

## Regular Council Meeting Minutes of May 24, 2018

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**Policy No. 2:** All Council meetings shall be recorded by audio recording device and will be held in perpetuity and shall be part of the official records and minutes. Council minutes shall be written, and approved by Council.

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The Regular Council Meeting was called to order on Thursday, May 24, 2018 at 7:28pm in Council Chambers. President Fellows presided.

**Members Present:** Vice President John Plecnik, President Nancy E. Fellows, Councilman David M. Fiebig, Councilman Christopher Hallum, Councilwoman Laura Lenz, Councilwoman Janet R. Majka, Councilwoman Laura Pizmoht

**Others Present:** Mayor Robert M. Weger, Finance Director Frank J. Brichacek, Jr., City Engineer Pietro A. Di Franco, Clerk of Council Victoria Ann Savage

### DISPOSITION OF THE JOURNAL

**President Fellows:** The first order of business is the Disposition of the Journal for Regular Council Meeting minutes of April 12, 2018.

**Vice President Plecnik:** Motion to adopt the Regular Council Meeting Minutes of April 12, 2018.

**Councilwoman Lenz:** Second.

**President Fellows:** I have a motion from Vice President Plecnik and a second from Councilwoman Lenz to adopt the Regular Council Meeting Minutes of April 12, 2018. Any discussion on the motion?

**Roll call: YEAS: Plecnik, Fellows, Fiebig, Hallum, Lenz, Majka, Pizmoht**  
**Motion PASSED.**

**President Fellows:** The Regular Council Meeting Minutes of April 12, 2018 have been adopted. The next order of business is Correspondence.

### CORRESPONDENCE

**Vice President Plecnik:** Madam President. Motion to override the Mayor's veto on Ordinance No. 2018-27.

**Councilwoman Pizmoht:** Second.

**President Fellows:** I have a motion from Vice President Plecnik and a second from Councilwoman Pizmoht to override the Mayor's veto on Ordinance No. 2018-27. Is there any discussion on the motion?

**Vice President Plecnik:** Madam President. I would just share that the Mayor's veto letter on Ordinance No. 2018-27 concerns me very deeply. He purports to not having a conflict of interest while he restates the very

arguments that make it quite clear that he does have a conflict of interest in this matter. And I would remind the Mayor that were there are very serious conflicts there can sometimes be criminal violations for crossing those lines. And I know that we don't have a Law Director at the time, but I'd certainly be curious to know if he had any legal advice in drafting this ordinance for his own protection and I'd also be curious if he could really explain himself when he says that he does not or he had not failed in his duty to respond to SERB. He simply makes the bald face assertion that the veto letter and then he proceeds to not explain why he failed to give any response whatsoever, so it's an assertion that he makes, but the fact of the matter is that he never responded to the ULP filed with SERB and defended the City. So, we really left with only two possible alternatives given that indisputable fact, either the Mayor simply failed to respond, whether he was unaware or lost consciousness for a period of time, I'm not sure or he intentionally decided not to respond which would be very concerning given that he has a duty to do so. So, I really think that he owes the City an explanation particularly given this somewhat incoherent veto letter he filed with Council as to why he failed in his duty to defend the City.

**President Fellows:** Mayor, would you respond, please.

**Mayor:** I am going to respond to UPL. I got an extension, the same that you did, the 4<sup>th</sup> of June. So, it's going to be prepared and going to be responding to SERB by the 4<sup>th</sup> of June. It was an oversight, everything happened before May 1<sup>st</sup>. It was an oversight on my part, I take full responsibility for that and that's it.

**President Fellows:** Anyone else?

**Councilman Fiebig:** Madam President. I think what Council did in this action is we took full responsibility by responding. I mean, we saw that there was a deadline or at least, I made the call, and I'm pretty sure that Council agreed with that because we crafted legislation that stated this as a body, we need to do this. So, you did fail in the action. You owned up to it, okay, that's good, it's a good first step. But, the fact is, we need to craft a response as a City. And it had been your job, but you failed at it, so Council is stepping in. I mean, it's kind of simple as that. If you're saying, all right, let's work together now, then great, let's do that.

**Mayor:** Okay, then I will forward you a copy of my response, Tuesday.

**Councilman Fiebig:** And we need to craft a response as well. And we'll look at those responses are together because I do believe that you do have a conflict here because you negotiated, excuse me, wait, let me finish, because you did negotiate this deal. And you're claiming in this that there's problems with the contract you negotiated on behalf of the City. So, it would be wise if you stepped out of the negotiation process. I have one question for you here, to followup to, you'd mention several times in here that you spoke with the Union Representative, who is the Union Representative?

Mayor: Mark Davis.

**Councilman Fiebig:** Who is Mark Davis?

**Mayor:** He's the Union Representative for AFSCME.

**Councilman Fiebig:** Who is the AFSCME union leader here in our City?

**Mayor:** I, either Janeen or Gloria.

**Councilman Fiebig:** You don't know?

**Mayor:** It's never been elected, the President of the Union. It was first, Jim Ours, he resigned. And they never elected another position. So, my main contract is Mark Davis.

**Councilman Fiebig:** And here in the City, who is the Union Rep?

**Mayor:** There is none.

**Councilman Fiebig:** Well, you'd just said it was either Gloria or Janeen. Both of them are currently not employed here.

