

	Charter Section	Issue with Current Charter Provision	Commission Decision Regarding Action	Approved Revision
1.	1.2	Should certain of the significant actions described in Section 1.2 (annexation, merger or termination) continue to be permitted at a special or primary election as the Charter is drafted or should these be deleted to require that they only occur at a General Election?	No action at this time. 2/17/15	
2.	2.13	Should the qualification for residency in the City of Willoughby Hills prior to the Mayor being elected to office be increased from 2 years to a longer period? Should it be concurrent/prior credit?	Add “immediately” before “prior to his election” 3/30/15	 Watch list item 7/13/15
3.	2.13	Is the 2 year period referenced here (“at least two (2) years prior to his election”) related to: (1) the date of the election; (2) the date the election is certified by the Board of Elections or (3) the date the Mayor is sworn in and takes office? Should this be clarified in the Charter	Replace “his” with “date of” before “his election” 3/30/15	 Watch list item 7/13/15
4.	2.21	Should the Charter be revised to add the head of the Economic Development Department to the list of mayoral appointees. This position was created after the last Charter Review Commission.	No action at this time. 3/30/15	
5.	3.14	Should the qualification for residency in the City be modified for Council representatives from Districts in the City (not At-Large) to provide that they must meet the one year (or greater, see item 6) residency requirement within their District and not merely residency within in the City?	No action at this time. 4/13/15	
6.	3.14	Should the qualification for residency in the City of Willoughby Hills prior to the Councilperson being elected to office be increased from 1 year to a longer period? Note: under current Charter Section 2.13, the requirement for Mayor is 2 years, but see item 2 above.	To be considered with Item #2 (Mayor’s residency) 4/13/15	 Watch list item 7/13/15

7.	3.14	Is the 1 year period referenced here (“at least one (1) year immediately prior to his election or appointment”) related to: (1) the date of the election/appointment; (2) the date the election is certified by the Board of Elections or (3) the date the Council member is sworn in and takes office?	Insert “the date of” between “to” and “his” 4/13/15	 Watch list item 7/13/15
8.	3.15	Should a provision be inserted here providing for removal by Council? The provision would include a procedure (due process) and requiring a supermajority vote of all but the accused Council member (who would not have a vote on this matter)? ¾ was suggested as the supermajority.	Keep 9.32 to confirm consistency with provision. 4/13/15	 Watch list item* 7/13/15
9.	3.15	Consistency Note: This provision may need to be deleted if appropriate revisions are made to Article IX	Make sure cross reference is correct. 4/13/15	
10.	3.25	Consider deleting the residency requirement for Clerk of Council. Note, however, that this requirement can be waived by Council.	No action at this time. 4/13/15	
11.	4.21/4.31***	It was suggested that these provisions be modified to comply with the 2008 revisions to Section 2.21 (reflecting approval of 4 members of Council). A proposed addition to the end of 4.21/4.31 would be “and approved by Council as provided in Section 2.21.”	A good idea to be considered & given priority, if room on the ballot. 4/27/15	 Watch list item* 7/13/15
12.	4.32	It was suggested that we delete last sentence of 4.32 as no longer applicable to City operations.	A good idea to be considered; lower priority 4/27/15	 Watch list item
13.	5.11	Clarify the date that appointments are effective and the dates until which the appointee (or a replacement) serves.	Review an addition for beginning & end dates (Greer/Grady to make proposal) 4/27/15	

14.	5.15	Review and examine the appropriateness of this provision. Some have suggested deletion as this mechanism has only been subject to limited use and, more frequently, is bypassed by litigation which takes control of these decisions completely out of the hands of City residents. Others have reminded the Commission that this was passed by referendum and its deletion would take away the vote of the people.	No action at this time (too big to tackle during this Commission) 4/27/15	
15.	5.25	Review and examine the appeals processes from City Commissions and Boards. Appeals from the Architectural Review Board (“ARB”) go to the Council. Other Commissions (including the Planning Commission, which is the same group as the ARB, are not subject to appeal to Council.	No action. Defer to next CRC/City 4/27/15	
16.	5.31	Clarify the date that appointments are effective and the dates until which the appointee (or a replacement) serves.	A good idea to be considered & given priority, if room on the ballot. 5/4/15	 Watch list item ** 7/13/15
17.	5.32	Consistency Note: This may require deletion if changes made to Section 5.15 conflict with this provision.	No action at this time; defer to next CRC/City. 4/27/15	
18.	5.51	Clarify the date that appointments are effective and the dates until which the appointee (or a replacement) serves.	A good idea to be considered & given priority, if room on the ballot. 5/4/15	 Watch list item ** 7/13/15
19.	5.61	Does the requirement that the Charter Review Commission be comprised of five (5) members that have not held <u>elected public office</u> during the five year period prior to appointment require clarification that “elected public office” refers to any public office or any public office in the City of Willoughby Hills?	Discussed. See 10-20-14 Minutes.	 On Ballot 7/13/15

