

Meeting Minutes  
CITY OF WILLOUGHBY HILLS 2015 CHARTER REVIEW COMMISSION  
Monday, March 30, 2015  
Willoughby Hills Community Center, O’Ryan Room

Call to order by Chairman Andy Gardner at 7:02 p.m.

**Roll Call:**

Members Present:

Dr. Stephen Atkins, Chairman Andy Gardner, Mrs. Jennifer Greer, Mrs. Judy Shrefler, Mrs. Sandy Taddeo, Mrs. Tanya Taylor-Draper, Vice Chairman W. James Walsh and Mr. Jerry Wolanin

Members Absent:

Mrs. Joyce Grady

**Approval of Minutes:**

Approval of Charter Review Commission minutes from 03/16/15:

Motion to approve the minutes by Jerry Wolanin

Seconded by Judy Shrefler

Vote: 8 AYES/0 NAYS, 1 member absent (Grady); MOTION PASSES

**Public Portion #1:**

Section 107.08 – Public Meetings of Municipal Bodies of the Codified Ordinances of the City of Willoughby Hills: (a) All meetings of any municipal body are declared to be public meetings open to the public at all times. All meetings shall provide a reasonable opportunity to hear public opinion. Pursuant to a Resolution of the Commission adopted on February 17, 2015, Public Portion is limited to 3 minutes per speaker and will occur at the Beginning and End of Commission meetings.

Public Portion opened at 7:03 p.m.

The following resident spoke:

- 1) Mr. Frank Cihula, 35060 Dixon Road, Willoughby Hills, OH 44094  
Mr. Cihula suggesting adding “5.8 Records Commission” to the Charter since the Records Commission is a State Law requirement. He said he would be willing to compose something for Charter inclusion regarding the Records Commission.  
Chairman Andy Gardner said that pre-discussion on that Charter section is slated for 4/13/15 and anything Mr. Cihula can present at that time would be considered.

Public Portion closed at 7:05 p.m.

## **Old Business:**

### Article II: The Mayor

#### 2.13 Residency requirement for Mayor

***“Should the qualification for residency in the City of WH prior to the Mayor being elected to office be increased from 2 years to a longer periods? Should it be concurrent/prior credit?”***

Dr. Atkins suggested that it should be a “concurrent” two-year period and not “coming and going.”

Tanya Taylor-Draper thought it was important for the residency to be “current” because then the candidate would be up to date on some of the current issues facing the city.

Vice Chairman Jim Walsh suggested adding “immediately” before “prior to his election” in Section 2.13.

Judy Shrefler said she had surveyed other cities and found that 4 cities have “3 years” prior to election, 1 city has “1 year” prior to election and 2 cities City Manager who do not have a residency requirement prior to employment.

Vice Chairman Jim Walsh stated that he thinks 4 years is a good idea because they will have sat through a Mayor’s one full term.

Jerry Wolanin felt that the Mayor’s job is substantial and perhaps he should have to wait the four years to acquire the position.

Tanya Taylor-Draper agreed that it is “important to know the City and its challenges.”

Jennifer Greer offered that it may “discourage people from using it as a stepping stone, so the longer period might be good.”

Chairman Andy Gardner agreed that “immediately” would certainly make it clear. He also offered that our population is made up of ½ apartment dwellers. For that reason, he would support “2 years”.

Sandy Taddeo said that this “may not be the most important thing to put on the ballot and we may need to see what else we have prepared for the ballot.”

Jerry Wolanin agreed, re-emphasizing that the Mayor’s job is an important job and he would probably support the 4 years; however, this may not be the most important issue to go to ballot.

A straw poll was then conducted to obtain a consensus of the group about adding the word “immediately” before “prior to his election.” All agreed to do so with an 8 AYES/0 NAYS straw poll vote.

A straw poll was then conducted to obtain a consensus of the group about increasing the number of years of residency required for Mayor. Five members agreed that it should be more than 2 years (Greer, Wolanin, Shrefler, Taylor-Draper and Walsh). The exact number can be further discussed once the group decides to put this issue on the ballot.

#### 2.13 – Clarification of date

***“Is the 2 year period referenced here (“at least two 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?"***

Chairman Andy Gardner believes it should be "election day" based on language in 2.12. Vice Chairman Jim Walsh was inclined to believe it meant "January 1" based on 2.12.

It was the consensus of the group to replace "his" with "the date before his" so as to indicate this date intends to be "election day".

2.21 Adding Economic Development Director to Departments in Charter  
***"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."***

If we were to add this department head, with the current language of "The Mayor shall appoint..." infers that we have to always have that position in the City. This may not be the case.