**Mayor:** Right.

**Councilman Fiebig:** Is that right?

**Mayor:** Right. So, there is none.

**Councilman Fiebig:** And who did you talk with to negotiate...

**Mayor:** Mark Davis.

**Councilman Fiebig:** Negotiate the terms of this? Exclusively, Mark Davis.

**Mayor:** Yes.

**Councilman Fiebig:** Gloria Majeski was never in the room or Janeen Mullin was never in the room.

**Mayor:** Right.

**Vice President Plecnik:** Madam President. Just to follow up, you know, I certainly concur with Councilman Fiebig, that it's good that you've owned up to the fact that you failed to respond, by the deadline, and thankfully Mr. Fiebig, on behalf of the City did get the extension. I want to make it clear, it wasn't the Mayor, it was Councilman Fiebig who took the time to check the deadline that was actually forwarded to him and to Council by the Mayor which is why I find it particularly concerning you overlooked the ULP and the deadline that you shared with us. But, if we're really taking a step forward and working together and I hope that's what you're really, sincerely, offering, Council had previously hired an attorney who defended the City's interests and the first ULP that the union filed, that ULP was dismissed in the City's favor. The attorney who that did that work was Joe Gross, the incoming President of the Cleveland Metropolitan Bar Association, an attorney and partner with the law firm Bensch, one of the most respected labor attorneys in Northeast Ohio, if not the entire State. I certainly think that it would be prudent rather than Council and the Mayor, as laypeople, who are not experts in labor law, working together, well that's certainly better than nothing, it would be prudent to have labor counsel in this matter. And if you're really reaching out your hand to work with us, then I would ask that you call Mr. Gross and invite him to complete the contract that's already been passed and appropriated monies for, apologizing for the previous letter that you sent to him that effectively terminated or fired him and asking him to complete the work. I have spoken with Mr. Gross and he said that he has no interest working for the City if there is an agonistic relationship working with you as the Mayor, but he would happily serve us if you would call him and ask for his services. And given that he successfully represented us, that he had already prepared to represent us in this matter, he would be the attorney who's quickest to get up to speed and actually be the least cost because he wouldn't have to bill the hours to learn where we are here, now and today. So, if you're really making a good faith offer to us to work together, I would ask you to take that step and only you can, of calling Mr. Gross, apologizing to him and asking him to defend the City and provide his expert advice. Thank you.

**Councilman Fiebig:** Will you do that Mayor?

**Mayor:** No. I am the sole legal responsibility to the union to defend the City.

**Councilman Fiebig:** You have a Council that is saying we need legal advice on this. We need an expert in this.

**Mayor:** We need a Law Director.

**Councilman Fiebig:** We don't need you on this.

**Mayor:** We need a Law Director.

**Councilman Fiebig:** You have a conflict of interest in this.

**Mayor:** We need a Law Director.

**Councilwoman Pizmoht:** Madam President.

**Councilman Fiebig:** No, no, not necessarily, for this particular matter.

**Mayor:** We did six, nine months ago, you said it was an emergency to get a Law Director. That's why you appointed Byron.

**Councilman Fiebig:** That's not the issue here. The issue is about this particular, this particular issue in front of us today. Don't try to cloud it.

**Mayor:** I'm not clouding.

**Councilman Fiebig:** This is about getting the City protected. It's protecting the residents' interests against a union that is saying we have an unfair labor practice against you. This body has voted to put legislation forth that protects the City because you failed to act. Because you failed to act. When I called there, they said they had not heard a thing. They did not hear from you. I don't what time you called, if you want to document that with us, that's great, but you did not call that Monday before 10:00am.

**Mayor:** You're right, I didn't. Because I was too busy doing all the other jobs; trying to save the Court and all the other things you cut out.

**President Fellows:** Councilwoman Pizmoht.

**Councilwoman Pizmoht:** So, yes, even if you were to respond now after the deadline has passed, it doesn't resolve the conflict that is demonstrated by the evidence attached to Ordinance No. 2018-27. And I think that your veto memo doubles down on that conflict when you're saying that, you know, the City has union basted. And there's really no evidence at all to suggest that. So, I don't really see at all how that's in the interest of the City. But, in fact is in the interest of this union and it basically just demonstrates again that there is a conflict of interest.

**Roll call:**      **YEAS:**            **Plecnik, Fellows, Fiebig, Lenz, Majka, Pizmoht**  
                         **NAYS:**            **Hallum**

**Motion PASSED.**

**President Fellows:** The motion to override the veto by the Mayor of Ordinance No. 2018-27 has passed. The next is the Mayor's Report, Mr. Mayor.

**ADMINISTRATION REPORTS & COMMUNICATIONS**

**MAYOR'S REPORT:** Good news, we rehired Katie Lloyd for the Clerk of the Zoning Board of Appeals and the ABR and Architectural Board of Review Board. Uh, she is, uh, okay to come back per the union, so she's not in the "SCAB" relationship and she will, she started today. So, that's good news. Memorial Day is April 28<sup>th</sup>, we'll having our same thing at the memorial across the street. It will be at 11:00am, so be welcome there.

The Meadowbrook Pump Station, the project that we started last year, but we've continuing to do, they put the well in, they put the house on top of it and they're going to break into the other well, Tuesday. So, it will be complete shortly. But, that's going rather smoothly. The electricity and everything was already put in.

We hired a temp in the Court. And that's, our Court hours now are going to be 10 to 2 only to clear up the warrants and the license forfeitures until we get the full Court running. So, once we do that we can start to get the tickets back from Willoughby Court. But, 10 to 2 is what will process the forfeitures and the warrants. Thanks all I have Ms. President.

**President Fellows:** Thank you, Mr. Mayor. Are there any questions for the Mayor this evening?

**Councilwoman Pizmoht:** Madam President. I'm just curious why the Planning and Zoning and the BZA Clerk was ever laid-off? Her job was never changed or eliminated in the budget.