20.	5.62	Should the Charter be revised to provide that Charter Review Commissions are appointed by the Mayor (2 representatives) and Council (1 representative by each member of Council)?	Consensus: No Action.	
21.	5.62	Revise dates regarding submission of changes from a window of time (“not sooner than July 15 nor later than September 1”) to a deadline (for example: “no later than September 1”)	See 10-20-14 Minutes for new proposed deadline..	
22.	5.62	Should Council have the right to approve (perhaps by a 2/3 vote) the Charter Review Commissions submissions to the ballot? Alternatively, should the Council have the right (perhaps by a 2/3 vote) to veto a Charter Review Commission to the ballot?	Consensus: No Action.	
23.	5.62	Should 5.62 be revised to provide that Charter Review Commission must be appointed in January?	Note: Clarified appointment “at least” every 8 years. 10-20-14	
24.	5.62	Should a provision be included in Section 5.62 requiring a report of the Commissions deliberations be delivered/presented to Council?	Consensus: No Action.	
25.	5.62	Bring forward the date for submission of proposed changes to Council to accommodate the need to submit to ballot items to the Board of Elections by an earlier date. Should additional time be included to allow Council to review and have three readings?	See 10-20-14 Minutes for new proposed deadline.	
26.	5.62/10.4	Potential ambiguity between 5.62 (“in the judgment of the Commission”) and 10.4 (“proposed by a vote of two-thirds (2/3) of the members of the Council or by a Charter Review Commission.”) Should 5.62 require 2/3 of the Commission to place an issue on the ballot? Does 10.4 require 2/3 of the Charter Review Commission?	See 10-20-14 Minutes.	
27.	6.3	Should the last paragraph and Section be removed as these issues are decided at an election and the Board of Elections requires more time to put issues on the ballot?	Defer – review with 5.15 at a later date. 5/4/15	

28.	7.2	Should the 5 year term of tax levies be extended to 10 years or even in perpetuity?	No action 5/4/15	
29.	7.2	Should the 60 day deadline be extended to 90 days to accommodate Board of Election deadlines?	Agree to change to “90 days” – higher priority 5/4/15	
30.	7.2	Should the threshold for approval of tax related ballot issues at general or primary elections be raised from a majority to 55% (as is the case with special elections)?	No action 5/4/15	
31.	8.23	Should the percentage of Electors required to place a Recall issue on the ballot be reduced from the current 25% level to 10% (which is the current requirement under Ohio law).	No action 5/4/15	
32.	8.31	Should the prohibition against Council calling a Special Election within 30 days of a primary or general election be extended to 60 days?	No action 6/1/15	
33.	8.31	Review and examine the appropriateness of the provision providing for a run-off election in the event that no mayoral candidate receives a majority of the votes. Would a primary be better than a run-off in mid-December where the mayoral election is all that is on the ballot?	No action 6/1/15	
34.	8.32	Should the revisions made in 2008 that removed the 10 day period to correct a failure to obtain the required number of signatures be reversed?	No action 5/4/15	
35.	8.33	Should the 30 day period for the Clerk to provide official notices of the text of certain issues be extended to 45 days?	Change to distribute at or prior to scheduled distribution of Absentee Ballot 6/1/15	
36.	Article IX	Should Article IX be revised to include only a statement to provide that either the Administration (Law Department?) or Council create the necessary conflict of interest, disciplinary and nepotism policies and create a new provision under Section 1.5 for “Officers”?	No action. 5/18/15	

