

DRAFT City of Green
2026 Charter Review Commission
P.O. Box 278 ♦ Green ♦ Ohio ♦ 44232-0278

MINUTES APRIL 21, 2026

CALL_TO ORDER Bob Knapp, chair called the meeting to order at 5:31 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL Roll call was taken. All members present.

PROCEDURE REVIEW Public comments will be taken at the beginning of each meeting, asking people to limit their public comments to three minutes. Public comments will also be invited as each Charter Article is reviewed.

Bob Knapp noted a few upcoming meeting absences leading to rescheduling some meetings beginning with the first meeting in June. It is scheduled for June 1 at 5:30 p.m. After discussion, the Commission agreed the second meeting in May will be Wednesday, May 13 at 5:30 p.m. At that time, a review of items for changes will be discussed. Bob Knapp said the discussions will include the recommendations going to council and the mayor on items that do not rise to a charter amendment.

Bob Knapp asked the Commission members to keep in touch and submit information (language) for changes going forward.

APPROVAL OF MINUTES April 21, 2026. Robert Duffrin moved to approve. Kristen Koral seconded. No discussion. Roll was called. Minutes approved Motion carried.

READING OF CORRESPONDENCE None.

PUBLIC COMMENT None.

NEW BUSINESS

A. **Review of ARTICLE IX CHARTER AMENDMENT AND REVIEW**

Bob Knapp asked for comments or recommendations on Article 9, Section 9.1 and 9.2. No discussion on 9.1.

Betty Konen brought up for discussion in 9.2 Charter Review it says Charter Review Commission meets every seven years. As it is now, not every mayor is going to have two terms in office so they would not have the opportunity to have a charter review. She continued it would be nice for a mayor to have the opportunity to do a charter review commission, if they want, within their time as an office holder. Also, there has been some mention of doing away with property taxes and other changes in funding of government. For these reasons, she suggested that would be another reason to have charter review more frequently than the current seven years. She noted the mayor and/or council can make charter changes without the Charter Review Commission. But, it is nice to have members of the community involved with those charter changes. She is suggesting it, but if this Commission does not want to consider it, she understands. She continued, with the way government changes so rapidly these days, with potentiality of funding structures changes and things happening in a dynamic world with AI and everything else, that it might be something to consider.

Bob Knapp agreed with her. He looked at other communities, surveying that database he built, and there were a lot in the five-year range. Lisa Carey Dean also told him many communities are at five years. He also

mentioned every four years. He continued, it makes sense because seven years is a long time and with technology things are going to change and accelerate. He believes it is a good recommendation. We can discuss four or five years, noting the first review was after five years. (see 9.2)

Deborah Koral said she likes five years. Betty Konen responded the only thing she does not like about that is that no mayor is guaranteed a second term. If somebody gets elected and they decide they need to convene a charter review commission without being re-elected they would not have that opportunity. Also, there is a possibility if someone only service one 4 year term, they would not have an opportunity. She continued they could always bring up changes on their own.

Deborah Koral asked if a change is made, would the next review be four years from now? Betty Konen said that seems far away. Deborah Koral said it would be 2030 before the four years were up and that would be either the current mayor or the next term mayor. Betty Konen asked when the next election will be held for Mayor. Deborah Koral responded it is next year.

Gerard Neugebauer explained the mayor appoints the Charter Review Commission. At the last charter review he did not participate much. He did participate when he was on Council. As the Mayor appoints, he is not sure every mayor should have a charter review during their tenure. He said he is a little conflicted by the person who selects the members as saying there should be a charter review during his tenure. Betty Konen asked for clarification, and did he mean there is a favoritism thing going on?

Gerard Neugebauer clarified, it is not the Mayor's charter review. It is the City's charter review with the Mayor appointing the five members with Council's approval. So, asking if every mayor should have an opportunity for a charter review might not be necessary. He believes the point made about Council being allowed to ask for something to go on the ballot at any time might mean it is not necessary to do the full charter review more frequently than five years.

Betty Konen said she thinks that the appointee, since it is appointed by the Mayor with approval of Council, should be an opportunity for the citizenry of Green to have people participate in the process every term. She asked if that sounds better? She thinks the office holder that appoints should have the opportunity to establish a charter review commission according to the charter and approval by council so that if there are things that need to be changed, they can be changed every time there is an office holder.

Bob Knapp said that seven years feels too long with the pace of change. And again, looking at other communities there was many more with less than seven years than there were seven years. This will be added to the list of review items for further discussion. He asked for further discussion and Robert Duffrin responded he does not think it should be less than five years.

Deborah Koral said she is leaning toward five and asked about the publication requirements in 9.2 paragraph three. As with other sections of the Charter this should be made consistent with those sections. (see Item Eleven-Council 4.11 publication of resolutions/ordinances.) Bob Knapp requested that Nichole Messner examine this to see if it could mirror what she proposed for 4.11.