**Mayor:** The way the union works, all the part-time has to go before the fulltime can be released and we laid off all the part-time first. No one responded to take any of the jobs and now she has decided to take that job and it's in the budget, so we rehired her.

**Councilman Fiebig:** Mayor, again, this was the contract that you negotiated.

**Mayor:** Yes.

**Councilman Fiebig:** You used a word "SCAB", kind of a derogatory word that used in terms of, what I understand, the way you used it, is there some sort of strike and this person is crossing a picket line. Do you have employees on strike?

**Mayor:** No.

**President Fellows:** Mr. Mayor, you said April 28<sup>th</sup>, I'm sure you meant May 28<sup>th</sup>.

**Mayor:** Oh, May 28<sup>th</sup>, Monday, this coming Monday.

**President Fellows:** I have another question. The temp that you hired for the Court, did she come with Court experience?

**Mayor:** She had no real Court experience; however, she's going through the training, CMI training and she's working through the process. So, we are processing the payments and the tickets, the old tickets from 15, 16, 17 and 18 now. And we're getting probably about 15 a week plus a backlog of three weeks' worth. So, we're muddling through those right now.

**President Fellows:** And my last question, are any employees on FMLA?

**Mayor:** There were two employees that were on FMLA, Denise Edwards and Gloria Majeski.

**President Fellows:** There were or they are?

**Mayor:** They are. I don't know what that means. If Frank knows?

**Finance Director:** In both cases, they were on FMLA prior to being laid off.

**Councilwoman Majka:** What was that?

**President Fellows:** He said that both of them were on FMLA when they were laid off.

**Finance Director:** Prior.

**President Fellows:** Prior to being laid off.

**Councilwoman Pizmoht:** Madam President. I'm not, not only did we need a labor attorney for, to handle something like a ULP, but we also needed one handle this, handling the union contract and implementing the budget which is why, one of the reasons why we hired Joe Gross to help with that. I think that there's some misunderstanding about some of the provisions in the union contract and, you know, when we say laid off, I'm not sure if we mean that in our general understanding, or as a legal term, but under this contract the jobs were eliminated, they weren't laid off. The positions aren't open when we have the funds available or rehire to the position. So, under the contract, those shouldn't have been layoffs, per say, so it's just another instance where I think that some legal advice would be particularly helpful. Especially someone with labor experience.

**Vice President Plecnik:** Mr. Mayor, if I could ask, are you're a lawyer?

**Mayor:** No. Either are you.

**Vice President Plecnik:** Actually, I am a lawyer.

**Mayor:** In New York.

**Vice President Plecnik:** Yes, but does that make me a lawyer?

**Mayor:** Are you giving me legal...

**Vice President Plecnik:** No. But I'm asking a question. I'm a lawyer?

**Mayor:** In New York.

**Vice President Plecnik:** So, yes, I am? Or no, I'm not?

**Mayor:** Yes, you are in New York.

**Vice President Plecnik:** So, you just lied to us because you just said that I'm not a lawyer.

**Mayor:** Come on, John.

**Vice President Plecnik:** I'm just asking you an honest question because falsification is a crime at a Council Meeting. When you initially lie, whatever it may be for, political purpose or otherwise, it is a crime. We owe our residents honesty at the meeting, not political statements. And I'm asking you if you're a lawyer because you're saying you don't need the help of a labor attorney to handle a lawsuit in the form of a unfair labor practice against the City that most general practicing attorneys admitted in Ohio would not take that case. They would say that it's a specialty area and they need a specialist to handle it. So, I'm just trying to understand why you feel competent to handle this issue on own without legal counsel. Could you explain why you believe you

have the necessary expertise to efficiently defend our City when you admit that even through you were the one who forwarded the ULP along with it's deadline to Council, you "forgot" about the deadline? You can't even remember a deadline to protect the City's interest, how do you expect to navigate the Ohio Revised Code and all the caselaw associated with, I really want to know for the benefit of our residents. What expertise do you bring to the table that gives you this confidence?

**Mayor:** I don't know.

**Vice President Plecnik:** You don't know?

**Mayor:** No.

**Vice President Plecnik:** Thank you.

**Councilman Fiebig:** Madam President. And that highlights the point, that hiring a Law Director, getting a Department Head here, was, that's not the issue. Although, we're still in the process, and looking for that person that can help the City. This is immediate. This is why we acted. This is why we put in an Acting Law Director back in, last year.

**Mayor:** Illegally.

**Councilman Fiebig:** Well, as it turns out...

**Mayor:** Judge Fuhry...

**Councilman Fiebig:** What was the best interest of the City, to have somebody there or to have nobody there? Because your solution is to have nobody, just like your solution to negotiate on behalf of the City was someone who was not a lawyer and you're refusing to get, what we're suggesting, is one of the best lawyers possible and you're saying no to that. And you're overriding a veto on that. When we're acting in the best interest of the residents and the City. I mean, it doesn't make sense. It just doesn't make sense. And to say that you're busy, because, what, you're setting up tables and chairs. I mean, I've told you, when I saw you on Election Day, hire somebody. There's money in the budget for it. You just hire somebody. I think that you're just turning a blind eye to it.

**Mayor:** How do I hire when you eliminated positions?

**Councilman Fiebig:** We didn't eliminate the positions. There's a part-time Recreation Coordinator. There's money there for it.

**Mayor:** Part-time Recreation...

**Councilman Fiebig:** If you want us to manage the City, we will. But, that is your job. We provide the funding. But, you're failing in certain things and we're here to point it out. I'm sorry, but we're here to point it out. This is the Board of Directors going to the CEO and saying you need to do this, you need an attorney for this ULP.

