

CITY OF TWINSBURG, OHIO
CHARTER REVIEW COMMISSION MINUTES
April 13, 2023

Mr. Post called the meeting to order at 6:03 PM

Mr. Post welcomes members and audience. Asks that members introduce themselves.

INTRODUCTIONS: Members took a minute to introduce themselves.

ROLL CALL

PRESENT: Tom Barni, Angelo Carcioppolo, Shaun Castillo, Christopher Feldman, Adam Gockowski, Mark Little, Courtney Ross, Dwayne Smith and Sheila Williams

ABSENT: None

ALSO PRESENT: David Post, Mayor Scaffide, Matt Vazzana and Shannon Collins.

SWEARING IN OF CHARTER REVIEW COMMISSION MEMBERS

Mr. Post swore in Charter Review Commission members.

NOMINATION OF CHAIRMAN AND VICE CHAIRMAN

MOTION: TO NOMINATE SHAUN CASTILLO AS CHAIRPERSON.

Moved by S. Williams, seconded by T. Barni.

Mr. Post asked for other nominations, which there were none.

Upon roll, motion passed unanimously.

Mr. Post turned the meeting over to Mr. Castillo.

MOTION: TO NOMINATE ANGELO CARCIOPPOLO AS VICE-CHAIRPERSON.

Moved by C. Ross, seconded by S. Williams.

Mr. Castillo asked for other nominations, which there were none.

Upon roll, motion passed unanimously.

MEETING PROCEDURES

Law Director, Matt Vazzana stated that he had a few housekeeping items. First was asking for the commission to please consider a motion to adopt Roberts Rules and a commission secretary.

MOTION: TO ADOPT ROBERTS RULES OF ORDER FOR THE COMMISSION.

Moved by C. Feldman, seconded by A. Gockowski.

Upon roll, motion passed unanimously.

MOTION: TO NOMINATE SHANNON COLLINS, CLERK OF COUNCIL AS THE COMMISSION SECRETARY.

Moved by T. Barni, seconded by A. Gockowski

Upon roll, motion passed unanimously.

Mr. Vazzana spoke about the Open Meetings Act and Public Records.

What is a charter?

Sections 7 and 8, Article XVIII of the Ohio Constitution empower the voters of a municipal corporation to devise their own plan of government by framing and adopting a charter. Section 7 provides, “Any municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government.”

Section 3 provides, “municipalities shall have authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws.”

A municipal home rule charter is the constitution of the municipality, establishing the framework of its governmental organization and controlling the exercise of those powers of local self-government granted to it by the Ohio Constitution, but as limited by the General Assembly within the constitutional authority vested in that body so to do.

The constitutional power to adopt a Charter also includes the power to amend the charter from time to time.

Why are we hear?

The Charter Review Commission is authorized pursuant to Article XI of the Twinsburg Charter. The Charter stipulates that a Charter Review Commission of nine members shall be appointed by

the City Council on or before five years after the recess of the last preceding Charter Review Commission.

As you will see from Section 11.01 of the Charter, your duties as a member of the Charter Review Commission are to review the City Charter and submit to Council any alterations, revisions, or amendments to the City Charter. Upon receipt of your recommendations, Council shall submit your recommendations to the electors where a majority of the electors voting must vote in the affirmative for the recommendations to become effective.

Process and Timetable:

- Currently scheduled 5 commission meetings over the next month and a half.
- At each meeting we will go line by line through a pre-selected set of Articles from the Charter. We will discuss the provisions therein and determine whether any changes should be proposed. If you determine that any changes should be made, then the City will take your ideas and prepare a redline draft for you to review at the next meeting. After you review your previous meetings changes in redline form, then we will review a new set of articles to identify any possible changes. We will repeat this process until we have gone through the entire charter.
- Currently, we have broken the charter down into 4 blocks:
 - Articles 1-3
 - Articles 4-6
 - Article 7
 - Article 8-12
- The above schedule is not binding. If we slow down at any point in the process, then we will amend the schedule as necessary.
- After we have reviewed the entire Charter, I will prepare a final draft for us to meet to discuss and review. We can make amendments to the final draft as you see fit.
- Ultimately, a set of amendments will be voted on by the Commission to send to Council to be forwarded to the voters.

Mr. Castillo asked to confirm meeting dates and asked if there are any conflicts with the dates.

Mr. Vazzana recommended that members email Mrs. Collins as soon as they can so that we can make sure we have a quorum.

Mr. Little stated Mrs. Collins sent out copies of the other city charter. He asked what role that plays in this commission. Mr. Vazzana stated they were provided as references if there are sections of the charter that this commission would like to consider changing.

Mr. Feldman stated he had been on other city's charter reviews and reading surrounding community charters lets you know if you are consistent with others. That way if there are a bunch of proposed changes and some may not have as big of an impact you can see if Twinsburg is consistent with other areas and if so the commission can focus on changes that have a larger impact.

Mr. Vazzana stated it also allows us to evaluate if that provision has worked well for that community.

Mr. Castillo asked how many changes were made in 2018. Mrs. Collins stated she will get that information to the commission.

Mr. Barni asked who the beneficiaries of the charter are. Mr. Vazzana stated the residents would be the beneficiaries.

There was no further discussion on this section.

