

MEETING MINUTES
CITY OF WILLOUGHBY HILLS 2014 CHARTER REVIEW COMMISSION
Monday, August 18, 2014

Call to Order:

Meeting called to order by Chairman Andy Gardner at 6:41 p.m.

Roll Call:

Members Present:

Dr. Stephen Atkins, Chairman Andy Gardner, Mrs. Joyce Grady, Mrs. Judy Shrefler, Mrs. Sandy Taddeo, Mrs. Tanya Taylor-Draper, Vice Chairman Jim Walsh and Mr. Jerry Wolanin

Members Absent:

Mr. C. J. Latsa

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

Approval of Charter Review Commission minutes of 08/11/14:

Motion made by Mrs. Joyce Grady to approve the minutes of 8/11/14, seconded by Vice Chairman Jim Walsh. Vote: AYES 7, 1 abstention (Mrs. Judy Shrefler), MOTION PASSES.

Approval of amended Charter Review Commission minutes of 8/12/14:

Mrs. Joyce Grady asked that the draft minutes be amended to make two grammatical changes to page 4 of the minutes (beginning with the line “In addition to...” change “were” to “was” and “appropriate” to “appropriately”). All agreed. Minutes amended to reflect that change.

Motion made by Mrs. Tanya Taylor-Draper to approve the amended minutes of 8/5/14, seconded by Mr. Jerry Wolanin. Vote: AYES 7, 1 abstention (Mrs. Judy Shrefler) MOTION PASSES.

Public Portion:

Public Portion opened at 6:44 p.m.

The following individuals spoke:

1. Councilwoman Nancy Fellows, 2812 Fowler Drive, Willoughby Hills, OH 44094

Councilwoman Fellows stated that the Board of Elections has met and certified everything to go on the ballot for all other municipalities and encouraged CRC to get any possible ballot issues to Lake County Board of Elections as soon as possible. She also encouraged the CRC to look at the Charter provision regarding getting ballot issues to the Board of Elections, suggesting "90 days prior to election."

2. Mr. Robert Kowalsky, 2585 Timberline Drive, Willoughby Hills, OH 44094

Mr. Kowalsky suggested the CRC should "make it easy to show what is wrong" (referring to current Charter's Conflict of Interest policy items. "Ask them to resign." He feels the voters should have the right to get rid of an elected official since they are the ones who voted them in.

Public Portion closed at 6:51 p.m.

Old Business:

Chairman Andy Gardner said the "timing is the key issue" with regard to the CRC getting items on the ballot for November 2014 election. He then asked Vice Chairman Jim Walsh to present his perspective on this issue. Vice Chairman Jim Walsh presented two key points:

- 1) If we don't have anything to present this fall, we should determine that ASAP. While he was optimistic from the beginning, the last two meetings did not show us heading in that direction. He is concerned if we just change one section now (i.e. Article IX), that may present a problem in 2015 when we address other sections and may find "integral parts" to what has already gone to ballot. Mr. Jerry Wolanin agreed that "change for change's sake is not a wise course of action." Dr. Stephen Atkins agreed that "we cannot do it piece meal." Mrs. Tanya Taylor-Draper agreed that it is "a lot" to consider. Mrs. Judy Shrefler agreed that prior Charter Review Commissions took time to get the words "just right." "If we were on the verge of getting it done, that would be different." Mrs. Joyce Grady said that "there are a lot of gray areas." Mrs. Sandy Taddeo offered that "we had put in as many hours as we could with what we had," but does not feel it is ready for ballot. Chairman Gardner said that last time there were very "finite issues" but now the Zoning and Article IX issues are different. He further commended the members of the Commission for devoting all of their time at meetings and at home reading and researching items and their work with a "crash ethics course." "I'd rather do it right once than piece meal it as Jim stated. When we recommend something, hopefully the voters will agree with us."

After all of this discussion, Vice Chairman Jim Walsh made a *motion to refrain from putting any Charter Review changes on the November 2014 ballot*. Motion was seconded by Mr. Jerry Wolanin.

Chairman Andy Gardner said he would approve going forward with this vote and would request any input from Mr. C. J. Latsa who was not present tonight, but will be at Tuesday's meeting.

Vote: 8 AYES. MOTION PASSES.

Vice Chairman Jim Walsh made a *motion to request to the Mayor that all members of the current Charter Review Commission be reappointed to the Charter Review Commission in 2015*. Motion was seconded by Mr. Jerry Wolanin.

