

**MINUTES OF THE CHARTER REVIEW COMMISSION OF THE CITY OF AVON, OHIO  
HELD THURSDAY, FEBRUARY 23, 2017, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF  
THE MUNICIPAL BUILDING, LOCATED AT 36080 CHESTER ROAD**

Chairman James Smith, called the meeting to order at 7:00 p.m.

ROLL CALL

COMMISSION MEMBERS PRESENT:

Greg Dziak; Pat Jankowski; Jeff Lindsay; Anthony Moore; Marcel Mylen; Mark Principe; Frank Root, Jr.; Vice-Chair, Bruce Klingshirn; Chairman, James Smith; Alternate A Patricia Ashley and Alternate B Eugene Rouse

ALSO PRESENT:

Law Director, John Gasior; Secretary to the Commission, Barbara Brooks

ABSENT:

None

APPROVAL OF MINUTES OF THE THURSDAY, FEBRUARY 2, 2017 ORGANIZATIONAL MEETING

A motion was made by Ms. Jankowski, seconded by Mr. Klingshirn to approve the minutes of the Organizational Meeting of the 2017 Charter Review Commission, held Thursday, February 2, 2017, and to adopt said minutes as published, and the vote was unanimous in favor.

DISCUSSION OF AMENDING ARTICLE IV SECTION 7 – REGARDING COUNCIL PAY

Mr. Smith indicated City Council now has staggered terms to allow for some continuity as you could theoretically have all new City Council Members after a single election if the terms were not staggered. He said the City Counselor feels we should consider a provision in the Charter because when someone runs for elected office, the pay must be established prior to the filing deadline to run for that position.

Mr. Gasior said the way the Charter is worded right now the compensation for elected officials must be fixed 30 days before the filing deadline. The filing deadline to run for elected office is now 90 days before the election, which is approximately the beginning of August and 30 days before that date would be around the first of July. Mr. Gasior stated City Council would have to pass an ordinance in May or June or earlier to set the pay for the next City Council. When all of City Council was elected for 2 years, having the same term, this was not an issue. Previously City Council could adopt an ordinance in May to increase the pay of the incoming City Council Members and the filing deadline would be in August and the election in November and the increase in pay for City Council Member's would be effective in January. Mr. Gasior said previously everyone was subject to being voted out of office so essentially City Council was not voting to increase their own pay, but rather the pay of the incoming elected official, which may or may not be themselves. Theoretically all seven Council Members could be eliminated and the raise would be effective for the newly elected Ward Council Members. He said we now have staggered 4 year terms and at the end of 2017 the Ward Council Members terms expire and the filing deadline will occur in August. If Council wanted to consider a pay increase for 2018 they would pass legislation in the spring to give City Council a raise, but in January of 2018 only those Council Members subject to election or re-election in November, in this case the 4 Ward Council Members, but the 3 At-Large Council Members would have voted for a pay increase for themselves during their term, which is prohibited unless there is a provision in the Charter stating otherwise. Mr. Gasior advised according to the Charter, the pay raise passed this year would only be effective for the 4 Ward Council Members and the 3 At-Large Council Members would have to wait 2 years before their raise could be effective in 2020, if voted on prior to the filing deadline of their terms.

Mr. Smith clarified City Council would not be voting the raise for themselves, but for the position. He stated no one that he knows of has ever run for elected office for the pay.

Mr. Lindsay inquired as to what is the current pay for the position of City Council.

Council Member Butkowski said six of the City Council Members earn \$12,500 a year and the Council President earns \$15,500 annually. He stated that 2010 was the last pay increase for City Council. Mr. Butkowski advised this issue came up because all the Ward Council Members are up for re-election in November and the pay increase is for the position.

Mr. Smith said if the At-Large Council Members had to wait 2 years when their term expires and they seek re-election in order to get a pay increase then maybe that was the way you would want to do it.

Mr. Mylen said he would give the At-large Council Members the same pay raise and everyone would be earning the same amount, but he felt it would be able to be voted on only by the Ward Council Members who were up for re-election.

Mr. Smith stated, but the At-Large could not receive that same pay for 2 years.

Mr. Mylen said we can if we change the Charter.

Mr. Gasior reiterated if we change the language in the Charter.

Mr. Mylen said he is suggesting they change the language in the Charter so that all seven Council Members are paid the same, but you can only vote on a pay raise every 4 years.

Mr. Smith stated he believed what Mr. Mylen was saying was that the Council-At-Large (in this instance) would not vote on the pay increase. He inquired of Mr. Gasior if that was possible.

