

MEETING MINUTES
CITY OF WILLOUGHBY HILLS 2014 CHARTER REVIEW COMMISSION
Tuesday, July 8, 2014

Call to Order:

Meeting called to order by Chairman Andy Gardner at 6:30 p.m.

Roll Call:

Members Present:

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

Members Absent:

None

Approval of Charter Review Commission minutes of 07/07/14:

Motion to approve by Jerry Wolanin

Motion seconded by Tanya Taylor-Draper

ROLL CALL: 8 AYES, Vice Chairman Jim Walsh Abstained; MOTION PASSES.

Public Portion:

Public Portion opened at 6:32 p.m. The following residents spoke:

- 1) Frank Cihula, 35060 Dixon Road, Willoughby Hills, OH 44094
Asked about Agenda distribution (Chairman Gardner indicated that he has them available prior to the meeting at 6:15 p.m.); suggested change to Section 9.1 to include "Boards" to list of officers. Also mentioned that there is a Records Commission.

- 2) Bob Kowalsky, 2585 Timberline Drive, Willoughby Hills, OH 44094
Felt that qualifications are a "good thing" for Law Director; cited history of problems with Finance Directors "never feel like you are getting the right number" and "we did not pay property taxes on the Community Center for three years"; requested Article 9.9 "be broad, leave particulars to the City"; we can "remove a lot and dictate

that there will be a process made and it will be kept up to date.” “Current language is vague; no due process.”

3) Law Director Tom Lobe

Article 9 – Commission may consider making a motion to recruit the opinion of an expert on the ethical side of Article 9; recommended Assistant Prosecuting Attorney Karen Kowall, also a WH resident who can give the body good advice; Mr. Lobe would be willing to seek her assistance, should the Commission so desire.

Public Portion closed at 6:42 p.m.

Old Business:

1) *Procedure for Approach for Reviewing Charter:*

All agreed to set the procedure based on the upcoming Public Hearings.

2) *Time for Input at Public Hearings on 7/14 and 7/15/14:*

Agreed on 7-minute session, with maximum of four 7-minute sessions over the two Public Hearing dates.

Motion made by C.J. Latsa, seconded by Steve Atkins to approve these times.

Vote: 9 AYES - unanimous MOTION PASSES.

3) *Decision to Broadcast on WHTV (Channel 12):*

Chairman Gardner gave history of televising at previous CRC meetings. Joyce Grady made motion to televise Public Hearings on 7/14 and 7/15/14. Motion seconded by Steve Atkins.

Vote: 9 AYES – unanimous MOTION PASSES.

4) *Required Votes for Proposed Charter Changes:*

Chairman Gardner gave history of previous CRC vote requirements. Vice Chairman Jim Walsh made motion that “6 or more votes are needed to approve single ballot items to Board of Elections”; motion seconded by Judy Shrefler.

Vote: 9 AYES – unanimous MOTION PASSES.

New Business:

Chairman Gardner asked for Charter concerns that the Commission could start to discuss.

- 1) Judy Shrefler requested review of Section 4.2 Dept. of Finance and 4.3 Dept. of Law based upon Law Director Lobe’s discussion and felt that having qualifications for these positions would be advisable. If changes made now though, would want to make current employees “safe” from dismissal if they did not meet those qualifications.

Chairman Gardner stated that an attorney must maintain 24 hours every two years Continuing Education Credit (CEU) to remain in good standing.

Jerry Wolanin recommended that the positions remain to being appointed by the Mayor, rather than an Elected Officer. Vice Chairman Jim Walsh agreed that he would "hate to have a guy based on popularity." C.J. Latsa gave history of ODOT with issues with elections. Councilwoman Nancy Fellows and Law Director Tom Lobe reminded the Commission that the State of Ohio has elections for such positions as Auditor and Attorney General. Vice Chairman Jim Walsh stated that the "State may do elections because they have larger staffs." Jerry Wolanin outlined the tract for CPA degree attainment and the required Continuing Education Units (CEU). Sandy Taddeo stated that the "Charter should be a guide and not too stringent for candidates." Chairman Gardner felt that the Law Director and Finance Director need to have a good working relationship with the Mayor. Tanya Taylor-Draper agreed that the candidate should be "the one who the leader would be comfortable with." Assistant Chairman Jim Walsh stated that "Council confirming the Mayor's appointment is a safety net" and that perhaps the best candidate many times may not be the one with the most certificates or highest degree. Chairman Gardner added that "qualifications can take good candidates out of the market." Judy Shrefler closed the discussion stating that she appreciated the group's input which certainly put the current Charter procedure in a better light and that perhaps it should remain unchanged. Assistant Chairman Jim Walsh asked for clarification of the last line of Section 4.32 and Chairman Gardner will confer with Law Director Lobe for clarification. General consensus was no change to Section 4.3 needed at this time.

2) Article 5.61 Charter Review Commission

Concern about this Article arises from the fact that:

- a) Duties & responsibilities – conflict with Section 10.4
- b) Dates for submission for Electorate are not appropriate with current Board of Elections requirements and current dates present burden with having to get Charter Review done quickly.

Vice Chairman Jim Walsh stated that the burden from Mayor would be removed if appointment dates are changed and rather than dates, perhaps language should read to get to Council two weeks prior to date determined by Board of Elections or required by Ohio Law. Chairman Gardner will discuss necessity for 3 readings by Council with Law Director Lobe. He feels "the Commission makes the decision to put the items on the ballot; the public will vote on these items on Election Day. Council's role is to get it to the Board of Elections." Sandy Taddeo stated that the current Charter mirrors the State language per 1990 CRC minutes. Discussion

ensued about possibilities with various dates, but the end result was to keep 5.6 on the list of potential items to deal with. Chairman Gardner asked Councilwoman Fellows to check with Board of Elections to see what the dates are driven by.

Chairman Andy Gardner reminded all of Public Hearings on 7/14 and 7/15 at 6:30 p.m. Clerk will follow up with Council Clerk Savage for input from City Departments and Boards & Commissions.

Good of the Order:

None

Adjournment:

Motion to adjourn by Jerry Wolanin, seconded by Joyce Grady.

ROLL CALL: 9 AYES – unanimous MOTION PASSES.

Meeting adjourned at 8:00 p.m.

APPROVED: *Gloria Majeski*

Andy Gardner
Andy Gardner, Chairman

ATTEST: 7/14/14
Gloria Majeski