at the Community Center and a lot of seniors use that. **Goode:** I feel it should still be posted all places. How do we monitor people don't know where it is posted? **Clerk:** I have asked residents where the postings are and no resident I have spoken to knows. It is antiquated. Two places may be beneficial if that what the commission chooses to do. **Goode:** Keep it at Village Hall. She also suggested Sam's Club. **Climer:** Two most appropriate places is Village Hall and the website. **Goode:** We are using the digital marquis? **Clerk:** We use the website. The Mayor controls the digital marquis. **Climer** suggested the Community Center and Village Hall as well as the website. As it is presently worded, it leaves it with the discretion of the Clerk. **Goode:** We could post in our Charter where to see it and our Facebook page and electronically. **Clerk:** We do not have a Facebook page, the Police Dept. does. **Climer:** We should not legally specify the locations but simply state the most prominent places. He suggested changing it to the two most public places and the website. **Warren:** If we list the places in the Charter, unless it is Village owned, we would have to amend the Charter to take the one business out and put another in if it is no longer in existence. **Climer:** If something closes up, it changes the validity of the legislation. **Warren:** Right now the Charter simply says five places. **Climer** again suggested two most public places and the website. **Hardin:** Do I hear, based on technology and all municipal buildings, that way we are protected. Your Charter is the constitution. **Climer:** We are talking about the Fire Station, Service garage, Police Station. Deb is running all over town again. **Hardin:** I had the Community Center in mind. **Warren** suggested Village Hall, Community Center, two other locations with public access and the website. **Climer:** Now she is posting in four places. **Warren** asked the Clerk to repeat the five posting places. **Clerk:** Sam's Club, Village Hall, Community Center, Challoupkas Sandwich Shop and Roseland Bowling Alley. I researched other municipalities prior to this commission meeting with many other Clerks of Council throughout the state of Ohio. Many of them have changed their Charter to include the website only. I felt that was too drastic. There are some people who do not have internet. I thought having an alternate place, people could view it in paper format who do not have access to the internet. That was the methodology behind my suggestion. **Goode:** We share a library. **Climer:** I am not sure posting outside the municipality is valid. **Warren:** The Charter is specific within the municipality. **Goode:** We may want to look at that. We share our library. A lot of our families go there. **Climer:** I have real questions as to the validity of posting outside the municipality under state law. **Goode:** Ok. **Climer:** Does the commission wish to proceed or to expand it to two places and the website. **Severns:** The Community Center is visited by many of us, that would be a good place to post a well. **Climer:** That may be a good place, in addition to the Village Hall. **Warren:** Do we want to specify the locations? **Climer:** I suggest we not specify the locations. If things are closed up, we have the question of validation of the legislation if it cannot be posted at those listed locations. It leaves it to the discretion of the Clerk. If we do anything in expanding it, we could simply include two places as opposed to five places in the Village. **Williams** asked if the locations can be added to the website. **Climer:** Sure, we can add that. **Warren** mentioned those who do not have internet. **Climer:** We do not specify in the Charter where these locations are now.

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**Williams:** I am only concerned about people knowing where these locations are. **Climer:** Other than identifying on the website, I don't know. **Clerk:** They can always contact the Clerk of Council's office to receive the publications either electronically or by paper format. People also have the option of signing up to receive periodic emails keeping them up-to-date on notifications of meetings, etc. **Climer:** I will rewrite it to include the Village Hall lobby, another public site and on the Village website. The posting locations will be identified on the website.

Motion to table 2020-05 made by Copeland seconded by J. Hladky  
VOTE 6 YES to TABLE: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe  
Motion Passed

CRC 2020-06 A resolution referring to Oakwood Village Council recommended amendments to  
Oakwood Charter Section 7.16

Climer: This should be read in conjunction with section 8.05 which is 2020-08.

CRC 2020-08 A resolution referring to Oakwood Village Council recommended amendments to  
Oakwood Charter Section 8.05