B. Review of ARTICLE X INITIATIVE, REFERENDUM, AND RECALL

Bob Knapp asked for any comments on Article X. No discussion on 10.1 or 10.2 Deborah Koral noted in 10.3 Recall on Pages 35-36, first paragraph second sentence change "his"; second paragraph second sentence change "he"; third paragraph second sentence change "him"; third paragraph third sentence change "his"; third paragraph fourth sentence change "he" and "his".

Bob Knapp asked if in the petition language 20% (section 10.3 Recall) is typical? Robert Duffrin replied he does not know what the standard is but that seems high. Bob Knapp asked if other things that require petitions, such as to be elected (run for office), what kind of percentages would they typically be? Betty Konen said it is like 75% (to run) on some items. Bob Knapp acknowledged recall is a big deal but said the 20% seemed high.

Gerard Neugebauer gave the opinion that, if someone gets 75 people to vouch for you to run for office It does not matter if it was 75 or 150 or 325. A person would not have an issue getting enough signatures. He continued lowering the limit on a recall, (say 20 people are upset with you) then you will have many recalls He believes it should be a high standard because a recall is an abnormal thing. And if that many people are upset, he does not think 20% is unbearable, but it would be work to collect enough signatures. He said he has not seen it in the City but does not think it would be a frivolous attempt at the current level.

Bob Knapp asked if 20% of voters is typical. Nichole Messner clarified it is the last municipal election. Gerard Neugebauer said if there was a 40% turnout, then it would lower that to one-fifth of 40%. Bob Knapp thanked him for the clarification. No further discussion on Article X.

At this point, Bob Knapp said he would like to finish reviewing the remaining Charter Articles .

ARTICLE XI. TRANSITION Discussion was held about the pronouns used in Article XI. It was explained this is referencing the original officers of the City and at that time it was a "he." As this Article is historical in nature as adopted by the 2005 Charter Review Commission (May 11, 2005), no pronouns will be modified. Their intent was to leave it exactly as it is.

Bob Knapp asked a question on 11.5 A. about the civil service, psychological or physical examination. Does that mean a management/leadership assessment could not be done? Sharon Salem explained Human Resources hires any necessary testing for new hires.

Bob Knapp in 11-6 there was some questions from one of the civil service members about the length of their appointments. Deborah Koral said it had to do with members who kept getting re-appointed. Bob Knapp noted it could be a problem to get people that want to commit their time. Deborah Koral noted he was referring to their lack of term limits.

ARTICLE XII GENERAL PROVISIONS

Robert Duffrin asked if the Commission discussed 12.4 that it should automatically be changing all these pronouns? Bob Knapp affirmed the Commission did. Bob Knapp continued he had highlighted 12.7 second paragraph "...general laws of the State of Ohio."

Betty Konen said 12.6 A. is a follow-up to the discussion had with Parks and the lawsuit. Deborah Koral said she had it underlined too thinking about what Betty was mentioning.

Bob Knapp asked Robert Duffrin if the Commission covered competitive bidding? Robert Duffrin answered there was just a reference either in the city council section of authority or the mayor's that where competitive bidding was required. (see 3.3 C. third paragraph, second sentence). The Commission wanted to discuss it at some point. He asked when the Commission is going to discuss the overall approach to how you want to direct what modifications that the Commission's interested in changing. Bob Knapp said he knew the Commission talked about it but does not remember us editing anything or putting it in there. *(it is Item Four on the list of items to discuss.)* He continued if the Commission does not make a recommendation to amend it in the Charter it can be added to the list of items Council and the Mayor should consider.

Deborah Koral had a question about a previous discussion about a mayor not showing up for meetings. She noticed in 12.8 that they are saying specifically, following are grounds for removal of elected officials in 12.8 G , “Gross failure of council member or of a City board or commission member to abide by the rules...” and not show up for three consecutive meetings. She wonders why that is present in this section but nothing about a mayor not showing up. She asked if the mayor is supposed to show up for the (Council) meetings? She noted the Commission talked about if a mayor is absent and suggested if the Council is held to that standard, shouldn't the mayor be held to the same standard? She continued, it does say elected official there and it makes her wonder if the all City boards and the commissions and other elected officials – the law director and mayor - are held to that standard. She said it should be similar standards, something measurable.

Gerard Neugebauer said one issue is the Mayor does not vote (at Council). It is a practicality issue when you reduce members present it can lead to an undesirable condition, six members, five members, four members. He believes Council is a higher standard at council meetings than the Mayor for that purpose.