Mr. Gasior felt that what Mr. Mylen was trying to say is that we have a majority of Council Members, who make up the 4 Ward Council Members and they could vote 4-3 to vote a pay raise for all of Council.

Mr. Smith inquired if we can do that.

Mr. Gasior stated we would have to change the language in the Charter. But, he said we are trying to look for a fair way because if you allow the 4 Ward Council a pay increase for 2 years and then when it is time to give a pay increase to the At-Large Council it is possible that the 4 Ward Council Members could vote down a pay raise for the At-Large Council Members because they are 4-3. It could be a 4-3 vote.

Mr. Butkowski said that situation could also create a perpetual motion situation where half the Council is making more than the other half.

Mr. Mylen stated that is why he would suggest making it every 4 years and you vote every 4 years for all 7 Council Members.

Mr. Gasior advised they cannot vote a pay raise for themselves (in-term). He stated that the only way Council can vote a pay raise is to fix the rate 30 days before a Ward Council Member election and the At-Large Council Members would be voting a pay raise in-term, but the language in the Charter would permit it. He said that is one way of doing it.

Mr. Mylen said that is what he is projecting. He stated he agrees with them that they are not doing it for the money on a \$12,000 salary.

Mr. Lindsay inquired as to when a pay increase was prior to 2010. It was not known when the last pay increase for City Council was prior to 2010.

Mr. Smith said the intent is to clarify the way it is written in the Charter.

Ms. Jankowski inquired of Mr. Butkowski if he had any suggestions.

Mr. Butkowski stated he has been thinking about that since he saw it was on the agenda for discussion. He said the question is how you make it equitable to everyone involved as well as manageable in the best way. Mr. Butkowski felt it would become something you cannot control if you have to address it every 2 years. He added that Mr. Mylen's point of doing it every four years with the Ward Council Members because they are a majority of Council allows for more discussion.

Mr. Mylen stated even though the Ward Council Members would be the majority, he felt all seven members could still vote on the issue. He said when they held the last Charter Review in 2012 and they staggered the terms, they did not take this issue into consideration.

Mr. Lindsay inquired if there was a limit on the amount of the increase. Mr. Gasior advised no, but the ballot controls that issue. It was noted that is the checks and balances.

Mr. Butkowski noted he did not get involved with this issue because of the financial aspect.

Mr. Gasior stated if we create this four year term process, he felt there is still a problem for this year because the Charter Provision would have to pass at the ballot in November and Council would have to vote a pay increase in May or June and it would be contingent upon passage of the Charter Amendment. Mr. Smith added then it would be backward again because you would have to wait two years for the remaining Council Members to receive an increase. Mr. Gasior stated if the Charter Provision failed at the ballot, you could try to come up with something the next year.

Mr. Klingshirn stated you could amend the Charter and not give a pay increase. Mr. Smith advised he did not see that as a problem as it has been seven years since Council has received a pay increase. Mr. Gasior felt the question was, "Would Council be able to pass that pay raise for themselves contingent upon the Charter provision passing?" and Mr. Gasior did not see a reason why they could not.

Mr. Butkowski stated if Council passes a pay increase prior to November and then the Charter was amended to allow the At-Large Council to receive the same increase as the Ward Council. Mr. Gasior stated they could end up not receiving a pay increase for four more years.

Mr. Moore inquired as to the amount of the pay raises in 2010 and in 2006. Mr. Butkowski believed the pay in 2010 increased from \$10,000 to \$12,500. Mr. Gasior said they could bring that information to the next meeting.

Mr. Dziak inquired if this topic comes up at every meeting whether or not Council was going to give themselves a raise. Mr. Smith stated often they look at surrounding cities and decide if what they are receiving is a little inequitable. Mr. Dziak said he preferred to look at it simplistically and suggested they eliminate the nominating petitions part of that section of the Charter and give Council the authority. Mr. Dziak said if this topic comes up for discussion and we want all seven members of Council to vote on it, it sounded to him that Council could give themselves a pay raise each year if they wanted.