**Climer:** This revision specifies 105% of the Police Chief salary, unless the newly elected Mayor has less than two-years experience in which case, he/she would receive 75% of the Police Chief's salary, 7.16 also addresses that section. The change to 7.16 is also reflected in section 8.05. My suggestion is, we consider 8.05 and if the sense of the Commission is to pass it, I suggest considering passing 7.16. **Hardin:** I want to see the present pay ordinance for both. Also, aren't expenditures addressed through ordinances rather than the Charter? **Climer:** You are correct. Salaries are passed via ordinances. This section, 8.05, was a suggestion of Administration as a new Mayor does not return the same value to the Village as an experienced Mayor. **Hardin:** Why is it being dealt with in the Charter? **Climer:** It was requested by the Administration and I wrote it up. **Williams** asked his recommendation based on other communities to change it from ordinance to the Charter. Is it recommended? **Climer:** I wouldn't say it is recommended. It is a policy matter for Council to decide whether it should be put before the residents. Council indirectly controls the Mayor's salary by what they pay the Chief of Police. **Williams:** This will affect the Police Chief in that he will be paid more than the Mayor. **Climer:** For the first two years, yes. **Williams:** This would affect a future Mayor over the next five years. **Climer:** If the voters approve it in November, yes. **Goode:** What are we basing less than two years experience on? **Climer:** That was suggested to me by the present Mayor as to how long it takes a new Mayor time to acclimate to the position. **Lowe:** This applies to prior Mayor experience, am I correct? **Climer:** Yes, as it reads. **Williams:** Does this only qualify someone who may have been Mayor somewhere else? **Climer:** The only person with previous service would be someone who has been Mayor of Oakwood in the past. I have not seen this. Some people who take office can be up to speed in a year, others from the get-go and others may not catch on until 10 years. **Hardin:** This is a whole other slant for someone who chooses to run. This is a little bazaar. At some point, it is only because we are dealing with union wages. We need to make sure our administration is compensated properly. This is taking a quantum leap and tie the hands of an individual to run and tie the hands of the electorate. I hope the constituency is aware they are qualified. Even if someone who has administrative experience, wouldn't qualify. **Climer:** It doesn't say you can't run. It simply states you will

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be paid less in the first two years. **Hardin:** I shouldn't bother to run then. **Lowe:** What are you comparing the person's experience with. Just because they have not been Mayor before. This is absurd. We should research this. **Copeland:** Then years ago when I served on the CRC, this very thing came up. We tabled it at that time for the very reasons these ladies were discussing.

Motion to Table made by Copeland seconded by Goode.

VOTE 6 YES to TABLE: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe  
Motion Passed

CRC 2020-06 A resolution referring to Oakwood Village Council recommended amendments to  
Oakwood Charter Section 7.16

Motion to Table made by Blevins seconded by Severns

VOTE 6 YES to TABLE: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe  
Motion Passed

CRC 2020-07 A resolution referring to Oakwood Village Council recommended amendments to  
Oakwood Charter Section 8.04

**Climer:** This recommends repealing 8.04 of the Charter per my suggestion because as a Village, we are not a Civil Service entity. We do not have classified employees. We are presently working on the Employee Handbook. The census of Council is to remain an at-will employer. This section runs counter to at-will status. This gives employees the right to appeal to Council upon disciplinary action. This could also result in years of court litigation. The Law Dept. recommendation is that 8.04 be repealed.

Motion to Approve made by Copeland seconded by Berry

VOTE 6 YES: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe  
Motion Passed

CRC 2020-09 A resolution referring to Oakwood Village Council recommended amendments to  
Oakwood Charter Section 10.02

**Climer:** This refers to the mandatory referral of certain items of referendum. This is intended to shorten the period to address zoning ordinances. As we previously discussed, it takes, at minimum, six months to pass any zoning issues. The reason being, it has to be referred to the Planning Commission by Council. PC must give 15-days notice of a public hearing. It gets referred back to Council, which is required to hold another hearing with 30-days notice. Council then acts upon it as the Charter presently reads, Council holds three readings. All this must be done 90-days prior to the election, which is the Board of Elections' deadline. This will provide PC will hear the matter, return it to Council within 30-days. If the public wishes to attend the PC meeting, they may do so. Once it returns to Council, it will be placed on first reading within 30-days and its final reading within 30-days of its first reading. Council could also suspend the rules and pass it by 3/4 vote of its members shortening the process by two-three months.

**Hardin:** stated the public can comment. Are you eliminating the public hearing? **Climer:** My suggestion is to eliminate the public hearings and allow people to comment at the meetings. **Hardin:** Currently, at