Gerard Neugebauer recounted in New Franklin a few years ago they had a council member who did not come for a year or longer. He said Green's Charter would have caught that, but he is not sure New Franklin's did, though the person may have been excused. Then the question would be if someone has a long-term illness, how long do you excuse? It would be situational. He noted another issue in Barberton right now, they are considering a removal and they have a two-thirds standard and Green has a three-fourths. He continued he is not advocating that there should be any change, but it is a different standard. Green need to have six of seven approved for our three-quarters, correct, clerk? But in New Franklin, it is five of seven.

Bob Knapp said under the section about absence of the Mayor, is the Commission going to review? Deborah Koral answered she is looking through these to see if there is anything that needs to be added or removed. She mentioned situations with convictions, and she has seen that in other jurisdictions with convictions. It speaks to qualifications. She believes the Commission should talk about that for the fitness of individuals or for anything needing to be added.

Robert Duffrin said there are a lot of definitions in this. Is there a way to cover such items whether a Council resolution or something else within that section so that publication can be addressed in one section of the Charter rather than doing it piecemeal throughout the Charter. Nichole Messner agreed saying it would make it easier if the publication language is much the same across the board.

Bob Knapp noted he wants to make sure the Commission focuses on the important items. His concern is if something is put forward and Council does not move on it then it could be all or nothing. He said he would hate to put something forward and it ends up the Commission gets nothing as there are items that clearly need changed. He thanked Robert Duffrin for the good suggestion.

At this point Bob Knapp asked if the Commission could start going through their list? He noted the first item was making the change to add “strong” mayor-council. (**Item One ARTICLE II. 2.4 The municipal government provided for the City by this Charter shall be known as “Strong Mayor-Council” form of government.**) When researching other high performing cities like Green in almost every instance they called that out. Kristen Yanko asked if that could be controversial. Betty Konen said it could be but she thinks the Commission should do it.

Robert Duffrein ask what the approach will be? Will it be selective changes that are important or does the Commission want to present a whole slew and then let Council decide what they want to do? Bob Knapp said he does not want that and he thinks we should put forward only those things that we think are important. He is worried that we have too much and that the report stuff (secondary items) gets lost. As he understands it, the Commission put forward their recommended list and Council effectively says yes or no.

Nichole Messner said it must be a majority vote on the entire package. Bob Knapp replied that this is what we should do. He believes there has been a lot of good discussion. Developing a second document, which would be recommendations to them about need further study and follow-up, rather than items that did not rise for the Commission to put them forward to amend the Charter. Robert Duffin said he thinks the Commission should look at this and then pick out what we think are the most important things, and then we can discuss them, items that really needs to be changed and then see if we all agree or we have different opinions as to what is important or not.

Bob Knapp said he thought the Commission would go through items, debate and then vote to say make these changes or not. Items voted no on or do not agree on will not go forward. Then the Commission can decide if they should be included in the secondary document of which he has started a draft of and included why the Commission felt they are important. Such items as job descriptions which came up with Civil Service who thought it was important too., Without up-to-date job descriptions it makes it harder for Civil Service in their selection process. He said he would like to review the items one-by-one and go back to any which need more thought if necessary.

Bob Knapp suggested going through and then voting on each one. The Commission can decide on top seven or eight. After that everyone can think about the items moving forward and come back and decide if it moves to Council. Step two of that would be then those things that are not on the recommended Charter changes and whether they go into the second document to the mayor and council? Robert Duffrin and Deborah Koral agreed this process is good.

Nichole Messner noted to the Commission their agenda said the review this evening was two Articles. She suggested any voting done should wait until the next meeting when it can be added to the agenda. Then everyone will know what will be discussed and can attend if they want to have input or listen to what the Commission is going to decide on. At that point items can be voted on. She suggested spending the rest of this meeting reading through items. Then the Commission members can think about the discussion and put items on the next agenda. The Commission members agreed.

Bob Knapp discussed Article 3.1. *(Item Two* ARTICLE III. THE MAYOR *Define/change the second paragraph. Have two-terms, sit out one-term, be re-elected and serve two-terms and be done; or, have two-terms, sit out one-term, be re-elected and serve two-terms and immediately be eligible for an unlimited number of terms; or, need to sit out one-term between each time running third/forth/etc. set of terms.)* **3.1 TERM OF OFFICE PARAGRAPH 2** *The Mayor may serve for two (2) successive four (4) year terms, after which the Mayor shall be ineligible for re-election as Mayor until a period of not less than four (4) years shall have elapsed. Any partial term to fill a vacancy lasting more than two (2) years shall count as a four (4) year term, and against the limit. (Amended November 5, 2019)*

He said in theory, the way it is written, a Mayor could have two terms , be reelected and continue to run. Which he said is more power for somebody, that's a lot. Robert Duffrin said he originally bought this up but does not think it is important for the charter change. He continued that Betty Konen brought up the definition of public office and the Commission may add it in the back. He said it can be found by either revised code or some other legal standard that already exists.