37.	Article IX	Should a provision be added that specifies a disciplinary procedure by Board/Commission Appointees can be removed for gross misconduct, malfeasance, non-feasance, conviction of a felony or other crimes involving moral turpitude. This would affect the Boards and Commissions appointed pursuant to 5.1-5.6.	No action. (See language in proposed Article IX). 5/18/15	
38.	Article IX	Review and examine if this provision should be removed in its entirety due to the creation (after the Charter was written) of the Ohio Ethics Commission and the enactment of State laws to address potential issues.	No action; see suggested language on 5/18/15 handout re. Article IX	
39.	9.1	Should Section 9.1 be revised to state that volunteer Board/Commission members are not City Officers? Should these volunteers be covered by prohibitions against immediate family members being employed by the City? Should they be excluded from Conflict of Interest/Nepotism policies (except Statutory requirements of the Ohio Ethics Commission etc.)?	No action. 7/13/15	
40.	9.1	Add “Boards”, delete “Bureaus” and “Agencies”	Agree to change with suggested language. 5/18/15	
41.	9.22/9.4	Provisions describing Civil Service and “noncivil service” are confusing as there does not appear to be any “noncivil service” employee of the City. All City employees are Civil Service and fall into either “classified” or “unclassified” categories.	See 5/18/15 handout 6/1/15	
42.	9.22/9.4/5.5	There is no prohibition against a member of the City’s Civil Service Commission being related to a candidate for a Classified Civil Service position. Would such a prohibition be appropriate or could a Civil Service Commission member recuse themselves with respect to matters related to a relative?	No action. C/S rules adopted 8/1/14 to address issue. 6/15/15	

43.	9.22	Review and examine whether a nepotism/conflict of interest policy be included in the Charter or required by the Charter to be created by the Mayor or Council Ordinance? Any nepotism policy/conflict of interest policy should consider the size of the City and the potential issues in obtaining volunteers for City Commissions and other positions.	Pending Ethics Seminar discussion at 6/15/15 mtg. 6/1/15	
44.	9.22/9.32	Definitions of the terms “immediate family”, “gross misconduct”, “malfeasance”, “nonfeasance”, “moral turpitude” should be considered. Should this language be “tightened up” to make interpretation of violations easier?	See suggested language on handout of 5/18/15	 Top Ballot Item 7/13/15
45.	9.34	Should the threshold for making a complaint be reduced from 5 members of Council to 3 members of Council?	See suggested language on handout of 5/18/15	 Top Ballot Item 7/13/15
46.	9.32/9.34	The Charter does not provide due process for the removal of a member of Council whereas Section 9.34 provides a detailed process for removal of an appointee. Should a process be incorporated or the process in 9.34 be made applicable to members of Council? Are these provisions broad enough to protect all City Officials?	See suggested language on handout of 5/18/15	 Top Ballot Item 7/13/15
47.	9.4	Civil Service Commission consideration to Civil Service positions being “classified” or “unclassified”.	Covered in Issue Item #51-54; no action 6/1/15	
48.	9.1	Should a provision be added to the Charter that permits the salary of paid City Officers to be withheld if City Officers do not perform their Charter specified duties?	No action 6/1/15	
49.	9.1	Should a general (applicable to all City Officers, paid and unpaid) disciplinary procedure be created?	No action 6/1/15	

50.	4.21	Should the Finance Director be elected?	No action 6/1/15	
51.	9.41	Should a provision be added to Section 9.41 to make clear that any amendments to 9.4 will not affect any employee currently on “probationary” status?	No action;not necessary w/ no changes from Unclassified to Classified. 6/15/15	
52.	9.41	Should part-time members of the Police Department and Fire Department be vetted by the City’s Civil Service Commission?	No action. 7/13/15	
53.	9.42	Should a provision be added to Section 9.42 that the “assistants” to the Fire Chief and Police Chief will not be Classified Civil Service positions?	No action. 7/13/15	
54.	9.44	Should a provision be added to Section 9.44 that provides that any changes to the job responsibilities or job descriptions for Classified Civil Service positions must be reviewed (or approved) by the Civil Service Commission?	No action. 7/13/15	
55.	5.8	Should a provision be added to recognize the “Records Commission.”	General consensus is “yes”, but prioritize on ballot issues. 6/1/15	 On Ballot 7/13/15
56.	9.43	Should the word “assistants” be defined to properly identify who should be included in this classification of individuals?	No action. 7/13/15	
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59.				