

MEETING MINUTES
CITY OF WILLOUGHBY HILLS 2014 CHARTER REVIEW COMMISSION
Monday, October 6, 2014

Call to Order:

Meeting called to order by Chairman Andy Gardner at 7:04 p.m.

Roll Call:

Members Present:

Chairman Andy Gardner, Mrs. Joyce Grady, Mr. C. J. Latsa, Mrs. Judy Shrefler, Mrs. Sandy Taddeo, Mrs. Tanya Taylor-Draper, Vice Chairman Jim Walsh and Mr. Jerry Wolanin

Members Absent:

Stephen Atkins, DDS

Eight nine members are present at Roll Call – recognized as quorum.

Approval of Charter Review Commission minutes of 9/15/14:

Motion made by Mrs. Joyce Grady to approve the minutes of 9/15/14, seconded by Mrs. Judy Shrefler

VOTE: 7 AYES, 1 Abstention (Vice Chairman Jim Walsh).

MOTION PASSES.

Public Portion:

Public Portion opened at 7:07 p.m.

No one spoke.

Public Portion closed at 7:07 p.m.

Old Business:

Mrs. Judy Shrefler discussed the recent ethics webinar in which she participated. Mr. Jerry Wolanin said he also had an opportunity to listen to some of it. Mrs. Judy Shrefler felt that it was comparable to the Ohio Ethics discussion and thought it was helpful to “hear it all again”. There was no “time table” discussed with regard to “conflict of interest”, but, like the OH Ethics course, “substantial and improper influence” were utilized as determining factors for “conflict of interest.” She suggested using the OEC as a baseline, but adding “unless otherwise provided in this Charter”. Mrs. Tanya Taylor-Draper would like to have all members present to proceed with recommended changes and thought a decision should be deferred since Dr.

Stephen Atkins was absent from tonight's meeting. Chairman Andy Gardner discussed the "higher standard" concept brought up by Council members. He is concerned about having something go to court and trying to uphold Home Rule if we make up something different than the State guidelines through the OEC. Discussion ensued regarding broadening the parameters for "Conflict of Interest" and "Nepotism" as related to "higher standard." Mrs. Tanya Taylor-Draper was opposed to a "no-relatives policy" and felt it was too restrictive. Mrs. Joyce Grady and Vice Chairman Jim Walsh felt we would be "punishing a person for their blood" if we did not hire a Councilman's son for a lifeguard position, for example. Mrs. Sandy Taddeo agreed that there are too many scenarios to consider and thinks it would be better to be able to call on the OEC. Vice Chairman Jim Walsh suggested that we have the option and that perhaps Council may be a better option to make the decision. Discussion continued regarding if Council would be the best way to manage the issues in Article IX. Mr. Jerry Wolanin was concerned about "personal agendas and personal gain and non-partisan issues" if this was put in Council's hands. Mr. C.J. Latsa agreed, indicating that he would prefer to make the decisions, rather than worrying about Council finding the time to address this. "We were asked to use our best judgment to make these decisions and I am willing to take responsibility for making what I feel is the right decision." Chairman Andy Gardner reminded the group that the current language is pretty vague and there was no OEC at the time that the original Charter was adopted. If we were to recommend using OEC guidelines at this time, it offers something that was not available at the inception of the Charter. Mr. C. J. Latsa liked the fact that the "law will evolve" if OEC steps into the picture.

Chairman Andy Gardner then recapped the discussion:

- "Unless the Charter provides, OEC standards will be adhered to."
- We still need to get a "removal process" in place.
- With regard to 9.21 – we do not want to have a standard that conflicts with OH Ethics – consider adopting "Option B" as presented by CRC members Grady, Shrefler and Taylor-Draper.

Vice Chairman Jim Walsh suggested that with regard to Section 9.31 and the definitions of malfeasance, misfeasance, etc., we may also be able to use OEC to reference these items for their definitions.

Chairman Andy Gardner said he will plan to prepare a slide presentation at the next meeting which will compare the current language and the proposals. This can be somewhat finalized and then "tucked away" for 2015 ballot consideration until CRC re-appointments are made. If other Charter provisions are subsequently discussed that conflict with what has already been semi-established, those items can be re-addressed before going to ballot.

Mrs. Judy Shrefler asked about the inclusion of “criminal misbehavior and financial disclosure”, but Chairman Andy Gardner indicated that we do not have to specify that in our Charter. In the “removal section”, however, we need to spell it out thoroughly.

Chairman Andy Gardner discussed the procedures for CRC moving forward. He did not feel the need to collectively read the Charter line by line at a meeting, but would rather assign each member to read the Charter prior to resuming CRC appointment in January. With the hopeful reappointments by Mayor Weger and Council confirmations, each member would be able to voice any concerns or changes they would suggest upon reconvening. The plan would be to review:

- 5.6 Charter Review Commission (dates)
- 9.4 Civil Service Commission (changes suggested in Public Hearing)
- 5.15 Mandatory Vote on Land Use (changes suggested by Econ. Dev. Director)

Vice Chairman Jim Walsh suggested:

- Deletion of 3.15 Removal from Office – referring instead to Article IX
- Reviewing 5.62 CRC dates being in conflict with 10.4 Charter Amendments

Chairman Andy Gardner reviewed Prioritization Worksheet and will continue to pull the most critical issues out of the worksheet as CRC work sessions progress.

New Business:

Mrs. Joyce Grady asked Chairman Gardner if he had any recollection of ever removing someone from office. The Chairman could not recall anything in the past and thought it may be legally difficult to do with the current Charter.

Public Portion #2

Public Portion #2 was opened at 8:32 p.m. and the following resident spoke:

1) **Mr. Frank Cihula, 35060 Dixon Road, Willoughby Hills, OH 44094**

Mr. Cihula spoke regarding the BZA following Vice Chairman Jim Walsh’s remark about attending a recent BZA meeting. Mr. Cihula also spoke about the upcoming BZA Workshop.

Public Portion closed at 8:37 p.m.

For the Good of the Order:

Vice Chairman Jim Walsh mentioned the last few weeks of Painesville Square's Open Market. Chairman Gardner advised the group that Issue 1 is the School Levy Renewal Levy – ensures 12% roll back from the State and an upcoming rally in Downtown Willoughby on Saturday, November 1, 2014, to promote passage of the levy renewal. He also indicated that Issue 4 is Willoughby Hills Road Renewal Levy.

Adjournment:

Motion to adjourn by Mrs. Joyce Grady seconded by Mrs. Tanya Taylor-Draper

ROLL CALL: 8 AYES – unanimous MOTION PASSES.

Meeting adjourned at 8:40 p.m.

APPROVED: 10/20/14



Andy Gardner, Chairman

ATTEST: Gloria Majeski
Gloria Majeski