Betty Konen said you could use the ethics version or the criminal code version. Deborah Koral asked if Lisa Carey Dean ever responded to request for information. Betty Konen said no. Deborah Koral wants to circulate the language at the next meeting and look at the two versions

Robert Duffrin said if you want to define it and no clear definition is available, the Commission can just say it should not be conflicting with the duties and ethics of the Mayor, Law Director, and Council. He believes this does need to be addressed. It could be added to Article XII. Bob Knapp said there is a need to come up with

any suggestion or recommendation, though he does not believe there has historically been any conflicts with anyone in public office. Nichole Messner said none to her knowledge. She asked if the Commission would like to ask Lisa Carey Dean to respond to this definition.

Deborah Koral said ask if Lisa Carey Dean thinks there is or could be a conflict. Further discussion was held about this, and some potential conflicts were listed-and it was noted the information available is lengthy. That is part of the issue. The prior Charter Review discussed this also and did not resolve it. But, there could be a conflict someday. Gerard Neugebauer explained the (about potential conflict with Green schools) that there is an agreement between the School Board and the City. He noted Betty Konen was referring to the Green Schools Foundation, which is not a governing body for the schools, but it is a fundraising scholarship educational organization that supports the schools. He continued the Mayor has had a seat on the board and though he is a former Mayor he is still a member of this Foundation. He does not see a conflict with that organization, but certainly the School Board would be. In the past there was a conflict where someone on the planning and zoning commission was elected to the School Board. That person resigned his seat on planning and zoning on the advice of legal counsel and then served on the school board.

Bob Knapp asked for discussion on 3.3 Powers of the Mayor. The question was judicial powers. Robert Duffrin said this could be added to the second list of recommended items.

Bob Knapp asked about the competitive bidding. Robert Duffrin said he believes this needs to be edited. This would be an opportunity to make sure it is clear and things like design-builds and be done. The purpose would be to make the process quicker. He will look at the cases he has and see what language can be proposed.

Betty Konen asked if Council votes on recommendations one-by-one or as a block. Bob Knapp said each item is voted on individually so it not all or nothing. Nichole Messner confirmed this.

Bob Knapp asked about 3.3 C. Robert Duffrin said he agreed with the former Mayor. He thinks it should be removed but also thinks it could be incorporated with a complete rewrite of the law director. His opinion is the law director should be paid based on the highest paid director of the City. City Council cannot reduce compensation less than 70% since this person must run for office and Council decides if it is part-time or full-time. This could prevent a reduction of salary if a law director is not liked because of some view that they may have on a particular opinion. That would allow more opportunity for the Mayor to remove the law director in that situation or appoint a law director. He believes this whole section should be rewritten. Other Commissions members mentioned moving it from the director section (Article VI) in the Charter to the elected positions Articles before the Council Article.

Robert Duffrin said about 3.3 C. paragraph six about the Mayor's right to "...appoint and remove all directors..." and it was suggested that they remove this (concerning the law director) and add, if it is an appointed law director, that they are subject to removal in the law director section. So that the law director is all in one place and the mayor is all in one place. He continued it could be modeled after chapter seven, the elected law director position. And that's in the revised code for non-charter cities.

Bob Knapp said item six which is the mayor's absence and believes it needs context added. And it would be defined, format it like Council, define what absent is and talk about adding a time constraint.

Gerard Neugebauer asked if he was recommending taking out temporarily absent from the city or as that whole phrase? He noted it had been previously discussed that a mayor can be functional, not necessarily, at their desk, while not in the building. Bob Knapp replied it would be temporarily absent and unable to perform the duties.

Deborah Koral noted her suggested language which says, “absence or inability to perform the mayor's duty.” The Commission is looking for the number of days or just removing the word temporarily. Betty Konen pointed out it is on there. In 3.4 Vacancy in the Office of the Mayor, “When the mayor is temporarily absent from the city or is temporarily unable for any reason to perform the duties of the office.” Her point is if they are absent from the city or if they are in the city and they are unable for any reason to perform their duties.

Deborah Koral said she sees Betty Konen’s point because they could be absent in a time of crisis and then you must appoint somebody to temporarily handle it with president of the council taking over if there is a time of crisis. She thinks it still needs the absence because even though they are saying, absent, it could also mean they would be unable. But if they are absent, they still could be communicating and then they could say, hey, you need to take over this and they could still be reached remotely, so they could perform their duty.

Bob Knapp replied she thinks this is getting in the weeds, and we could backfire and lead to enabling bad behavior somewhere else. The challenge is if they are absent and unable to perform their duty; that's when the clock ticks. But if the Commission speculates on different scenarios it could create a level of conflict. He thinks the Commission might be overreaching if they try to put parameters or guardrails around the duties of the mayor. He is not sure that it is the Commission’s role.