REVIEW OF SECTIONS I

Mr. Vazzana read Section I out loud.

Ms. Williams stated she thought the city stopped annexing properties. Mayor Scaffide stated that the last couple times it was voted down, once by the city residents and once by township residents. Mr. Vazzana stated that this section has two prongs. One is for the city to annex other contiguous properties and the other is for another municipality to annex city property.

There was discussion regarding when the city can take action and when the residents get a vote on the matter. Mr. Barni stated there needs to be clarification. He recommended inserting a period after the 'the City of Twinsburg' and removing the 'but' that follows, then capitalize the 'N' in 'no' to start a new sentence. He also stated remove the word 'it' in that sentence and replace it with 'City of Twinsburg'. The rest of the sentence reads fine.

Mr. Carcioppolo asked for clarification if this change would need to go to a vote if the intent is the same but just the wording is changed. Mr. Vazzana stated yes, a vote of the people would still be needed. Mr. Carcioppolo recommend following the structure letter format where 'A' is if this action is requested, this happens; 'B' if this action is requested, this happens. Ms. Williams agreed with this.

Ms. Williams stated there is a difference when one individual parcel wants to be annexed verses when the communities considered merging.

REVIEW OF SECTIONS II

Mr. Vazzana read Section II out loud.

In regards to 2.02, Mr. Barni asked if there has been situations where the charter does not cover something and council had to make a decision. Mr. Vazzana stated that is where council would look to the code.

There was no further discussion on this section.

REVIEW OF SECTION III

Mr. Vazzana started reading Section III out loud.

3.01 – Mr. Vazzana stated that the December 1st start date was discussed at past charter reviews.

3.02 (A) – Mr. Little asked why there are five wards. Mr. Vazzana stated that is how the voters divided the city up when the charter was written.

3.02 (B)-(F) – As a former member of last year’s Districting Commission, Mr. Little spoke about how it worked. Ms. Williams and Ms. Ross asked if our districts are based on population. Mrs. Collins stated it is not and that she has some data that she received in her conversations with the Board of Elections.

Summit County Breakdown

31 communities in the county

- 13 Cities
- 9 Townships
- 9 Villages

Charters that speak to Districting

- 17 of the communities in Summit County have charters that speak to districting (there may be others with charters but their charters may be silent on districting).

Percentage vs. Approximate

- Twinsburg & Norton are the only ones that use a percentage of 10% or less.
- Three others state 20% or less
- One community uses geographical boundaries.
- The rest use language such as ‘approximately equal in populations’ or ‘as nearly equal in population as practicable’.

Timeline

- Twinsburg and Fairlawn are the only communities not using the census to drive when their districting commission looks at boundaries.

Other notes

- Twinsburg is the only city that ties the registered voter list to the one from the last gubernatorial election. This is an issue because this race is every four (4) years and we convene our Districting every five.

It was asked what the number of registered voters were. Depending on the number of registered voters it may be that a smaller percentage of residents are determining the boundaries. Ms. Williams asked what the census numbers (residents) are so they could compare.

Mr. Little stated that the Districting Commission had discussion regarding residents that live in apartments vs. homeowners.

Mr. Vazzana stated that the data we use with districting is based off the date for the registered voters of the last gubernatorial election. He stated that the city's metrics are not the metrics that the Secretary of State through the Board of Elections uses. That is why more cities are using the census numbers. He asked the commission if they want to continue with the current metric of registered voters or if they want to look at moving to census driven.

Mrs. Collins stated that per the last census data from 2021 the number of residents is 19,328 and per the list of registered voters that was used by the Districting Commission in 2022 there are 14,224 registered voters.

Mayor Scaffide states that the number of registered voters can change more easily than the census numbers. Mr. Vazzana stated who is represented in the wards. Is it just the registered voters or is it all residents in that ward.

Mr. Gockowski state that the numbers provided by Mrs. Collins would imply that the city only has about 5,000 kids. Mrs. Collins confirmed that the number provided were from the last gubernatorial election and that number may have changed. The numbers provided are directly from the Board or Elections and the Census. Ms. Ross asked if we had the number of students enrolled in school. Ms. Williams stated that there are students that go to private school.

Mrs. Collins stated that from 2018 to 2023 there were an additional 1,337 registered voters. Mrs. Collins reminded the commission that when they talk about school district numbers those also include Reminderville and the Township. Ms. Williams stated that the schools numbers are on a decline. She also mentioned that the city is pretty much built out.

It was asked what all would need to be changed in this section if they wanted to look at using census numbers. Mr. Vazzana stated that most of the section could be removed and condensed into a line or two.

Mr. Feldman stated that ten years could be too long. When you do it more often it is keeps it in the minds of the residents. There could be large changes in that time.

Mr. Smith asked if this is something that could be redlined and allow members time to read other charters regarding the Districting Commission. Mr. Vazzana stated that was a good plan.

Mr. Post stated even though he was elected by the registered voters he represents all residents in his ward.

Ms. Williams stated that residents should expect representation whether they voted or not. The city is built out and not much area for new development. She also stated that the senior population is not leaving because Twinsburg is such a nice place.

ADJOURNMENT

MOTION: To adjourn the meeting.

Moved by A. Carcioppolo, seconded by D. Smith

Upon roll, motion passed unanimously.

This meeting adjourned at 7:37 PM