Tanya Taylor-Draper suggested the possibility of removing the names of all of the departments and just having "Department Heads."

Steve Atkins felt that "putting it in almost mandates it."

A straw poll was conducted to vote on whether the Commission feels we need to address this issue. The vote was 8 AYES and 0 NAYS to take no action on this issue at this time.

2.4 Acting Mayor

***"What does 'any cause' mean?"***

This was not an item previously listed on the worksheet, but the CRC chose to review it as part of the Section 2 review process.

Jerry Wolanin felt that this is "ambiguous" but was not sure how to remedy it.

Chairman Andy Gardner indicated that this was reviewed "a lot in 1998 and 2008 CRC meetings. In 1998, changes were made." He indicated there is already an "acid test" with, after 12 weeks of inability to perform his duties, Council makes the determination to appoint his successor.

As a final report in "Old Business", Gloria Majeski, CRC Clerk, presented a document prepared by Civil Service Chairman Thomas Majeski. He wanted it presented to the CRC members in his absence, but he will be available to discuss the items contained in the document when 9.4 Civil Service is discussed by the CRC at a later date. His document was intended to: 1) expand on some of the answers given by Civil Service Vice Chairman Tom Kicher at the last CRC meeting, and 2) caution the CRC that many of the items presented by Councilwoman Nancy Fellows at the last CRC were incorrect and he did not want Civil Service matters misconstrued by the CRC because of Mrs. Fellows' remarks. To that end, Chairman Majeski prepared a document, using the CRC minutes as a guide to outline the discrepancies and clarifications that needed to be made. The document was provided to each CRC member to review prior to further discussion on Article 9.4.

Preview to next CRC meeting agenda:

Discussion regarding Article 3 – Council

**3.14 “Should the qualifications for residency in the City be modified for Council reps from Districts in the City (not At-Large) to provide that they must meet the one year (or greater) residency requirement within their District and not merely residency within the City?”**

**3.14 “Should the qualification for residency in the City of WH prior to the Councilperson being elected to office be increased from 1 year to a longer period?”**

**3.14 “Is the one year period referenced here (“at least one 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?”**

**3.15 “Should a provision be inserted here providing for the removal by Council?”**

**3.15 “Consistency Note – this provision may need to be deleted if appropriate revisions are made to Article IX.”**

**3.25 “Consider deleting the residency requirement for Clerk of Council.”**

Vice Chairman Jim Walsh wanted to weigh in on these items as he will not be in attendance at the next meeting:

- 1) He does not think an individual should be “punished” for moving to a different district and, therefore, would vote “no” on that item.
- 2) With regard to changing Council residency requirement to longer than 1 year, he would support that only if Mayoral residency is changed.
- 3) With regard to Item #8 regarding provision for removal by Council, he feels that it is important to keep all of the disciplinary items in one section of the Charter.

Chairman Andy Gardner stated that he would review 1998 notes regarding boundaries and Council representatives.

## **Public Portion #2:**

- 1) Frank Cihula, 35060 Dixon Road, Willoughby Hills, OH 44094  
Mr. Cihula indicated he prefers “date of election” since it is a “fixed date” as it relates to Mayoral appointment. Further, he thought inclusion of “immediate”, as discussed, was a “good idea.” He also offered that we may want to give some consideration to the word “District” as it is not preferable to the Board of Elections; they prefer “precinct” or “ward”.
- 2) Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, OH 44092  
2.3 and 2.4 – Ms. Fulton had questions the need for a physician’s “OK” to return to work if a Mayor had previously been incapacitated. Also, “what happens if the Mayor died before he takes office?”

Frank Cihula indicated that the candidate can list an individual on his Campaign Petition to assume the Mayor’s responsibilities if he dies before taking office.

Public Portion #2 closed at 8:17 p.m.

**New Business:**

None

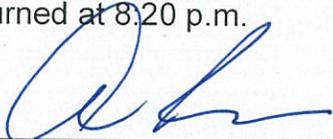
**For the Good of the Order**

Reminder about 7:00 a.m. Special Council Meeting – 3<sup>rd</sup> reading of the budget – set for Tuesday, March 31, 2015, at 7:00 a.m. in Council Chambers

**Adjournment**

Motion to adjourn made by Sandy Taddeo.  
Seconded by Jennifer Greer.  
Vote: 8 AYES/0 NAYES; MOTION PASSES.  
Meeting adjourned at 8:20 p.m.

APPROVED:



Andy Gardner, Chairman

4/13/15

Date

ATTEST:

Gloria Majeski