Gerard Neugebauer said he thinks Deborah Koral is correct. A temporary emergency would clearly be a case where if the mayor is not here somebody else should be the safety director of the City, as the mayor is the safety director. Deborah Koral replied she is not sure if she would want to change that part as you might only be gone for a week, but there could be a crisis that you need to appoint somebody just because you are not there. She thinks the suggestion is more of a permanent basis; if an absence lasted for more than six weeks there might be a need for somebody to step in and take over the day-to-day operations.

Gerard Neugebauer mentioned he would not want to see a conflict where the mayor went to Florida, told everybody he is going to Florida for two weeks, and then president of council saying, I'm mayor. There might have been a time when you had to (physically) be here to hand sign items. Those days are over and you just do not want that conflict. Deborah Koral responded she thinks both are needed. The mayor could be away, and something could happen in a short time while gone, but, also you could have some capacity issue for a long-term problem.

Gerard Neugebauer said he could see where the mayor could be gone a day and somebody might have to take over. Even if it is attendance at a seminar for a couple days somebody may need to step in if there is an emergency, but that would most likely be the only case. Deborah Koral asked what if something happened to the mayor. Gerard Neugebauer agreed that if there was a long-term absence it needs addressed. Deborah Koral said then something is needed to give the council authority to act.

Kristen Yanko reminded them they spoke at one point too about remote work too. There is a difference between spending two weeks in Florida versus spending four months in Florida, and asked if there are guardrails on that type of situation. Deborah Koral answered she believes that is where the Commission should add a limit in it. You can go to Florida for like six weeks, but your presence might be needed here. Kristen Yanko replied from her perspective if the employees are not permitted to work remotely then their leader should have some bound too.

Deborah Koral added she suggested the same parameters that Council was getting - three consecutive meetings. She believes that it is fair that a mayor is held to the same as they are elected as well. Bob Knapp said there would need to put some context to emergency. Deborah Koral said it is something to consider. She is not

sure if it is needed because in an emergency, there is going to be communication. If somebody's going away on a week's vacation, we talked about who checks their emails. If there is an emergency, she thinks everybody is going to have to take action. Someone could be gone at a conference in one day and there could be an emergency. So, she believes the Commission was talking more about the long-term absence and the remote working.

Kristen Yanko asked that someone start format an actual red line strike out. Nichole Messner is doing right now. Kristen Yanko would like this to be an item on the recommendation list.

Bob Knapp continued Item Six B. paragraph 1 define disqualification In the event of the death, disqualification, recall, removal, or resignation of the Mayor, the President of Council shall thereupon become Mayor and shall serve until a successor is elected and qualified. In the event the President of Council shall decline the office of Mayor, the President of Council shall remain as President of Council. The Council shall then appoint a Council member to fill the vacancy in the office of Mayor. Such appointment shall be made by an affirmative vote of a two-thirds (2/3) vote of the members of Council. In this event the President of Council or another Council member shall become Mayor, in accordance with the provisions of this section shall not cease to be a Council member and shall retain full voting privileges.

Robert Duffrin asked if that is one recommendation for Council. Bob Knapp replied some recommendations are going to Council for approval to go on the ballot and another document which is an advisory recommendation document with items Council should consider or undertake to study or look at further.

Robert Duffrin ask if there is a major change to the mayor with adding time periods or other items such as language and whether it would go in as one section on the ballot language? Sharon Salem replied that yes, every ballot issue can only address one thing at a time. Robert Duffrin continued if you have four charter amendments though. and have separate votes on each one, for example a charter amendment on Council, a charter amendment on Mayor, all the changes to that section would be in one voting structure. Nichole Messner affirmed this and said yes and there would be one question, yes or no.

Bob Knapp said his concern is too many items which could confuse voters and then the critical substance items gets lost in the shuffle. Bob Knapp continued to 4.6 vacancies. Deborah Koral asked if there was a suggestion to change the time period. Betty Konen spoke to Gerard Neugebauer and the Board of Election about this. This may have been in place when our primaries were in September. instead of May. Gerard Neugebauer said based on that, it is a non-substantive change. Whatever the election requires, you might consider non-substantive. A non-substantive change if it is just adjusting to the election calendar.

Deborah Koral said it says more than 90 days, and you were saying 120. Betty Konen clarified someone else was saying 120. Gerard Neugebauer noted does the definition mean municipal election, primary or general? The Charter references municipal election, does that mean primary and general, or does that mean general? He said if the Commission develops definitions, this might be considered - to establish that a municipal election means either a primary or a general involving city offices as it is currently unclear.

Deborah Koral read 11.4, first election, Ohio primary election. It is for the first election. That's when she was talking about the first Tuesday. It said after the first Monday in the month of November, 1993, unless it is necessary under the provisions of this charter for a primary election, which shall be held in conjunction with the 1993 Ohio primary election. So, it mentions the 1993 Ohio primary election, but she does not think it is saying anything to answer the question about what a municipal election is. And then subsequent primaries are not addressed. It is only addressed the first time, and then it left it blank for the rest of the time. So, there is some ambiguity there.

