

Charter Review Commission  
Recreation and Parks Commission

Sec. 128 and 129 of the Charter

### **Background**

The City of Columbus adopted the current charter Sections 128 and 129 in 1972 when the Recreation Department was merged with the Parks and Forestry Division to create the current Recreation and Parks Department. These sections were amended and renumbered in 1998. Prior to 1972, the Parks and Forestry operations were a division of the Department of Public Service. The charter establishes a nine member commission, appointed by the Mayor with the concurrence of City Council. It recommends specific background for several commissioners including recommendations from the Board of Education, and the Council of Social Agencies or its successor and one at the recommendation of the Franklin County Metropolitan Park Commission qualified in the field of Forestry.

The charter also requires commissioners to be “a bona fide resident of Franklin County”.

The commission is responsible for the operations and maintenance of recreation facilities and park facilities and to appoint or employ a director of recreation and parks.

### **Issue Overview**

Currently the appointment of commissioners is made by the Mayor with the concurrence of city council. The positions appointed at the recommendation of the Board of Education and Council of Social Agencies has not been consistent. In fact, we are unaware of the existence of any Council of Social Agencies. Due to the increased number of partnerships with the Franklin County Metro Parks, a strong relationship between the two departments exists and it is believed that an appointment at the recommendation of their board is appropriate. However, the requirement of the Metro Parks’ appointment being qualified in the field of forestry is not required today due to the fact that we have a forestry staff including a city forester classification with expertise in the field.

Columbus corporation limits have expanded beyond the Franklin County borders into Delaware and Fairfield counties. Under the current charter, a resident of the city of Columbus residing in one of those counties cannot currently be appointed to the commission even though they reside in the city of Columbus.

### **Conclusion**

To align the charter with current practices, we recommend that the Commission consider placing before the voters an amendment that will address these issues.

Sec. 128. Recreation and Parks Commission; appointment and organization.

The construction and equipment and the custody, maintenance, control, operation and administration of all the recreational facilities and public parks of the city shall be vested in a 'recreational and parks commission,' which shall be composed of nine members, a majority of whom shall constitute a quorum. Five of such commissioners shall, with the concurrence of council, be appointed by the mayor to serve, without compensation, for the term of five years and until their successors are appointed and qualified. Effective January 1, 1973, a sixth commissioner shall, with the concurrence of council, be appointed by the mayor to serve without compensation, for the term of five years and until a successor is appointed and qualified. Two members of the Commission shall, with the concurrence of council, be appointed by the mayor, to serve, without compensation, one on the recommendation of the board of education of the city school district of Columbus, Ohio, and one on the recommendation of the now existing council of social agencies of Columbus and Franklin County, or its successor, each for a term of two years and until their successors are appointed and qualified. Their successors shall be appointed for a term of five years. Effective January 1, 1973, a member qualified in the field of forestry, on the recommendation of the Columbus Metropolitan Park Commission shall, with the concurrence of council be appointed by the mayor to serve without compensation, for the term of five years and until a successor is appointed and qualified. Provided, however, if no such recommendation is made within thirty days from the effective date hereof, or within thirty days of any vacancy, such appointments shall be made by the mayor with the concurrence of council. A vacancy shall be filled in like manner for the unexpired term. The mayor, with the concurrence of council, may at any time remove any commissioner so appointed or malfeasance in office, having first given to such member of a copy of the charges and an opportunity to be heard in person or by defense counsel before the council and such removal shall be final. All commissioners shall be bona fide residents of Franklin County, Ohio.

Said commissions shall organize as a 'recreation and parks commission' by the election of a president, vice president and secretary, who shall serve for a term of one year until their successors are elected and qualified. The city treasurer shall be the treasurer of the commission. The director of recreation and parks may serve as secretary of the commission. The commission shall adopt rules and regulations for the government of the commission and for the operation and control of the various recreational facilities and public parks under its control. In the making of contracts the commission shall be governed by the provisions of the charter applicable thereto. (Adopted 11-7-72; renumbered and amended 11-3-98.)

Sec. 129. Powers and duties of the commission.

The commission shall have the power and it shall be its duty to equip, operate, direct and maintain all the existing recreational facilities and park facilities, including such portions or reservoirs and rivers designated by ordinance of council as a park of the city, and from time to time, to acquire, improve and construct additional facilities; to appoint or employ a director of recreation and parks, which position is hereby created in the unclassified service of the city, and such other assistants as may be provided by council, at salaries or such compensation as may be fixed by council.

The recreation and parks commission may receive donations and bequests, of money or property, in trust or otherwise, for recreational and park purposes. The treasurer of the commission (the city treasurer) shall be the custodian of all such trust funds which may be received by gift, devise, in trust, or otherwise, and all funds acquired for or by reason of the operation and extension of the recreational and park facilities of the city. Said treasurer shall carefully preserve, control and invest the said trust funds as required by the deeds of trust, and shall disburse the income from the same as shall be directed by said commission in accordance with and subject to the terms and conditions of said deeds of trust. Disbursements from all other funds in the custody of said treasurer, including funds appropriated by city council for the operation and extension of the recreational and park facilities of the city, shall be made only as the commission shall direct.

*(Adopted 11-7-72; renumbered 11-3-98.)*