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the public hearing, how is it advertised? **Climer:** It involves a mailing. **Hardin:** That mailing is to those impacted by it. **Clerk:** Yes. **Hardin:** I would like to have the public hearing. Once it is given to Council, it can be passed more readily. **Climer:** You are suggesting PC hold a public hearing and it is referred back to Council which holds another public hearing. **Hardin:** We need to have at least one public hearing. **Climer:** I took away both in favor of people simply commenting at the meeting. **Hardin:** I don't agree. There should be a public hearing at the PC or Council. I would feel better voting if the general public had a chance to attend the Planning Commission. **Williams:** As a Council person, I don't feel comfortable taking away our residents' opportunity to speak. At least one public hearing. **Climer** asked the consensus of the CRC. **Warren** asked the CRC to entertain a public hearing. Residents can express their feelings to the PC at a public hearing. Goode: How many days between readings? **Climer:** It depends. The state statute simply states three separate readings on three separate days. **Williams:** So we could have three meetings in a row. **Hardin:** As long as it is aired publicly. **Warren:** If you want to condense it and not take the rights of people away, it makes sense the PC could hold the public hearing and advertise to the residents instead of holding a standard meeting. **Climer:** Does the commission have a view on this? Council has indicated they wish to have at least one hearing. With that, I suggest this commission table 2020-09 and rewrite it for a hearing to occur with the Planning Commission prior to sending it back to Council. The matter will be rewritten.

Motion to Table made by J Hladky seconded by Goode

VOTE 6 YES to TABLE: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe

Motion Passed

**Goode:** Does it matter who pays for the information to be mailed? **Climer:** The Village pays for it.

**Clerk:** And the publication.

CRC 2020-10 A resolution referring to Oakwood Village Council recommended amendments to Oakwood Charter Section 10.04

**Climer:** This eliminates the second hearing on a zoning matter before Council. I suggest that be consistent with my rewrite for 2020-09.

Motion to Table made by Goode seconded by Lowe

VOTE 6 YES to TABLE: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe

Motion Passed

CRC 2020-11 A resolution referring to Oakwood Village Council recommended amendments to Oakwood Charter Section 10.06

**Climer:** This would eliminate credit for Village residents on a civil service test, if and when we become a city and civil service laws kick in. This was struck down by the Ohio Supreme Court. This is not immediately necessary, but should be cleaned up. **Hardin:** Currently we have three civil service members appointed by the Mayor. **Climer:** We do not. This section does not go into effect, unless we become a city. **Williams** addressed letter (a) in that section; they are appointed for a service of four years and others for six years. Which ones are chosen for what term. Can we correct it to reflect all four years or all six

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years. **Climer**: I do not know why this is even in our Charter. It doesn't take effect unless or until we become a city. If I were writing this, I would leave it out. If this were to go into effect, it would be unconstitutional. **Williams**: It seems there has been a lot of effort and time put into this for something which is not necessary. **Climer**: It was before my time. **Hardin**: I have a question at the end. **Warren**: We have less than 4,000 residents and it is extremely unlikely we will become a city. The only three parcels of land which can be developed are commercial property and are either being developed or will most likely be developed as commercial. To let you know, 68% of our revenue comes from the payroll tax. This is why we have tried to attract companies with large payroll. **Williams**: I don't think we can assume we won't become a city. It was amended in 1995, 1999, 2002 and 2011. Do we clean it up or remove it? That second sentence isn't clear. Why is it not written well. **Climer**: When we looked at it, this stuck out as directly contradictory to the Supreme Court. **Warren**: That may have occurred after these amendments. **Climer**: I am sure it was. **Warren** suggested researching the reasons for the changes. **Copeland**: It seems to me, if it is unconstitutional by the State Supreme Court, it won't make a difference if we become a city or not. **Warren**: I have been in construction and development all my life. There is most likely a 1% change we will have 1,000 people move into the Village, because we do not have the developable land. We will never be a city. **Copeland**: We discussed this 10 years ago. In the history of the Meadows, I believe the developer had to come back to the Planning Commission and Council for the lots to be as small as they are now. I propose we eliminate this section all together. It gets us into compliance with the Supreme Court and there will be no issues in the future.

Motion to eliminate 10.06 all together made by Copeland seconded by Severns. **Climer** suggested we table it and bring it back next week with a resolution rewritten eliminating section 10.06.

Copeland amended his motion to reflect tabling this CRC 2020-11 at this time seconded by Severns.  
VOTE 6 YES to TABLE: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe  
Motion Passed

### *Public Comments*

**Hardin** asked the Law Director to research residency requirements for Council and the Mayor. What does bonified mean? **Climer**: You want me to research residency requirements for elected office, correct?  
**Hardin**: Yes.

**Climer** commented: Next meeting is May 20th at 7:00 pm. I will have the amended resolutions to you prior to that date giving you time to review them prior to the meeting.

Motion to adjourn by Severns seconded by Blevins  
VOTE 6 YES: Berry, Copeland, Blevins, Severns, Hladky, Goode, Lowe  
Adjourned 9:09pm

Submitted by Debra L Hladky, Clerk of Council