Betty Konen said further up, it says the mayor whose term expires on December 31, 1993, shall be replaced by a mayor elected in the regular municipal election of 1993 and every four years thereafter. So that would have

been the general election. The regular municipal election would have been the general election in which the municipal elections were held. Deborah Koral asked if that changed with the primary. Betty Konen clarified the primary changed from September to May, but it is still in the same year. Deborah Koral believes it has not caused any problems, and the real issue is does Council have enough time.

Bob Knapp said in 4.8 and 4.11, speaking about committee recommendations and notices of public meetings **The recommendations reported by such committee(s) shall be in writing and shall be accompanied by the original documents, if any, upon which such report is based. Such report and supporting documentation shall be entered or referred to upon the journal of Council.**

Item Eleven. 4.11 Publication of Ordinances and Resolutions. Recommendation from Nichole Messner and after Commission discussion:

Council shall have the power to determine the method of publication of its adopted ordinances and resolutions, and of any other of its proceedings, which other proceedings it deems proper to publish. Such publication shall be by posting for a minimum period of two (2) weeks, the ordinance and resolution at the Central Administration Building in at least five (5) public places within the City, and the publication of a concise summary of the ordinance or resolution in at least any one (1) newspaper of general circulation in the City (or its electronic/online equivalent), once a week for two (2) consecutive weeks or on the City of Green website where it shall remain available for not less than thirty (30) days. Until such time as Council provides for the method of publication, such public notice shall be given in the manner provided by the general laws of the State of Ohio.

Bob Knapp started the discussion about the law director by saying he is conflicted. From his perspective, though he understands Robert Duffrin's ideas. He thinks what is missing is some more formal review, a 360 of the law director role between Council and the administration and the Mayor. He is not sure small changes would work and if everything is revised he has concerns. He thinks that it will become a big issue and is not sure of the response Council and the voters will have. He said the qualifications is the one he is really struggling on, and he believes the qualifications part is important. Also, he thinks there had been some legal opinion rendered as it relates to if a person petitioned and got elected, what you could do. If they were not qualified, termination could lead to exposure for the City. He said part of him is in the camp to leave it and asking they undertake a more formal review of how it is going with all involved as it has been seven years since it has been in place. There may things to be adjusted based on feedback and best practices. He asked Robert Duffrin in terms of how other cities handle the law director. He noted Green's Charter has a lot in there, and he does not think other cities have as much. The qualifications make him nervous though he understands why it is there and why it is wanted. Also, he knows it is potentially challenging as Green is in a relatively small city.

Deborah Koral asked him if he is nervous about the qualifications, does he think there are too many? Bob Knapp said no, he thinks you need qualifications because absent of qualifications you potentially get somebody that could end up being elected and you put the City in the position to have to terminate. If someone not qualified gets elected it could lead to legal exposure for the City.

Betty Konen asked who wrote that legal opinion? Bob Knapp said he does not know and has a meeting next week to find out more and to understand the background. Deborah Koral asked him if there is a legal opinion. Bob Knapp said when they (prior Commission) were drafting this there was a lot of discussion on this and they got to where they felt was the best place. If the Commission does small edits it won't have much impact. But if a dramatic rewrite is done he thinks that it will raise some red flags for people and may end up being a contentious topic. Also, his concern is how will the qualification section be handled.

Deborah Koral gave her opinion. She knows this has been addressed in great lengths and Lisa Carey Dean commented on it. The prior Commission designed this and looking at it, she thinks there needs to be something there. People voted on this, it got accepted. Then looking at the section in the back that is 12.8, removal of an official letter A notes failure to possess the qualifications of the office required. So, there is already something in place. If somebody is elected and they are not qualified, then there is power in this that somebody could take initiative and action. She feels there is a check and balance already in there. And if people are that frustrated

with the person, then there is an avenue for them. Her suggestion is to just place it separately outside of the section, since it is an elected official, and just keep it as is. She said she feels the parameters were discussed so much in the prior Commission. She does not want to keep “beating a dead horse,” and make recommendations as said, but she does not know if this Commission needs to do more than that.

Robert Duffrin said he thinks this is garbage, we need to rewrite it. If they say no, they say no, we need to do it right and this is terrible. He believes there needs to be some certification filed prior to an election for people appearing on the ballot. Then it gets certified and they note their experience. If they lie, then it goes right to the bar commission, and they get disciplined as a lawyer. There are good people in the law profession, and they must be relied on. He said if there is a certification requirement establishing what municipal government law is and what qualifications, it needs to be certified before the election and supply it to the clerk. He agrees with Bob Knapp and thinks a lot of this language needs to go and that we need to clarify on a lower basis exactly what the position is and what the responsibilities are and then let Council decide on whether it is full-time, part-time, that kind of thing.