**Mayor:** I'll take it under advisement.

**Councilman Fiebig:** Thanks.

**Councilwoman Majka:** Madam President.

**Councilman Fiebig:** On a friendlier matter, what's going on with the brush pile across the street?

**Mayor:** The brush pile is closed. The EPA cited that we can't have a compost pile near the creek and we have to close it. We have to remove all the stuff out of there. So, it's closed. When we had it here, at the community, at the yard, they did the same thing because we were grinding and we'd have mulch then for the residents to pick up.

**Councilman Fiebig:** Are you saying that the EPA cited it?

**Mayor:** They didn't cite yet, but they...

**Councilman Fiebig:** You just said the EPA cited it, but they didn't cite it.

**Mayor:** They will.

**Councilman Fiebig:** You know, this is why we're having trouble communicating. You say one thing and it's not true. The EPA did not cite it. I'm sorry, go ahead.

**President Fellows:** Councilwoman Majka.

**Councilwoman Majka:** Mayor, I just had a question, what is your understanding of, if Councilman Fiebig did not catch that deadline. What would have happened if that ULP had gone unanswered?

**Mayor:** They would have gave us another extension, like they did.

**Councilwoman Majka:** Without asking, they would have automatically given an extension?

**Mayor:** They would have contacted us and we would have had the extension. So...

**Councilwoman Pizmoht:** Madam President.

**Councilman Fiebig:** Madam President.

**Councilwoman Pizmoht:** The ULP, the process said, the message that you sent to us, with about what the ULP had said if it goes unanswered, all allegations within the ULP, within the charges of the ULP, will assumed to be true. And as you know, the allegations in the ULP are pretty bare bones, and they just basically say it's union busting, discriminatory, but don't really give any substantiating claims or exhibits or evidence or anything like that, so that would be really tragic, especially if that were to cause us to have to lay off the new firefighter that we just hired or not pave all the roads that our residents, I know, are looking forward to getting repaved or doing all the other infrastructure that we need to do in the City. So, you know, it's not just about the ULP, it's about our residents. It's about giving them the services they need, like our Fire Department being fully staff and their roads and infrastructure being taken care of. You know, Dodd Road is literally falling into the river. You know, it's not a good situation. We need to invest in our infrastructure. These are really important things. And if we're not defending the City against the ULP, you could put things like that in jeopardy.

**President Fellows:** Mr. Brichacek. Do you have a Finance Report, this evening?

**FINANCE DIRECTOR'S REPORT:** No report tonight.

**President Fellows:** Aany questions for the Finance Director? Mr. Di Franco, Pete, City Engineer's Report?

**CITY ENGINEER'S REPORT:** Thank you, Mr. President. Just a couple items. We're nearly ready to go out to bid on the Street Program. So, before the next Council meeting, we'll be requesting a motion to allow us to go

out to bid. As far as the Dodd Road slope failure, we did request three quotes from consulting engineers who specialize in that. We reviewed the quotes and we've selected a firm that we believe will do a good job. So, also before the next Council meeting, I'll be providing that quote, or proposal to you so that we can get, we're going to need to probably appropriate some funds and also authorize them to proceed with the engineering at the next Council meeting and that concludes my report. Oh, it's totally funded by Lake County Stormwater, but we need to pay upfront and get reimbursed.

**President Fellows:** All right, thank you. Any questions for the City Engineer, this evening? Seeing none, thank you, Pete.

Our next order of business is Committee Reports. Councilman Fiebig, did you want to give just a brief synopsis?

## COUNCIL COMMITTEE REPORTS

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### **Safety Committee Meeting of May 24, 2018**

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**Councilman Fiebig:** Yes, Madam President. We met at 6:00 just prior to this meeting for the Committee of Safety to discuss two topics. One was the proposal to move the Dispatch Center operations to the Lake County Operations Center. So, this was a second series of meetings, I believe, second, perhaps third, where we were open to discussion, questions. I shared that I along with Mayor Weger and Chief Collins met with some other personnel here in the City last Tuesday morning, about a three-hour meeting, that was my second visit there to observe the operations, to ask questions. We were, this was kind of a nuts and bolts meeting to talk about things like the transition radios, the, all that sort of, a lot of the technical stuff that would go on. Obviously, there are still some more questions and I still believe that we should continue dialogue on this topic. But, that would move the Dispatch operations to the EOC, the Emergency Operations Center which we fund through the Lake County and it's run under auspices of the Lake County Sheriff. Police Chief Collins was here, he talked about the problems that we had with staffing, keeping those eight people, like we currently only have six in there and how grant funding is no longer available. He complimented our staff of people there, as do I. I know that the job is difficult and I know that change is also difficult. And also, by the way, in Public Portion there were several members that did step up and voiced some concerns and some advice and so on. Lou Di Mattia, Lt. Di Mattia was here from the Fire Department and he also happens to work there part-time, so his perspective is also kind of unique in that he believes that it gives us a hand up in technology. Fire Alerting Systems at our Fire Station would need to be addressed, but he didn't think it would be a problem to do that. The location service that, you know, most calls are generated through 9-1-1 through cellphones and that sort of technology would give us a step up. There's also extension training that the Dispatchers go through there and their staff is about 24, obviously, 24/7 there. The Mayor has some questions, as did, for example, a cost analysis, the Cody Systems, how would we handle the jail here and serving warrants. Councilwoman Pizmoht also brought up, you know, asking for specifics about the numbers. But, some of those, I know that we're anxious to find out what would be the exact cost savings, but it's hard to pinpoint that until you get actual estimates of what would it cost for the upgraded 9-1-1 or the new radios or the new phone system that we need. We can speculate, but we know there's a big number out there, 300,000, 400,000 perhaps more that we would have to put into technology into our existing Dispatch Center versus and let's say that we're spending 650,000 to 775,000 in personnel for our Dispatch Center, whereas we're looking at an annual contract of about 315,000 for those services. So, there's certainly a savings there. But, we'll still continue to look out, look for those details and work those out. That's my general overview of that first portion of the meeting.