Mr. Smith clarified that only if it is before the election when their term would expire. Mr. Gasior advised no one on City Council has received a raise since 2010 and the terms were staggered in 2012, effective in 2013 and there is an election coming up and the 4 Ward Council terms expire in 2017. Mr. Gasior said traditionally election years were when pay raises were considered for a Member of Council because it would have to be passed 30 days before the nominating petitions were required to be filed and the election took place in November and the pay increase would be effective in January for those elected/reelected to City Council. Mr. Gasior advised since we now have staggered terms and it has been almost 7 years since City Council has received a pay raise and one or two Council Members have talked to him

about this issue and asked how a raise will be proposed because of the staggered terms and he felt it was a good question for the Charter Review Commission to address. Mr. Gasior stated if you read the Charter as it is written now, the only Council Members who would receive a pay increase would be the Ward Council Members and it takes effect in January of 2018. Mr. Gasior said Council would again have to act prior to the 2019 election and raise the pay of the Council-At-Large Members. Mr. Smith felt the pay increase could be voted all at the same time, but the Council-At-Large pay increase would not take effect for 2 more years until their new term in 2020. Mr. Gasior agreed it could be done in that way and it would not take effect for 2 years for those Council Members terms that were unexpired.

Mr. Mylen noted that the At-Large and Ward Council Members would have a disparity in their income for 2 years. He said he did not see a problem with having their salary all the same. Mr. Mylen stated it could also be the reverse with the At-Large Council Member receiving their increase 2 years before the Ward Council Members. Mr. Mylen felt from a practical standpoint he did not feel anyone would vote against it as long as it is a reasonable amount because the voters were going to determine whether someone gets reelected or not.

Ms. Jankowski asked for clarification as to why the At-Large Council are being treated differently than the Ward Council and not as one body. She said she understands their terms expire at different times, but they were still one body. Mr. Smith there would be an issue for those 2 years before the terms expire for the remaining Council Members because you have to proclaim the pay raise before the filing deadline of an elected official. Mr. Gasior stated that is why we are working on the language in the Charter for the voters in November. Mr. Butkowski said it could be perceived the At-Large Council would be voting their own pay raises after they have already been elected to that position whereas the Charter now states it is for the positions whose terms are expiring. Mr. Gasior advised the way the Charter is worded now regarding Council pay is, "Shall not thereafter be changed in any respect during any such term or any part thereof." Mr. Gasior said there are 4 Ward Council Members and 3 At-Large Council Members and they all have pay established, but if Council voted to raise each Council Member's pay by \$1,000, prior to the deadline, then in effect the At-Large Council Members would be voting themselves a pay raise in the middle of their term. Mr. Gasior stated we could say, "Compensation shall be fixed 30 days prior to the filing date of nominating petitions for Ward Council Members' terms beginning the next succeeding first day of January and thereafter" and he felt then it would be set for all 7 Council Members. Mr. Smith advised the ballot language also had to be approved by the Secretary of State to make sure it is acceptable.

Mr. Gasior stated the other problem with what he just proposed was that City Council may have to wait 4 more years to do it. Mr. Gasior said the reason they would have to wait is because we do not have the Charter provision adopted yet. Mr. Smith advised that is the reason it is imperative that we make some type of change.

Mr. Moore suggested instead of placing it on the ballot that they make it a fixed rate every year that is triggered every 4 years. He indicated those who are short the first 2 years would make it up the remaining 2 years of their term. Mr. Moore felt it would eliminate the deciding the amount of the increase every year and it is triggered every 4 years. Mr. Smith suggested the Cleveland Construction Index be used for the inflation index to determine the amount of the increase whether it was 2% or 3% or some other percentage which eliminates the back and forth discussion on how much to give.

Mr. Gasior said as you read the language in this section of the Charter you could eliminate the last sentence regarding Council pay and leave it at, "The Council shall have the power to fix its own compensation and that of each employee of the Municipality, including officers and members of any board or commission of the Municipality, whether elected, appointed or chosen, and to establish for the faithful discharge of the duties of the office. The premium of any bond required by the Council shall be paid by the Municipality." He suggested they delete the rest of that paragraph.

Mr. Smith stated Council would still pass the pay Ordinance as usual if you use the Cleveland Construction Index as the rate of increase.

Mr. Gasior advised when voters question the reason, the Charter Review Members could explain that when the Charter was changed to make the Council Members' terms 4 year staggered that there was no other way to keep that eliminated clause in the Charter and be fair to all 7 members of Council. He said that now, it would be that Council at any time has the power to establish what they want to pay themselves.