Deborah Koral asked who would draft this. Robert Duffrin said he thinks the Commission should draft it and then supply it to the law director currently here and then get her opinion on it.

Bob Knapp said in further discussion it would be helpful to have Lisa Carey Dean and CJ Meager (currently on City Council and former 2019 Charter Commission member) here. The Charter Review Commission has a short period of time to make decisions and/or change things. He said it would be nice to have more input in terms of what the Commission should have in here-saying this we do not need, and we do not have any of that. He is struggling a bit and does not want to cause any challenges. Also, he is worried that this overshadows everything else and we do not get through something else that is vitally important.

Robert Duffrin asked if there a reason that there is a term limit on this originally He said lawyers that have institutional knowledge are more valuable knowing how things operate than having to be in for eight years and then they are out. You lose their institutional knowledge. Bob Knapp agrees it harms the City. The same for a one-term mayor who spends time figuring things out and would not have much time to do anything. It is a second term that a mayor can really get a lot of things done. He said there might be one meeting for this whole topic.

Betty Konen suggested a ballot proposal asking the law director should be appointed. Robert Duffrin pointed out there was a referendum. Betty Konen said that was 24 votes. Robert Duffrin said it was still voted in. Betty Konen replied it can be changed just as all the Charter can change. She does not think it is controversial. Some people may think so. But, if the Commission is saying this is all garbage and it should not be this way and how terrible this is and it is not working, okay.

Deborah Koral said she has not heard it in not working. Robert Duffrin replied he is not saying it is not working. What he is saying is that this does not have description at all as to what municipal government is. Is it enforcing building code zoning? Is that municipal government? Because that's what we have now, it sounds like.

Deborah Koral said when she first read it the same and though defining municipal should be added to the back and say what municipal experience is, in a definition section. That would not substantially change this part. She continued if the Commission moves it to another Article and put that definition in there, then it is not rewriting the whole thing. If the whole thing is rewritten, she is concerned about the citizens.

Robert Duffrin said correct, but you could put in here language such as represented governments in litigation. other forms rather than just putting general municipal government. Deborah Koral ask if the Commission wants

to limit ourselves even further. Robert Duffrin said no, but we have to take it out or we add some guidelines. He is also against term limits. In Ohio it causes people to jump from job to job, and during their second term people are just looking for the next run. You are losing some valuable institutional knowledge from lawyers who know how things operate within the City or even within the county. He believes that is important too.

Sharon Salem explained prior Commissions have taken term limits to twice for the mayor position and they were voted down both time. The 2019 Commission used the term limits for Law Director based on the criteria used for the Mayor's elected position. Robert Duffrin responded a mayor is an elected public official versus a law director who is providing a professional service. Betty Konen said he is making the argument for the law director to be appointed. It is an elected law director with term limits, or it is an appointed law director?

Robert Duffrin said if you are not a charter city, every law director is elected. Betty Konen pointed out Green is a Charter City. Robert Duffrin said he understood and not one is better than the other. Bob Knapp said in the database of cities looking across the country, there is probably 60 to 70 percent appointed versus elected. Ohio, he believes, is probably the inverse of that.

Robert Duffrin said in Green's form, where we have a strong mayor, he thinks an elected position as a law director is better than having an appointed law director, because it will run into the same problem with the appointed law director that we had for years here. Where they kowtow to the mayor who appointed them. That can lead to turning their back on city council, not returning calls, not giving illegal opinions, not doing their job related to the other officials in the city and only supplying the mayor with the information that they want, and guiding the ship in his direction or her direction.

Betty Konen said then you would have an elected law director who has to worry about getting reelected, possibly moving up to higher office, and using it as a stepping stone. Robert Duffrin said you can certainly have that but that can happen in both cases. Betty Konen said they can go back to private practice. They do not have to run for further office-just to play devil's advocate.

Deborah Koral said she saw these points of view from an attorney side and wanted to clarify it and make it more accountable to the professional office. Then looking at it from the citizen's point of view the citizen is not going to know about the things you are explaining with the qualifications. They see a term limit and somebody taking over and being there. Usually, the term limit is a typical citizen saying I want someone fresh and new in there but that is not realistic as a lawyer because you do want that more experienced and better qualified person. She is not sure the citizens know that and for the Commission to communicate that if we rewrote this it might make them think we are trying to take it out for some political spin. She is not sure the right message can be got across. Also, she agrees with Bob Knapp that other important items could be lost. She thinks a few things need clarified or moved, make it more coherent, improve it some, though it will probably not be 100% improved.

Robert Duffrin said he does not think you are going to improve it 100%, but he thinks that it is important, but if the citizens are not happy they can vote them out. But to have term limits on the job he thinks it is likely that they 'are going to be looking for the next job, whether it is a judicial job or some other job-looking for that at the end of their second term. They may even jump ship in the middle of the second term just to get that next job. Where if they are more committed to the City, he believes that is more important, especially as an elected law director, because then they are representing everybody. He mentioned having an age limit same as a judge.

