

## **Charter Review Commission Proposal Packet**

**City of Gahanna, Ohio**

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### **Executive Summary**

This packet proposes amendments intended to further clarify when City Council authorization is appropriate for certain major municipal decisions involving public assets, development agreements, zoning actions, and significant financial commitments.

These recommendations are designed to enhance transparency and consistency while preserving the existing and effective balance between executive administration and legislative oversight.

Many of the practices reflected in these proposals are already being carried out thoughtfully through coordination between the administration and Council. These amendments are intended to ensure that those well-established practices are clearly reflected in the Charter and remain consistent over time.

I want to be clear that these proposals are not intended to change how the City is operating today, but simply to ensure that the Charter clearly reflects the strong practices already in place. These recommendations are offered in the spirit of supporting the City's continued success and ensuring that well-established practices remain clear, consistent, and transparent for future administrations.

### **Legal Authority & Charter Gap Analysis**

In practice, many of the actions addressed in this packet are already handled through collaboration between the administration and Council in a manner that reflects sound governance and thoughtful decision-making.

The Charter, however, does not always expressly address when legislative authorization is required for certain types of actions. These proposals are intended to align the Charter with those existing practices by providing additional clarity and ensuring that these processes remain consistent for future administrations.

### **Proposed Charter Amendments**

*This first proposal reflects the City's current practice of bringing significant real property transactions before Council and is intended to ensure that this process is clearly reflected in the Charter.*

#### **1. Council Authorization of Real Property Transactions**

The purchase, sale, transfer, lease, or other disposition of real property owned by the City shall require authorization by ordinance of Council.

No conveyance or acquisition of real property on behalf of the City shall occur unless such action has been approved by Council through duly enacted legislation.

Upon authorization by Council, the Mayor shall execute all necessary instruments on behalf of the City to effectuate the approved transaction.

*This next proposal is intended to clarify the role of Council in reviewing development agreements that involve significant municipal commitments, consistent with current practice.*

## **2. Council Oversight of Development Agreements**

Any development agreement involving City owned real property, public infrastructure commitments, or financial incentives provided by the City shall require authorization by ordinance of Council prior to execution.

The Mayor may negotiate development agreements on behalf of the City, but such agreements shall not become binding upon the City unless approved by Council.

Following authorization by Council, the Mayor shall execute such agreements on behalf of the City.

*This next proposal enhances transparency by ensuring that the basis for zoning decisions is clearly articulated on the record, consistent with the City's existing commitment to thoughtful land use planning.*

## **3. Transparency in Zoning Decisions**

When approving or denying any rezoning, zoning amendment, or other major land use decision requiring Council action, Council shall state on the record the basis for its decision.

Such statement may include planning considerations such as consistency with the land use plan, strategic plan, compatibility with surrounding land uses, economic development considerations, or other relevant planning factors.

*This final proposal is intended to provide additional clarity regarding when Council authorization is required for significant contractual obligations, while preserving administrative flexibility for routine operations.*

## **4. Council Authorization of Major Contracts**

No contract or agreement obligating the City for the expenditure of funds in excess of a threshold amount established by ordinance of Council shall be executed unless first authorized by ordinance of Council.

This requirement shall apply regardless of whether funds for such contract have been appropriated in the City budget or whether the contract is exempt from competitive bidding requirements under Ohio law.

No contract, purchase, or series of related contracts or purchases shall be divided or structured for the purpose of avoiding the approval requirement established by this section.

The Mayor shall execute such contracts on behalf of the City only after such authorization has been granted.

This section shall not apply to routine administrative purchases made pursuant to the City's purchasing ordinances within appropriated departmental budgets.

**Conclusion**

These proposed amendments are intended to provide additional clarity and consistency regarding when legislative approval is appropriate for significant municipal actions.

They reflect practices that are already working well and ensure that those practices are clearly grounded in the Charter going forward.

These recommendations are offered in the spirit of supporting the City's continued success and maintaining the strong collaborative relationship between the administration and Council.

## Appendix

### **Comparison of Peer Municipal Charter Practices**

To provide context for the proposed amendments, a review of nearby Ohio municipalities demonstrates that it is common for charters to establish clear legislative authority over significant municipal decisions, while allowing implementation details to be addressed by ordinance.

#### **Upper Arlington, Ohio**

The Charter vests full legislative authority in Council and authorizes Council to prescribe by ordinance how municipal powers are exercised. This structure ensures that significant decisions are grounded in legislative authority.

#### **Dublin, Ohio**

The Charter incorporates Council approval and consent into key governmental functions, reflecting a governance model in which important decisions involve legislative oversight.

#### **Westerville, Ohio**

The Charter establishes Council as the legislative authority and is periodically updated to reflect modern governance practices, including clarity around the exercise of municipal powers and responsibilities.

#### **General Observation**

Across comparable municipalities, it is common for charters to establish the structural role of Council in major decisions; provide a framework for legislative oversight; and leave operational details, such as thresholds and procedures, to ordinance.

The proposed amendments are consistent with these practices and are intended to align the Charter with established governance approaches.