Mr. Jerry Wolanin added that he felt it would be an "affirmation of our work." Vice Chairman Jim Walsh pointed out that there may be limitations as to when we can meet between now and then. The CRC member's term expires on Election Day and then the Mayor can reappoint after January 1st. Chairman Andy Gardner added that he would advise telling Mayor and Council that "we started the work, but would like to continue. Nothing is binding for them or the member if they do not want to serve." The vote was then taken. 7 AYES, 1 abstention (Dr. Stephen Atkins).
MOTION PASSES.

- 2) Vice Chairman Jim Walsh's second point was his review of the Cuyahoga County information provided to CRC by Chairman Andy Gardner. He thought we could perhaps "push this back on Council. Maybe creation of a separate and distinct Ethics Commission to create an ethics policy set up for concerned citizens to guide purchasing, hiring and firing procedures." Ms. Joyce Grady said she was not sure of that concept and Chairman Andy Gardner felt it was "just another path" that we could look at what we have researched and offer referring certain items to Council. CRC could draft that as another Commission and include it in the Charter with the other Boards and Commissions. The Ethics Commission is another thought we can consider. Vice Chairman Jim Walsh added that Willoughby Hills can be the one that sets the example to other cities, as Mr. Kowalsky suggested. He then distributed a handout regarding Ohio Ethics courses to include: E-courses, Webinars (at scheduled times) and classes in Columbus. All are free.

Chairman Gardner then asked Mrs. Joyce Grady, Mrs. Judy Shrefler and Mrs. Tanya Taylor-Draper if they would like to present anything else regarding their portion of Article IX concerning Conflict of Interest – financial. They preferred to defer the discuss

since Judy just got back and they would like to further discuss it with her before presenting to the group.

Old Business closed.

New Business:

Chairman Andy Gardner spoke briefly about the Cuyahoga County document that was distributed at the 8/12/14 meeting. He pointed to several sections he thought would be beneficial for the CRC to review:

Section 22 & 23 – Discussion regarding Conflicts of Interest (may be helpful to Joyce, Judy and Tanya)

Section 22 – Public Officials

Section 23 – Employees

Section 24 – Penalties – not just “death penalty” but “progressive style of discipline”

Section 26 – Secondary employment (personal) – may also be helpful to Joyce, Judy and Tanya – it goes to the next step with Boards and Commissions (refers to Page 105 Attorney General document); maybe there is some “middle ground that we can take a look at”

Section 28 – Employment of relatives – “County can do things we cannot because of their size” (as related to reassignment of individuals to different departments upon marriage).

Overall, this is a good document that was probably precipitated by recent events in Cuyahoga County. Just as, in the 1970’s, Watergate probably influenced the creation of ethics policies throughout the country, as we know it today.

Chairman Andy Gardner discussed future meeting schedule. It was the consensus of the group to meeting on the first and third Mondays of each month after Labor Day at 7:00 p.m. at the Community Center. Mrs. Judy Shrefler made the motion to hold future CRC meetings up till Election Day 2014 to be held on the first and third Mondays of each month, beginning on Monday, September 15, 2014 at 7:00 p.m. at the Community Center. Motion was seconded by Mrs. Tanya Taylor-Draper. Vote: 8 AYES. MOTION PASSES.

Chairman Gardner’s homework assignment was to review any issues that may be presented now and up until September 15.

Public Portion #2

Public Portion #2 was opened at 7:42 p.m. and the following residents spoke:

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

Mr. Cihula commented on forming our own "Willoughby Hills Ethics Commission" and pointed out that using the OEC would be a non-partisan, strong body that he would prefer following OEC rather than establishing something local.

2) Mr. Robert Kowalsky, 2585 Timberline Drive, Willoughby Hills, OH 44094

Mr. Kowalsky asked the CRC to reconsider putting the Civil Service issue on the ballot because part-time employment is becoming more prevalent and makes good sense to consider it.

Public Portion closed at 7:50 p.m.

For the Good of the Order:

Mrs. Joyce Grady mentioned the following upcoming events:

Fall Corn Fest sponsored BBQ and Country Band on Wed. 8/20/14 at 6pm (food) and 7pm (concert).

Willoughby South High School's Marching Band on Friday, 8/22/14 at 8pm

Adjournment:

Motion to adjourn by Mrs. Judy Shrefler seconded by Mrs. Joyce Grady

ROLL CALL: 8 AYES – unanimous MOTION PASSES.

Meeting adjourned at 7:52 p.m.

APPROVED: 8/19/14



Andy Gardner, Chairman

ATTEST: Gloria Majeski
Gloria Majeski