Betty Konen said other part of that is they are part-time, so they can do whatever they want while they are part-time here if it is not a conflict. And so, it is the best of both worlds for that office holder. And if they do not get reelected, they can move on with their practice.

Bob Knapp said the prior Commission attempted to put guardrails the best they could and they put a lot of effort into it. He suggested two-steps. One, a step back and a 360 from everybody involved and what is working, what's not working. How does this get adjusted, and should it be part-time, full-time? Does it need to be on site? Second, armed with that, that would be a good then step either to at some point edit this and or at another look at should it be elected or appointed based on the last seven years' experience. He said it is hard if the Commission goes in and using a chainsaw versus a scalpel because there is not a lot of input. He is conflicted and after much thought believes the Commission walk through all items and then come back and decide what needs done. Does that include a minor edit to it; or leave it, make a strong recommendation that they (Council) should undertake to really understand it as we are not sure how it is working or not.

Robert Duffrin noted it is a City ordinances and it is up to Council to determine if it is full-time or part-time. He said it would be harder to find someone that is going to want to run for it if it is term limited.

Deborah Koral asked if Robert Duffrin will make some suggestions next week? He replied he will try to come up with something and then the Commission can criticize it. Otherwise, he does not know how the Commission will move on. Deborah Koral said she has some concerns and respects the time the 2019 Commission put into this. She does not have a better solution and has not drafted anything. As a citizen, she feels if it is working, she would not want to interfere with it. Robert Duffrin pointed out there has one been one elected person so far.

Nichole Messner said from the point of view of dealing with Council, with the mayor and the law director running for election/re-election at the same time could be problematic. At some point the City could have a brand-new mayor and a brand-new law director at the same time. This poses its own issues as you have brand new people. That is why potentially not having term limits on the law director would not be a bad idea. So perhaps change when they run or change how long the law director can be here.

Bob Knapp agreed, the finance director and all the other key roles are all appointed. That is why the stronger push is it makes more sense to be appointed. And having a tenured law director with a new mayor, that would be a helpful person as an advisor and coming in as a new mayor. It was pointed out there are directors who have been here for a long time: Planning Director, Engineering Director.

Gerard Neugebauer agrees with Robert in terms of experience, with the exception that you could be an elected law director and then you can go enter the world of appointed law directors, and there is plenty of work out there for those. He thinks even as mayor, that eight years is a little rough because mayors are not trained in union negotiations and running safety services and some things that really take a while to figure out. And so, you have the same kind of issues. He is not a proponent of saying it should be dropped for mayor and council. Probably law directors, more the case than those two, but probably in order, and I think the prior mayor tried to extend the mayor for three terms instead of two, but without council, there may be some validity to that. But the flip side is always that he would not have served as a councilman or as mayor had there not been term limits because the same old people would have been in office. So, he recognizes that the opportunity is a loss of opportunity, but it also gives both opportunities. And there is the flip side of the coin. But in order of longevity, he agrees, probably the law director the most, the mayor the second, and council. So, if you wanted to do a 4-3-2 term, it might make sense. But there are other people who questioned why it would be any different. Until you have lived it, you may not really understand how it is different.

Robert Duffrin said he thinks that eight years as a law director then focusing on looking for a next job just as you are just getting into it after a year or two, how you even understand it, is a hard thing. Gerard Neugebauer said Nichole Messner's suggestion has merit. It worked out these ended on the same term as the mayor. There is a lot of sense to say mayor- two years, and then two years after get a new law director. Then you would not have complete loss of knowledge in the same year. He noted now the current Mayor is in his first term and the current Law Director is in her second term, so you have the potential for that not to occur, but it certainly could at any time.

Deborah Koral asked if there are other cities that have different term lengths for law directors? Robert Duffrin said he has never seen a term limit for a law director other than the attorney general's office, but he is sure they are out there. Deborah Koral mentioned this should be researched.

Bob Knapp said the Commission will reconvene in two weeks. At that time, we can continue review and vote on items. Also, he would like to have the law director and perhaps CJ Meager at the meeting. At that point we will decide what to move forward and what to place on the non-substantive list.

I. **ADJOURNMENT** Bob Knapp asked for motion to adjourn. Betty Konen moved. Deborah Koral seconded. Rolls was called. All approved. Meeting adjourned at 7:30 p.m.

Green Charter Review Commission: Betty Konen, Bob Knapp-Chair, Deborah Koral, Kristin Yanko-Vice Chair, Robert Duffrin

pc: Charter Review Commission
Mayor Yeargin
City Council
Nicole Messner, Clerk of Council
City Directors and Division Heads
File