

MEETING MINUTES
CITY OF WILLOUGHBY HILLS 2014 CHARTER REVIEW COMMISSION
Tuesday, August 5, 2014

Call to Order:

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

Roll Call:

Members Present:

Dr. Stephen Atkins, Chairman Andy Gardner, Mrs. Joyce Grady, Mr. C. J. Latsa, Mrs. Judy Shrefler, Mrs. Tanya Taylor-Draper and Jerry Wolanin

Members Absent:

Mrs. Sandy Taddeo and Vice Chairman Jim Walsh

Seven of nine members are present – recognized as quorum.

Approval of Charter Review Commission minutes of 07/29/14 – to be approved at 8/12 mtg.

Vice Chairman Pro Tem for this evening's meeting:

Motion to nominate Mrs. Judy Shrefler made by Mrs. Joyce Grady.

Motion seconded by Mrs. Tanya Taylor-Draper.

Vote: Ayes 6 1 abstention (Mrs. Judy Shrefler) MOTION PASSES.

Public Portion:

Public Portion opened at 6:35 p.m.

The following individuals spoke:

1. Councilman John Plecnik, 2890 Bishop Road, Willoughby Hills, OH 44092

Councilman Plecnik followed up his previous comments regarding “higher standards”; he distributed Page 6 of OH Ethics Comm. Advisory Opinion 2009-02. He reminded the CRC that it is “not a conflict to set higher standards” and indicated that he “hopes we keep higher standards. 9.22 prevents uncomfortable situations and states relatives cannot work here.”

2. Ms. Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, OH 44092

Ms. Fulton stated that she was “disturbed last night that CRC would change 9.22 to actually be less than OEC.” She discussed using the definitions of “family” in OEC and stated that “anything less than that is just not right.”

Public Portion closed at 6:41 p.m.

Old Business:

Continuing Discussion re. Article 9.22:

Chairman Andy Gardner distributed a revision to the document concerning 9.22 that he distributed at last night’s meeting. He indicated that tonight’s copy was marked to adjust the new language. He addressed Councilman Plecnik’s suggestion of setting “higher standards” by stating “above and beyond can have legal ramifications and we would need to be accountable.” Chairman Gardner indicated he had drafted it more narrowly to avoid this.

Mrs. Judy Shrefler asked for clarification of OEC governing removal of office. Chairman Gardner offered information, but expressed his concern with the time we have to complete the task. He says it is troubling to think we would “piece meal things for the ballot” and agreed that we will strive to create a “better product to serve the public.” Dr. Stephen Atkins agreed, stating “This is going to affect a lot of people.” Mrs. Tanya Taylor-Draper hopes to have a chance to be reappointed next year and be able to review all of the information in depth. Chairman Andy Gardner advised her that there was very little input last time compared to this CRC. Mrs. Judy Shrefler is concerned about not taking any action at this time and felt the “due process” and “removal from office” are the most important aspects of Article 9 that will be sorely missed throughout the next year if not addressed this year. Mrs. Tanya Taylor-Draper agreed that “due process is needed” and Vice Chairman Jim Walsh and Dr. Stephen Atkins are currently working on a proposal to present at next week’s meeting. Dr. Stephen Atkins (referring to Chairman Gardner’s document) indicated he thinks it can be “cleaned up” and “provide due process.”

Chairman Gardner summarized the job assignment prior to next meeting:

Joyce/Judy/Tanya – Contracts

Andy/Jerry – Scope of Application of Charter

Steve/Jim – Removal provisions/Due process

Dr. Stephen Atkins indicated “lowest bid” by City Official may not be definitive; OEC requires more. Work performed under the direction of a bidding process are “not a concern so much as something lower than \$25,000 spending limit.”

Old Business closed at 7:07 p.m.

Public Portion #2

Public Portion #2 was opened at 7:07 p.m.

The following residents spoke:

1) Mr. Dan Philipp 2423 Pine Valley, Willoughby Hills, OH 44094

Mr. Philipp commended the volunteerism efforts by the CRC. He introduced himself as a "small business owner". He said some of "your best references are friends and family." Mr. Philipp stated that you can save a lot of money in dealing with "someone who cares" and that one should "hire people you trust." Personally, he has donated more than \$5000 in goods and services over the years to various City departments, many while he served on the Recreation Commission. Finance Department's review of his actual monies paid out were approximately \$1500 over the years. He, like many others, are not doing "business for a personal gain". Mr. Philipp encouraged the CRC to "keep an open mind."

2) Ms. Linda Fulton, 2990 Marcum Blvd., Willoughby Hills, OH 44092

Ms. Fulton spoke about "going out for bid" and "lowest bid." She advised CRC that Mayor Weger has a "\$25,000 spending limit"; therefore, "jobs under \$25,000 do not need Council approval."

3) Councilman John Plecnik, 2890 Bishop Road, Willoughby Hills, OH 44092

Councilman Plecnik recommends looking at Article IX and "just clarifying it." He suggested avoiding situations such as the City Prosecutor being another Officer's brother. He suggested that CRC's "main task" would be to fix "noncivil service" language and redefine "immediate family" by OEC definition. "Removal provisions should be remedial." "It is there to protect the residents."

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

Mr. Cihula pointed out that there were 3 hot issues brought to CRC:

- a) Councilman with Prosecutor brother (indicated City Prosecutors are not well paid compared to other legal profession opportunities.
- b) Employment of a relative
- c) Volunteer Board members whose relatives are Council members. He made a suggestion to emulate Lake County Historical Society's organized group of

volunteers (without voting privileges) but they earn volunteer hours and are recognized at a Volunteer Recognition Program.

5) Mr. Dale Fellows, 2812 Fowler Drive, Willoughby Hills, OH 44094

Mr. Fellows offered the CRC Article IX reminders (Due Process and Enforcement Mechanism). With regard to 9.34 Filing Complaints, he suggested a maximum of 3 members of Council, rather than 5 members of Council. Mr. Fellows said that "OEC is bare minimum" and encouraged "to rise above bare minimum." He suggested that volunteers are "not hard to find, they just need to be asked." "Just ask and very rarely will you be turned down." (He referenced his volunteer efforts, along with Chairman Andy Gardner, Mr. Dan Philipp and Mr. C.J. Latsa).

Public Portion closed at 7:24p.m.

For the Good of the Order:

Ms. Linda Fulton announced the 2nd Annual White Cane Awareness Walk sponsored by North Coast Lions, in conjunction with "Magnifiers & More" store in Mentor. This will be held on October 11, 2014, from 10 a.m. to 1 p.m. Ms. Fulton also announced two additional fundraisers: Next Thursday, 5-8pm – Chik Fil A – receiving a proceeds of monies collected and Sept. 11 Pancake Breakfast at Applebee's. (She provided flyers for these events).

Adjournment:

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

ROLL CALL: 7 AYES – unanimous MOTION PASSES.

Meeting adjourned at 7:25 p.m.

APPROVED: 8/11/14

ATTEST: Gloria Majeski
Gloria Majeski


Andy Gardner, Chairman