

Piqua City Commission Work Session

April 14, 2016 Minutes

All members of the Commission were present except for Commissioner Terry was absent in the beginning. Commissioner Vogt moved to excuse Commissioner Terry and Commissioner Martin seconded the motion. All members voted in the affirmative. Commissioner Terry arrived at 8:00 pm.

The first item on the agenda was the recommendations for possible changes from the Charter Review Committee on how the mayor is elected. Members on the Charter Review Committee were selected by each commissioner for the sole purpose of reviewing how the mayor is elected. Members of the committee were Roy Moreaux, Ward 1, Dave Martin, Ward 2, Tom Hudson, Ward 3, Skip Murray, Ward 4 and Gary Koenig, Ward 5. Law Director Stacy Wall presented on behalf of the committee. Mr. Murray, Mr. Koenig and Mr. Moreaux were present.

Law Director Wall began by providing a history, indicating that the process began with the Commission having a work session on January 14th where it recommended the matter be looked at by a charter review committee. The Committee met February 22nd and March 14th. If the Commission approves an ordinance, the ordinance must be certified to the Board of Elections by August 10th and the issue would be on the ballot November 8th.

Law Director Wall continued by stating that the Charter was changed by the citizens in 1975. Prior to the change, there were 5 commissioners and the commissioners elected the mayor. The charter amendment required that the citizens elect the mayor but the change in the election process has proven to add confusion as it is not understood that the candidate must be elected commissioner and mayor to be mayor. Since 2000, at least 4 times, the person elected as mayor did not sit on commission because he was not also elected to the commission seat. The guidelines from the Commission in reviewing the issue was how to clarify that you were not voting for the same person twice on the same ballot, i.e. commissioner and mayor and that the commission remain 5 members.

The Committee reviewed a summary of 60 charters on how mayors are elected. That review showed that when the mayor is elected by the commission, it is a two year term and when the mayor is elected by the citizens, it is a four year term. When the mayor was elected by the commission, the mayor had the same ceremonial duties that the current Piqua mayor has and had not different authority than any other commissioner. A mayor elected by the citizens was typically a mayor that had veto authority or was from a strong mayor form of government.

Law Director Wall presented the first option from the Committee as a five member commission made up of four commissioners and one mayor. In this scenario, the City would be redistricted to 4 wards and the mayor could run from any ward. The issue is then eliminated of having to vote for the same person twice. The mayor's duties and/or authority would remain the same but the term would be changed to four years for consistency as well as if a person wants to be the mayor, it is a disservice to limit the term to two years. The Committee focused on this option as the only possible option it felt the citizens would support.

Option 2 was going back to the pre-1975 charter amendment. The commission would remain 5 members. At the first meeting of the year, the commission elects the mayor. The mayor's term would remain two years. This proposal eliminates the need to run for two positions on the same ballot. There is no independent authority of the mayor so Law Director Wall indicated it is acceptable for the commission to elect the mayor. The Committee preferred this option but did not put this as the first option because it felt that the citizens would not approve the amendment.

The third option was that there would be no mayoral election. The commission would remain five members and the highest vote getter would be elected the mayor. The committee did not like this option because it would discourage people from running for commission if there was also a possibility that you could also be elected the mayor. The only reason that the Committee put the option forward was because it did resolve the issue of confusion on voting for the same person twice on the ballot.

Roy Moreaux indicated he did not like the first option of redistricting to four wards. Commissioner Martin also did not like the option of four wards. He believed that the commission would be able to influence a vote because the mayor would be from the same ward as another commissioner. He believed the commission would lose its equal representation by being four wards rather than five wards. Commissioner Terry did not like redistricting to four wards. She believes that people are confused now as to what ward they live in as was demonstrated in the last election as people from the wrong ward signed a petition. Commissioner Wilson also did not like the first option. Mayor Hinds thought that citizens want to vote for the mayor so thought this was a good option. Commissioner Martin said another option may be to keep the five wards but add a sixth position for the mayor. Law Director pointed out that the only way to have six positions would be to have the mayor as a non-voting position but this would discourage anyone from wanting to be the mayor if they could not vote. Mr. Koenig indicated that he looked at the numbers from the past elections and the numbers showed that more people voted for mayor than commissioner in each election so people do want to vote for the mayor. City Manager Huff reminded the commissioners that redistricting is by population.