Second, started about 6:45(pm) where Mark Hutchison from, he's from Tennessee. He came in along with Katie, I don't have her last name in front of me, but there with, Katie Deland, Blueline. Their technology is handheld laser that an officer would man. I think Ohio laws have changed, have been verified, that you can use laser radar and photo sending a copy to a resident, to a traffic offender and it's a civil violation. It's not a criminal violation.

They have this new technology since about 2015. There's a couple different municipalities around, I think that we're going to do some more research with those municipalities and see how it's working for them. So, it has been implemented. There's a, this is an augmentation into our current staff. This is not meant to take an officer out of patrol, this is to add one. And by the way, this company actually reimburses us the cost of that officer. Even overtime cost and benefits for that officer, to put that person on the road to, you know, increase safety, to manage traffic, you know, less crashes, and things like that, that happen there. There would be a process that they would go through, probably at least a two-week window of time where there would be warning signs. There would be some speed cameras that would be installed and up to four times a year. Let's see, Mayor Weger asked about how Mayor's Court would possibly play a role in this and this would be an Administrative Hearing Officer rather than a Magistrate. So, there are a few details, this was the initial meeting. I know that the Chief and this company's representatives met, I couldn't make it that day, but I've been on the phone with them and shared with all of us, we all have email information that is a sample contract from Girard, Ohio. So, I think it's worth, you know, continuing the dialogue, that's the impression I got. There's no recommendation that we made from the Committee, but I believe that we should continue to look at. Chief Collins expressed that he thinks that it would be a worthwhile endeavor, so if it increased safety, if it puts another officer on the road, at no cost to the City, those are definitely some positives, in my opinion. There was a Public Portion, and there were a couple of questions, but we adjourned here. I apologize for going a little over, but obviously, with the gentleman coming up all the way from Tennessee to speak with us tonight, I thought it important to give him more than just 10 minutes to present. So, any questions, I'm open to.

**President Fellows:** Thank you, Councilman Fiebig. Any questions for Dave?

Just a couple of questions for Committees, anything from the last Planning and Zoning since the last meeting was cancelled, or postponed? Do you remember, Dave?

**Councilman Fiebig:** No. There was an email that went out saying that they were going to postpone, but now with this information that we now just received tonight, shall I assume that the next meeting is on? Yes, okay, that's a yes.

**President Fellows:** Councilman Hallum, anything about Recreation right now?

**Councilman Hallum:** I wasn't sure if I should wait until Unfinished Business, but if you want me to do it now, I just have a question. Mr. Mayor, we need the MOU updated and I'm not sure who is, I guess the City was initially doing that for the Boys League. The Boys League made some changes because they said that they didn't us to have insurance on them nor collect any funds, just, the MOU needs to be modified to basically say we'll provide the fields and maintain the fields. Okay, so if we could get that done, then we could potentially un-table that and get that passed, hopefully.

**Mayor:** Do you have those changes?

**Councilman Hallum:** That would probably have to come from the Boys League, from Tom Elliott or Mr. Ross. Okay, thank you.

**President Fellows:** Thank you.

**Councilman Fiebig:** Madam President. Also, from the Planning and Zoning there was a motion made that, and the Board voted unanimously to ask the Mayor to provide them with legal counsel regarding the blood plasma donation center's application seeing as they came and presented during my Planning and Zoning meeting that, and they brought an attorney. And so, I believe the posturing was that they're looking at this from a legal aspect and we need representation for Planning and Zoning. and the body moved, you weren't there that night, but I asked the Chair to send you an email to let you know about that motion, did he do that?

**Mayor:** I didn't receive an email, but I had heard that he was asked that.

**Councilman Fiebig:** That was voted on and it was unanimous. So, they asked the body, which I'm a member, a voting member of, is asking for you to, and I'm sure Council will appropriate the funds and it's probably already in our legal fund, to get us an attorney to represent the City's interest on that matter.

**President Fellows:** And then a couple of, Councilwoman Majka, I foresee a Utilities meeting in the future, on sewers?

**Councilwoman Majka:** Yes, that will be before the next Council meeting.

**President Fellows:** And then, Councilwoman Pizmoht, you have a topic that you want, an additional topic that will be brought to the next Personnel Relations Committee meeting as well, correct?

**Councilwoman Pizmoht:** Yes. We will continue discussions about the Fire Chief and Road Superintendent raises as well as general personnel matters. But, also our City Engineer recommended that the City consider hiring a Zoning Inspector. So, we will also be considering that issue as well. So, likely before the next Council meeting, I'm guessing that we'll have a Personnel Relations Committee meeting. At least, if not then, shortly after.

**Mayor:** You mean the Police Chief.

**Councilwoman Pizmoht:** Did I say, oh, I'm sorry, Police Chief. Sorry.

## **COUNCIL REPRESENTATIVE REPORTS**

**President Fellows:** Any other Council Representative Reports? Seeing none, our next order of business will be Public Portion.