Mr. Smith felt if we use some type of set way such as the Cleveland Construction Index then it was done forever and that made more sense to him than anything he has heard yet. Mr. Moore felt it would eliminate the complicated language. Mr. Lindsay inquired if it had to be stated in the Charter that the Council increases were based on the indexes. Mr. Butkowski felt it would be better to let Council decide that by Ordinance because once it was in the Charter it was set. Mr. Mylen suggested they stated the Council pay was not to go below a certain amount either based on the fall of the economy. Mr. Gasior advised he would keep the index language out of the Charter because if Council has the power to fix their pay the Ordinance they pass could say, "and each year thereafter it shall be increased by \_\_\_\_\_" and the language would be in the Ordinance. Mr. Gasior said if you fix the Council pay to an index then Council loses the power to fix their compensation. Mr. Smith felt they would have already fixed it if they tie it to an index and it could go forever. Mr. Mylen felt if you put the Cleveland Construction Index language in the Charter then Council somewhat loses its power to decide, which you do not want to do.

Mr. Butkowski advised Council controls the purse strings of the entire City so, if there is a Council that goes rogue and gives some enormous raise to themselves the voters would not reelect those Council Members. He said it is the responsibility of the electorate to choose the right people to make those decisions and if they make the wrong decision then they would not be reelected. Mr. Butkowski felt in his opinion, he would suggest not having the language in the Charter as to the amount of the increase each time, but that was the job of the Charter Review Commission.

Mr. Principe stated if we are all concerned about the citizens of Avon being concerned about Council giving themselves raises and if we put in the Charter, not necessarily the specific guideline, but that we would want Council to provide outside clarification and guidance of how they are supposed to receive their compensation, then in essence we are saying Council can choose what you want as your guide versus Council making their own pay essentially.

Mr. Butkowski stated he was okay with setting the pay according to an index, but he would rather it not be in the Charter, but by Ordinance. He said that way it could be changed if needed. He said the Charter is like a Constitution and once it is set it is something that should live forever. It was noted it is reviewed and can be changed every 5 years. Mr. Smith stated the Charter can be changed every year. Mr. Gasior clarified it has to be reviewed every 5 years, but does not have to be changed.

Mr. Gasior stated he does not believe that Council has voted a pay raise for their position every 5 years, but it has been longer than every 5 years. Ms. Jankowski said she has never even heard it discussed. Mr. Gasior advised now that Council has staggered terms and the way the language is in the Charter currently, it creates this patchwork regarding increases and who is getting what and when. Mr. Gasior said what they would like to try to do is address the problem and he felt the easiest thing to do was to eliminate the balance of that paragraph. Mr. Lindsay felt it is fair to give City Council a raise on a regular basis. Mr. Gasior stated we could look at previous years and what Council was getting paid and calculate a percentage to see if they would want to apply that same percentage.

Mr. Smith advised he and Mr. Gasior would review all the suggested changes and bring something back for this body to agree and vote on. Mr. Gasior advised they would create something for the Commission to review, but he felt they might end up just striking language and give Council the power to fix its own compensation. Mr. Gasior stated he did not believe they wanted to go with the 4-3 because they would end up waiting 4 years.

Mr. Dziak inquired if they as a group decide if they want to see something 4-3 or were they wanting something more simplistic or do they put forth to Mr. Gasior what they want to see as the amendment. Mr. Dziak suggested they strike out some of the language and make it simple and let Council decide. Mr. Dziak stated he did not want to make the Charter overly restrictive. He said we elect these Council Members to make decisions for our City and if they do not do

their job well then they would be voted out. Mr. Dziak said he does not believe they need the 4-3 option, but the idea of making it simplistic and taking out that line or two gets us to that point where we are giving Council the ability.

Mr. Gasior advised as long as they were comfortable with that because they were needed to help garner support for the provision. He said everyone would be counting on the Charter Review members to let the people know about the proposed amendments to the Charter and why they are being asked to vote for these changes.

Mr. Mylen said in looking at the history of Avon City Council they have not been abusive in increasing the pay for their position and all they were trying to do was put the 7 members together with regards to their pay since we made their terms staggered. Mr. Smith agreed and said that is the main purpose of this discussion. Mr. Mylen stated just because the terms were now staggered does not mean we should assume Council is going to become abusive because the history has been fairly mundane. Mr. Gasior noted that ten percent of the electors can file a petition to make a change to the Charter and the citizens can at any time do something to place a question on the ballot to make a change. Mr. Gasior said there are protections that are built into the Charter if Council abuses their power. Mr. Gasior felt this was a good way to amend it.

Ms. Jankowski inquired if we needed to vote on that. Mr. Gasior suggested he prepare some language and the Commission could vote on it at the next meeting if they agree with the proposed amendment.