As to the second option, Commissioner Vogt liked going to the pre-1975 option as it worked before. Commissioner Martin also liked this option. Commissioner Martin indicated that if option 2 is chosen, don't have to worry about overlapping terms or changing the terms like you would need to figure out in Option 1. Commissioner Wilson also liked this option because he indicated that people get confused and redistricting again would only cause more confusion. Mayor Hinds felt that the citizens would want to continue to vote for the mayor and would not support this option. Mr. Murray indicated that Option 2 was really the preference of the committee. He said that all options had some pitfall but the biggest issue of Option 2 from the Committee was that there was no feeling that the citizens would approve it and therefore it was not a very viable option.

As to option 3, there was no support and it quickly was not considered.

Commissioner Terry thought that 2 year terms for the mayor was better for continuity and wanted to leave staggered terms. It seemed complicated to figure out how new terms would start with those currently in office if went with Option 1. Mr. Murray thought that the citizens in general did not understand that the mayor has no authority independent of the commission and that is why they want to vote for the mayor. Mayor Hinds agreed with that conclusion indicating that many people have asked her where her office is and other questions indicating she has authority. Law Director Wall stated that there is a sense that the citizens want to keep certain things as indicated by the history of the proposal to change public comment. Commissioner Vogt said that most of the citizens who complain either don't vote or can't vote because they don't live within city limits. Gary Koenig reminded everyone that the fourth option is to not do anything and leave the process as is.

Commissioner Terry thanked the Committee for their work. She said that the current process is definitely a problem as the citizens do not understand how to vote. Mayor Hinds also thanked the Committee. All agreed that Option 2 required the minimum number of changes and recommended that the Law Director begin to work on the Charter Amendment language. Law Director Wall encouraged the Commissioners to really consider what the Committee recommended as three of the committee members are individuals who were elected mayor and not commissioner, which was the exact issue tasked to the Committee.

A memo from Law Director Wall with an attachment regarding the Charter Review Committee's recommendations was accepted.

The next item on the agenda was the Traffic Intersection Study. City Manager Huff wanted to know if there were any intersections in the City that the Commission wanted considered for evaluation. Commissioner Terry did not think the traffic light at Grant

and McKinley needed to remain since the school was no longer there. She said that Broadway and Park is a school zone and people need to learn the traffic laws. Commissioner Vogt thought the light at Brice and South could be removed as well. He said that when the changes were made to the traffic lights on College Street, many people were mad but now there are no issues and people like the change. Commissioner Vogt said the most dangerous part in Piqua in his opinion is Looney and 36 and Route 36 in front of Wendy's.

Commissioner Martin thought that since Bennett School no longer exists that the traffic light on S. Main and South Street could be removed. He believed the light at S. Main and Garnsey Street needed to stay.

Commissioner Wilson requested that all of the main intersections with traffic issues be evaluated. Mayor Hinds talked about the timing of the lights on Downing and Ash Streets. Commissioner Terry then said there was a timing issue with the light at Ash and Wayne but also indicated that the light on Wayne is very short but it may need to be that way for the flow of traffic. Commissioner Martin said the timing of the light at the Main Street bridge going west is very long and should also be looked at. City Manager Huff was questioned about the timing of the lights to which he said that many of the lights in Piqua are able to pick up the number of cars which determines the timing of the lights.

Commissioner Martin made a motion to go into executive session for the purpose of pending or imminent litigation. Commissioner Wilson seconded the motion. A roll call vote was taken and all were in favor. The Commission went into executive session at 8:28. Executive session was adjourned at 9:12. Commissioner Martin then moved to adjourn the regular meeting and Commissioner Wilson seconded. All were in favor and the meeting adjourned at 9:13 pm.

Minutes prepared by Stacy M. Wall, Law Director