## **PUBLIC PORTION**

### **Section 107.08 – Public Meetings of Municipal Bodies**

**(a) All meetings of any municipal body are declared to be public meetings open to the public at all times.**

**All meetings shall provide a reasonable opportunity to hear public opinion.**

**President Fellows:** This is an opportunity for individuals to come forth and share their thoughts and opinions. We ask that you try to keep your comments to three minutes and that you state your name and your address when you come forth. I will **open Public Portion at 8:05pm.**

**Tony Miller – 2857 Hayes Drive.** And to start out with, Mr. Plecnik, I think that, I guess it would be fair to say that you have a great concern for the health and safety and welfare of all citizens of this community, is that correct? All right, Mr. Mayor, a few meetings ago, Mr. Plecnik grilled you regarding a car that you had said that you won't going to buy, that you did buy and established the fact that did happen, is that correct?

**Mayor:** Right.

**Mr. Miller:** Mr, Mayor, would you please explain to us, since he did not let you, would you please explain to us why you bought a car when you said that you didn't have to.

**President Fellows:** Mr. Miller...we can take this...

**Mr. Miller:** It can take the rest of my three minutes, if that what it takes.

**President Fellows:** Mr. Miller, generally, we have an individual state your questions or your opinions and then we wait until Public Portion to end and then we can go back to those topic matters.

**Mr. Miller:** Out of respect, Ms. Fellows, we've also heard at times, people responding to questions during Public Portion. Mr. Mayor, you can wait, I guess. Second, you all have a copy of this letter that I received this week, in front of you, right. The second page is the ordinance, thereof, my question here is, if you look at the first page, paragraph one, two, three, four, additionally, it has been brought to our attention you've made comments on social media that could potentially be perceived as threatening or harassing. I will caution you that such comments could possibly lead to restraining order or legal action. I would like some information, so obviously someone here wants me to change my behavior. So, I need guidance as to what I've said that is threatening or harassing. And then, if you go back then to the law of the City, and it says, I would like some clarification, specifically, on what is acceptable or unacceptable 509.04(A)(2). What is acceptable? Thank you.

**President Fellows:** Thank you. Anyone else this evening?

**Jeana Bing – 36951 Beech Hills Drive.** This is really a question for Mr. Brichacek. I was on the website, and I went to look for something on our budget, to see and what's posted for 2018, is the Mayor's proposed budget. It is not the budget that was approved and it should be what our budget is. And it says, proposed budget on there. And considering it's the end of May, when will you get a chance to get that budget up and so if we have a question, we the Village, residents, can go and just look at the budget. I mean, I have another way to find the information, but it was easier if I could just see it on the budget, I know it was there, and then started looking around and realized that there's also not posted, any report, monthly reports, and since there was January, February, March and so I wondered what the lag-time was on those monthly reports to Council because that would say how much we're spending and give me an idea because I kind of like budgets and numbers. And I think it's kind of fun to look at. And I also saw what had been asked before, and it does kind of bother me, that it still shows that we have an Administrative Assistant and there's in giant red how she doesn't have a job and talk to Council. There's some cleaning up and I addressed that to the Mayor, and also to you, Mr. Brichacek because you'd said that you were the one who managed, a person in your staff, I think a part-time person, manages our website. And, so, it would really behoove us to have it cleaned up, so that we don't have comments on the website for somebody looking for the job, like what posted for the Rec Center because there's a part-time position posted and anybody that looks at our City and sees these kind of snarky comments, it doesn't make us look good. So, I'm concern that we won't get the best people actually applying for positions. Thank you.

**President Fellows:** Thank you, Jenna.

**Doris Dodge – 37881 Milann Drive.** I have a movie quote for you. "The needs of the many out weigh the needs for the few, or the one". The many here represents the thousands of residents of Willoughby Hills. The few, or the one, represents the handful of people involved in the union. Please hire a labor relations attorney to represent the needs of the many residents against the needs of the few or the one. Thank you.

**President Fellows:** Thank you. Anyone else this evening? Cheryl.

**Cheryl Ota – 2960 Marcum Boulevard.** This has to do with the Planning meeting the other night. Mr. Iafelice, Loreto Iafelice, was here proposing his new medical building. And I thought I heard him say that he doesn't have any dumpsters at his facilities, or at his plazas, his complexes, because he says that his tenants take their trash home with them. Well, I took a ride over there, and there are more than I have on my hand, more fingers than I have on my hand, that's how many dumpsters he has over there. They are as neat as a pin. There isn't one scrap of paper anywhere. But, I don't know if that follows our legislation. So, I'm just bringing it up for somebody to look into because we shouldn't have special rules for some people and make other people have enclosures and all kinds of other things. Plus, there's two behind the Avalian Senior Daycare and I don't know

if that's one of his buildings or not. But it seems that one is a green one and one is a brown one. So, I just wanted to bring that forward, thank you.

**President Fellows:** Thanks, Cheryl. Chris.

**Chris Welsh – 38801 Chardon Road.** It came to my attention about that one union contract, that the City has a 1% pickup for the employees, is that offered to fire, police and service? That's a lot of money, but that's another thing. You definitely need to have someone else who's competent, you definitely need a labor attorney, because you're going to be in a big mess pretty soon, a bigger mess than what you're in now. The brush pile, does anybody watch it, who is dumping there, because every contractor in Lake County uses it as a free dumping ground. On election day, there were contractors going in and out of there, dumping their stuff. It it's not suppose to be there because of EPA that's above our control, but Willoughby Hills should not provide a free dump ground for contractors because the people who are dumping there are charging people to get rid of stuff and then dump it for free. And 2814 Bishop, I believe that it's Game Time or whatever that business is, I'm curious how that is allowed to be opened, if there's, I don't know the exact legislation for gambling is, I didn't get the address, but there's also one on SOM Center, next to the salon by the, there's a kitchen remodeling place over there and I would like to thank Council as a whole, all of you for doing what you're doing. Thank you.