Mr. Smith asked if the Clerk could find one or two cities with staggered terms and see how they handle pay for their councils. Mr. Dziak said he briefly looked at some Charters and North Royalton's is very simple and it reads, "Council shall have the power to fix the salary of the Mayor, its Members and all other employees for the municipality whether elected, appointed or chosen" and he felt that takes it to the simplest. Mr. Gasior said that is basically what we have although ours has some added verbiage.

#### DISCUSSION OF AMENDING ARTICLE XIII SECTION 7 – REGARDING CHARTER REVIEW

Mr. Gasior stated the question of how often the Charter should be reviewed came up. He inquired if it was still a good idea to leave it at being reviewed every five years or should they consider six years or seven years or ten years. Ms. Jankowski indicated the voters seem to support what is proposed for a change and she felt five years was a good amount of time for the Charter to be reviewed. Mr. Smith noted the voters are very savvy and they read every item and he recalled a time when one item did not pass out of a list of proposed changes. Mr. Root recalled it was the one item that was uncertain during the discussions of the Charter Review Commission. Mr. Smith advised this is not a community that just votes carte blanche. Mr. Gasior advised the Secretary of State takes the proposed ballot language and they pare it down for the ballot and send it back to the City for final approval. He said as a voter you have a right to ask to see the full text.

Mr. Gasior advised as far as reviewing the Charter every five years he inquired if the Commission felt they should keep it at five years. He stated that five years seems to come and go really fast and then they are scrambling to get a Commission put together and it could be a little difficult. Mr. Gasior said the way the Charter reads currently regarding its review and the selection process and at least one person from each Ward has to be represented on the Review Commission and they try to strike a balance. He said it is often the same people who show interest in serving on the Review Commission and there is a provision where you can suggest a Charter amendment at any time to City Council and two-thirds of Council can place it on the ballot in any given year. Mr. Gasior advised some communities review their Charter every seven years and some only every ten years and he did not see many that were at five years, like Avon. Mr. Gasior advised the Commission to keep in mind, that ten years is the maximum they can set the review of the Charter. He stated that currently the Charter must be reviewed every five years, maximum, but a Review Commission can be called sooner and he recalled a time when it was reviewed after only three years.

Mr. Root stated there are always issues and the town is rapidly growing and changing and he felt they would continue to have issues. Mr. Moore noted that every five years there were at least three changes and he agreed it should remain at

five years. Mr. Klingshirn noted the Commission Members were not getting paid so it does not cost the City financially. The Commission as a whole felt that reviewing the Charter every five years was reasonable at least for the next five to ten years.

DISCUSSION OF AMENDING ARTICLE VII SECTION 1(b) – LAST PARAGRAPH REGARDING DUTIES AND POWERS OF THE BOARD OF ZONING AND BUILDING APPEALS

Mr. Gasior explained that the change he is proposing requires a little background knowledge of how the Planning and Zoning Code operate. He advised our zoning code is broken down throughout the City into districts as designated on the zoning map. The R-1, R-2, R-3 are the Residential districts. The C districts are the Commercial districts. There are some Office districts and Industrial districts. Mr. Gasior stated that every district has permitted uses where permits can be issued without a variance or special use. For example, golf courses require a special use permit where the applicant must come before the Planning Commission and present a plan and refer to City Council to recommend whether to grant the special use permit or not and City Council either grants or denies the special use permit. Mr. Gasior said City Council wants to make certain that the special use granted does not interfere with the permitted uses allowable in that district. He advised when Council grants a special use it should be clear that the applicant can now move forward with their plan as approved. Mr. Gasior stated when Council denies a special use, the applicant must have an avenue to appeal the decision and go to court.

