

MEETING MINUTES
CITY OF WILLOUGHBY HILLS 2014 CHARTER REVIEW COMMISSION
Tuesday, July 1, 2014

Call to Order:

Meeting called to order by Chairman Andy Gardner at 6:32 p.m.

Roll Call:

Members Present:

Chairman Andy Gardner, Joyce Grady, C. J. Latsa (arrived at 6:34 p.m.), Judy Shrefler, Sandy Taddeo, Tanya Taylor-Draper and Jerry Wolanin

Members Absent:

Stephen Atkins, DDS and Vice Chairman Jim Walsh

Approval of Charter Review Commission minutes of 6/26/14:

Motion to approve by Jerry Wolanin

Motion seconded by Joyce Grady

Discussion: Correction of Councilman David Fiebig's name (previously misspelled) made following distribution to members.

ROLL CALL: 7 AYES – unanimous MOTION PASSES.

Presentation by Willoughby Hills Law Director Tom Lobe to Commission regarding Municipal Government and City Charter:

Tom presented overview of Home Rule and Charter information distributed at last meeting. He explained the Powers of the Commission. The "Home Rule Powers" noted on page 3 provide the following guidelines:

- What you are allowed to do
- Ability to change procedural matters (except Statewide concern items listed on page 4)
- Existence of certain rights for Police powers that run concurrent with State powers (i.e. Police can charge someone with a higher degree of offense, although this will probably not be a concern of this Commission)
- Importance of answering "What kind of government do you want for the City of Willoughby Hills?" Advised not to just copy Mentor, Cleveland, etc.
- The role of the Charter Review Commission is necessary because "things change." Are modifications or deletions necessary?

Tom thanked Council Clerk Victoria Savage for providing a good history of previous Charter Review Commission minutes that may assist this Commission in their task.

Tom explained that the Charter consists of 10 sections:

Article I	The Municipality
Article II	The Mayor
Article III	The Council
Article IV	Administrative Departments
Article V	Boards and Commissions
Article VI	Legislation
Article VII	Fiscal Matters
Article VIII	The Electorate
Article IX	Personnel
Article X	Miscellaneous Provisions

He then gave examples of some of the Charter changes that have been made over the years to some of the above articles:

Examples:

Section 1.2 – Boundaries – explained General, Primary and Special Elections; 55% needed for Special Election per 2008 revision.

Section 2.2 – Changed the flavor of the Charter – changed power of the Mayor; Mayor could appoint or terminate all department heads prior, but in 2008, Charter Review Commission changes allowed Council control of the hiring and firing by their approval vote of Mayor’s candidates. With this modification, more of a balance of power was instituted.

Section 3.12 – Changed in 2008 to come into compliance with Board of Elections; more of a housekeeping issue for verbage (districts). Changes in 2000 provided for a Council change – i.e. in earlier years, the top four vote getters assumed at-large positions vs. running for a particular seat.

Section 4 .31 – Law Director – Some cities say the Law Director should be an elected official vs. Mayoral appointee. There is no current criteria for hiring. Also, in some cities, the Finance Director is mandated to be a CPA. You may want to require more in the way of greater qualifications, or may be happy with the current way we do business.

Section 5.15 – Planning and Zoning - changed in 1996 by initiative petition for Charter change. Sited the case of Heritage (CCF vs. Gale’s) in the hands of Judge Mitrovich re. zoning change for WH.

Mr. Lobe concluded his presentation at 7:00 p.m. and expressed the need for housekeeping, but reminded to ask yourself, “What kind of government do you want?”

Public Portion:

Public Portion opened at 7:04 p.m. The following residents spoke:

- 1) Linda Fulton, 2990 Marcum Blvd, Willoughby Hills, OH 44092
Reminded the Commission that notification of the meetings should be a minimum of one week. Also requested that Public Portion be at the end of the meeting to enable residents to comment on items discussed during the meeting, and requested answers to Public Portion questions promptly.
- 2) Nancy Fellows, 2812 Fowler Drive, Willoughby Hills, OH 44094
Reminded the Commission that any recommendations need to go to the voters. Advised the Commission that Special Election may cost several thousands of dollars.
- 3) Dale Fellows, 2812 Fowler Drive, Willoughby Hills, OH 44094
Told Commission that he came both as a past Chairman of the 2008 Charter Review Commission and a representative of the Board of Elections
Mentioned there are a few sections to zero in on:
 - Section 8.2 – 30 day notification
 - Section 7 – majority vs. 51/%; may consider 55%Perhaps Commission member could meet with Bd. Of Elections to learn their requirements and amend accordingly.
 - Section 5.15 – agree with Lobe regarding changes needed
 - Section 9 – Enforcement and due process? May want to enlist the help of Attorney Steve Byron to interpret his dad’s (Barry Byron) version.
- 4) Frank Cihula, Dixon Road, Willoughby Hills, OH 44094
Mentioned that past Charter Review Commission set rules re. requirements and number of votes required to put something on the ballot.

Public Portion closed at 7:11 p.m.

Old Business:

- 1) Jerry Wolanin distributed draft notice for City departments – will be due back 7/15/14 (will be flexible); all agreed.
- 2) Joyce Grady and C.J. Latsa asked about the Notice of Public Hearing. Gloria Majeski will provide and get out to necessary parties. (She already has template on computer).

New Business:

- 1) Chairman Gardner distributed Jim Walsh email re. deadlines and asked Commission to give some consideration that will govern how the Commission takes on the next 6-8 weeks. Judy Shrefler asked if there were high priority issues. Jerry Wolanin said the Department Head responses will help. Tanya Taylor-Draper agreed that further definition of the job will define future meetings. C.J. Latsa felt that Public Portion would highlight any issues. Chairman Gardner said this will be deferred till next meeting.
- 2) Time allotted for Public Portion was discussed. Motion made by Joyce Grady, seconded by Judy Shrefler to keep it at a 3-minute limit
ROLL CALL: 7 AYES – unanimous MOTION PASSES.
More time may be allocated for Public Hearings on 7/14 and 7/15 or give notice to someone doing a presentation. Group may consider vote at next meeting re. time limit for Public Hearings.
- 3) Channel 12 broadcast for meetings was discussed. Dale Fellows offered that ballot issues meetings (i.e. the last 2 or 3 meetings) were televised. Also, Public Hearings may be televised. There is no record of number of current viewers.
- 4) Chairman Gardner addressed Mr. Cihula's concern re. # of votes required to put something on the ballot. He also offered that 10 items went on the ballot in 2008.

Good of the Order:

Chairman Gardner: Ultimate Raffle and YMCA Dream House tickets are available through him now.

Adjournment:

Motion to adjourn by Jerry Wolanin, seconded by Tonya Taylor-Draper.

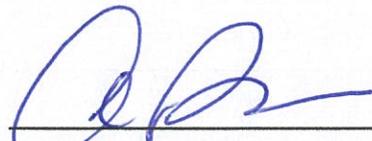
ROLL CALL: 7 AYES – unanimous MOTION PASSES.

Meeting adjourned at 7:40 p.m.

APPROVED: July 7, 2014

ATTEST: Gloria Majeski

Gloria Majeski



Andy Gardner, Chairman