**President Fellows:** Thank you, Chris. Anyone else this evening?

**Linda Fulton – 2990 Marcum Boulevard.** I will start off this evening with something positive. Thank you to Mark and the Service Department for working very hard. They are currently on White Road, patching the road and it's good to see. And the other, that's not so positive, as far as, Mr. Mayor, as you want to represent the City in the labor union matter, I don't see how you can. It is a conflict. You came to Personnel Relations with the contract. It was given back stating that it was, do I dare use the word, I won't, greedy. But, you signed, you signed that contract without Council's approval. And now you want to represent the City for the lawsuit. You can't do that, you're the one who put that union together. The other thing is, Mr. Hallum, you are consistently the lone wolf as far as voting on all the stuff that's been going on and you've been voting no, no, no without any talk, without anything about why you want to vote that way. I'm sure, I am, and I'm sure a lot of people would like to know what are you thinking? Thank you.

**President Fellows:** Thank you, Linda. Anyone else this evening for Public Portion? Joyce.

**Joyce Grady – 3020 Marcum Boulevard.** I just have a point that I'm sure one of you up there will be more than happy to explain this to me. I was aware of the fact that there was Planning and Zoning meeting here Thursday night, so I came up to hear what the gentleman had to say about the new building that he wants to put up. But, I was totally surprised to see that there was a Council Meeting right afterwards and I wanted to know what the clarification is for a Special Council meeting. Do you have to notify the residents in advance of such an item? I was, I'm very happy that I came up to hear it and then I was especially awarded with a Council Meeting. I was just curious whether you were affected by the Sunshine Law or if you were exempt because it was a Special Meeting? Mr. Mayor, we're happy to see you this evening. And Mr. Hallum, I think there's something called Free Speech and if you don't want to tell anybody your views, that's your prerogative.

**President Fellows:** All right. **I will close Public Portion at 8:18pm.**

All right, moving on any Unfinished Business?

### **UNFINISHED BUSINESS**

**Councilman Fiebig:** Madam President. Just to clear up, Special Meetings of Council can be called when there's an urgent matter within 24 hours of notice and that notice needs to be posted. I believe that there was 48 hours of notice for that session or meeting because there were two impending issues that needed to be addressed

with urgency. So, that's the process. The other comment, that I would address to Mr. Miller is, I'm in receipt of this letter as well, and it's written by our Police Chief Collins, so I would ask him to meet with you and to discuss the matter that you brought up.

**President Fellows:** Just to add to Councilman Fiebig, Ms. Grady, by law, it has to go to the local newspaper which it did, it went to the News-Herald. And because, Vicki is exceedingly excellent at what she does, instead of posting it in 24 hours, she posted it in 48.

**Clerk of Council:** I did post it on the City website.

**President Fellows:** It was on the City website as well.

**Clerk of Council:** I put on the City website, Council page. I put notification now, under there. And I posted it on the Council Chamber door. So, I covered us locally and inhouse as well as on the website.

**Councilman Hallum:** Madam President. I will respond to Ms. Fulton comment. I actually did explain prior to the vote, last Council Meeting, Special Meeting, why I was voting no on 2018-27 because I believe that the judge's ruling covered the fact that the ordinance was very similar to 2017-88. And I was not comfortable voting for an ordinance that a judge had already ruled as an illegal and unlawful and this one was very similar to that and I was not comfortable with that. Thank you.

**President Fellows:** All right. Moving on to Legislation.

## LEGISLATION

### ORDINANCE NO. 2018-28

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF LAKE COUNTY COMMISSIONERS IN ORDER TO PROVIDE EMERGENCY DISPATCH AND COMMUNICATION SERVICES FOR THE CITY OF WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.**

**President Fellows:** And this will stay on 1<sup>st</sup> Reading.

The next is New Business. Is there any New Business before us this evening?

## NEW BUSINESS

**Councilman Hallum:** Madam President. Were we not going to do the confirmation for our new Law Director, I see it on the agenda

**President Fellows:** We were going to ask in Unfinished Business. And I, well, okay, we can go back to that. Well, let's just finish these up. I apologize, Under Unfinished Business, I didn't look at my notes. So, thank you Mr. Hallum.

Any New Business at this time?

## FOR THE GOOD OF THE ORDER/FOR THE GOOD OF THE COMMUNITY

**President Fellows:** And then the last two, for the Good of the Order and the Good of the Community? Okay. Then, we'll go back to Unfinished Business and the topic is: Confirmation of the Mayor's Appointment for the Position of Law Director.