Mr. Gasior stated a question came up in the past couple of years as to whether the applicant challenges Council's decision in court or, as one attorney ruled, does the applicant go to the Board of Zoning Appeals and then go to court. He advised in a pure sense he did not like the idea of the Board of Zoning Appeals having the ability to overrule City Council. Mr. Gasior stated when City Council denies a special use he felt that should be the end of it in the City and whoever is the aggrieved party should go to Common Pleas Court. He said there is a section in the Ohio Revised Code that tells someone exactly what they need to do when they wish to file an appeal from an administrative body. Mr. Gasior felt they should not add another layer of complexity to it and go to the Board of Zoning Appeals, which is an appointed body, all appointed by the Mayor. He stated he wanted to bring to the Charter Review Commission's attention, the section of the code he feels they need to add a change to the current language, which is Article VII Section 1(b). Mr. Gasior felt the very last line was definitive enough for that attorney, but despite that this attorney felt the aggrieved party had the right to go the Board of Zoning Appeals. He said as he pointed out, this is a use, a special use and uses are different. He advised the Board of Zoning in Avon does not have use authority under the law; they have area authority. Mr. Gasior explained an area variance from the BZA would include something like a bump out for an attached fireplace addition on your house where you would only be nine feet from the adjoining property line instead of twelve feet. He further explained the BZA was not giving the applicant the right to use a fireplace; it is an area variance and not a use. Mr. Gasior read the last sentence in that section of the Charter, "Nothing herein contained shall be construed as authorizing the Board of Zoning and Building Appeals to exact changes in a zoning map or to add to the uses permitted in any zoning district". He stated if City Council were to deny a special use such as a golf course in a residential district then if they appeal to the Board of Zoning Appeals, the BZA is effectively deciding whether or not a use is going to be permitted in this residential district. Mr. Gasior thought that was clear in the existing language, but it was not clear to some and he felt we should make it very clear. He suggested adding one more sentence that would say, "Action by City Council on Special Use Permits is final and not appealable to the Board of Zoning Appeals". He advised when a Special Use comes in, the Planning Commission reviews it and holds the hearings and Planning Commission makes the recommendation to City Council for final approval. Mr. Gasior stated that by the time Council acts on a Special Use Permit all the parties involved have had an opportunity to speak and there is enough evidence in the record and they can file their objection with the Court of Common Pleas and everyone can have their day in court. He felt there was no reason to go to the Board of Zoning Appeals and do it all over again and that is not even the job of the BZA. It was noted, that the criteria when someone comes before the Zoning Appeals was practical difficulty.

Mr. Smith and Mr. Klingshirn agreed it was out of the realm of the Board of Zoning Appeals duties to decide such a matter. Mr. Smith felt it was better for the aggrieved party to seek their appeal in court. Mr. Gasior felt the confusion that came into play was the principle of law called Exhaustion of Administrative Remedies. He said what that means is if

your local government that sets up these boards and commissions to hear appeals of decisions that are made by the Zoning Enforcement Officer or the Planning Coordinator or the Planning Commission, then there should be a way for due process to appeal the decision. Mr. Gasior stated the Board of Zoning Appeals is the body that deals with appeals that fall under the zoning code that deal with area.

Mr. Smith asked Mr. Gasior to write something that can be reviewed at the next meeting for consideration.

#### ADDITIONAL COMMENTS

Mr. Gasior suggested if the Commission Members had a topic they wanted to discuss to send him an email or call him and they can discuss it at a future meeting.

Ms. Jankowski thought they were going to review each section of the Charter to see if any changes should be made. Mr. Smith said that can be done if that is what the body wants to do. Mr. Smith advised Mr. Gasior had a few important items to discuss and those were brought up for discussion first.

Mr. Gasior advised there were a couple more items he wanted to discuss with this body for consideration of amending. He said one of the items they may bring up is in regards to the Parks & Recreation as there is a Parks & Recreation Director and there is a Parks & Recreation Commission and their duties seem to overlap. Previously there was a third layer with a Parks Committee on City Council and that has since been eliminated. Mr. Gasior stated we now have these two layers and we have to decide whether they are both still necessary. Mr. Smith added prior to that there was another layer of a Parks Commission and a Recreation Commission which were separate commissions.

Mr. Lindsay asked Council Member Butkowski to ask City Council and the City Administration if they had specific concerns they would like addressed in the Charter. Mr. Butkowski indicated he would ask at the next Council Meeting. Mr. Butkowski advised what he is hearing from his constituents is the potential widening of Detroit Road as the Charter requires it to be maintained at 3 lanes in certain areas.

Mr. Gasior mentioned the last Charter amendment of Article XV regarding lot requirements for single family dwellings. He read the first sentence, "Lots created for single-family dwellings in the R-1 and R-2 Districts shall meet the following minimum requirements:". Mr. Gasior noted that R-2 allows single-family as well as duplex and the first sentence may need to have language added addressing duplexes. It was noted, this may come up for discussion at a future Charter meeting and it was also noted that population density needed to be maintained in the process as it is critical to the success or failure of any city.

ADJOURN: 8:26 p.m.

A motion was made by Mr. Smith and seconded by Mr. Lindsay to adjourn the meeting of the Charter Review Commission, and the vote was unanimous in favor.

Respectfully submitted by:

The Clerk of Council  
Secretary to the Charter Review Commission  
Barbara Brooks