## UNFINISHED BUSINESS - REVISITED

**Vice President Plecnik:** Madam President. If I could share, I know from our meetings in Executive Session, I know from, you know, the conversations that I have had with Members of Council which are not in violation of the Sunshine Law, it's perfectly permissible for one Council Member to speak to another about their concerns or opinions for the good of the City. That there's still a lot of questions and concerns with respect to the nomination of a Law Director. It may well be the most important Department Head in the City and it certainly is something that our City had debated now for many months. So, I think, for the temperature that I take, we do not yet have enough questions answered and have not yet had enough conversation to do justice with a vote to Mr. O'Leary. I think that we could have no vote tonight. I think that we could also have a symbolic motion of Council saying simply that we delay consideration until such time as the Mayor not only answers many questions that we have with respect to Mr. O'Leary's nomination, this is literally the first chance we've had to speak with the Mayor about this nomination given that he's missed most of the Council Meetings for the past several weeks. But, also until, and I know several Councilmembers have shared this, until we have an opportunity to compare Mr. O'Leary's nomination with several other choices. Because in the course of hiring an important position, almost no firm government, private or otherwise, would hire without looking at more than one person at a time and we're aware that many people have applied for the position of Law Director, and the Mayor, himself, has shared, both in his testimony in Court and with the News Herald that he has ten candidates or some such number that though given from time to time and he has declined to share those names with us, I think that it's very important for us to look at all the possible candidates at the same time. I also think that it is important that all of my colleagues feel very comfortable with the vote that we take, which is why I insisted when Councilwoman Majka was unable to join us for the Special Meeting, that no vote be taken with respect to Mr. O'Leary's nomination because it would be unfair to her to exclude her from that conversation. And I feel even now, there are Councilmembers who would feel excluded given that they haven't had an opportunity for a full and fair conversation of Mr. O'Leary versus other candidates and being able to ask the Mayor for feedback. And I will say for my part, I'm really gratefully that the Mayor's here today and I have several questions that I would like to ask him. But, it's not enough to simply ask the question and I'll think back to the Building Inspector nomination that the Mayor made last year, where I asked him the question that I always do, with respect to nominees, is this person licensed? More specifically with respect to the Building Inspector candidate, does he have his electrical license and his plumbing license which were both listed as required in the ad and are very important licenses to the job, given that most houses and structures have electrical, (cellphone went off) may be that's out of order, electrical and plumbing, in the building structure. And I asked the Mayor, pointblank, does this nominee have the Ohio license for plumbing and electrical and the Mayor responded, yes. And I said, Ronald Reagan, let's trust, but verified, you know, I'm going to ask the HR Director tomorrow and the Mayor said, go ahead. And I did. I emailed the HR Director; does he have the licenses the Mayor represented and she emailed me right back the next day and said no he has neither license. And so, I think that it's important for us to ask questions and we need a dialogue with the Mayor to have a thorough vetting of any nominee, but it's also important for us to have time to trust but verify, particularly given that in the past with respect to the Fire Chief nomination, the Building Inspector nomination, the individual was represented to us as being fully licensed and qualified and yet, ultimately, we learned, was not. And this is not an attempt to put the Mayor on the spot, it's simply a fact, and as the fiduciary to the City, as Councilman Fiebig shared, as the Board, it's our job to trust but verify and that takes time and I think that now would be a good opportunity for us to start our conversation. I personally think it cleanest not to have any vote at all. It's not really necessary. There's really no need to have a vote at this time. But, I do think that it's very important for us to start the discussion with the Mayor as to why he chose Mr. O'Leary and why he has only put forth his name to us when he has represented to the newspaper and to the Court that he has all these nominees that he thinks are in concertation. And I certainly would like to have all of them in front of us because one may be clearly more qualified than the rest and may be that's Mr. O'Leary and maybe it's not. I'd say, as a matter of full disclosure, I'm very good friends with some of Mr. O'Leary's references and I take their judgment quite seriously when they share that they believed him to be a good and honest practitioner. At the same time, I think that it's incumbent on us to have the absolute best person for the job and that can't be accomplished both without having a discussion with the Mayor and without knowing what all the options are for the City. So, the first question that I would ask of the Mayor and I really encourage my colleagues to join me because this is a very important conversation, is why haven't you shared

more than one nomination with Council when you've told us that there are all these nominees? And why do you feel that one is so much more qualified than the rest? Because of the other individuals who have applied, Mr. O'Leary certainly has positive qualities, but it's also true that there are individuals that have applied that have substantially more municipal law experience. And lawyers that you have rejected, such as Mr. Steve Byron, certainly had more experience than any of the nominees that you brought to us today. So, I'm very curious about your philosophy in how you choose a Law Director if it's not based on experience, what qualities are you looking for? Thank you. If, the Mayor would like to share?

**Mayor:** I look at the qualities of the individual, and I look to the qualities of being fair. I am the Mayor, and I'm allowed to produce one candidate, per the Charter. The Charter says I appoint, you confirm. I don't appoint five Law Directors and you confirm. I appoint one. Confirm him or not, and we'll go on to the next. That's all.

**Vice President Plecnik:** Madam President. If I may, you said you look at the qualities of the person, that's obviously somewhat of a broad term and you shared that you are looking for someone who is fair. How do you evaluate how someone is fair?

**Mayor:** You have a discussion with them, and you take his word for it, and you delved into the realm of is he fair? And all indications seemed that he was fair and honest. And Janet Majka agreed and that's what you have. Janet Majka said, hey, I know him. He's fair and he's not bias. So, I thought that I would pick somebody that wouldn't favor you, wouldn't favor me, I really don't know him, so he was fair.

**Councilman Hallum:** Did you check his references?

**Mayor:** Yes.

**Councilman Hallum:** Is that how you determined some of this?

**Mayor:** Yes. So, I didn't want somebody that would be Republican, a Democrat, I don't know what he is. I know he knows Dale Fellows, he knows Nancy, apparently, he told me that he talked to one of you and he seemed fair. So, that's...

**President Fellows:** With all due respect, Mr. Mayor, I did not know Mr. O'Leary. Maybe I met him someplace, once, but I did not recognize him and I would not say that I know him.

**Mayor:** Oh, okay.

**Councilwoman Pizmoht:** Madam President. Um, you know, there are many people that I think are fair, are wonderful people, good people, but who wouldn't really be a good Law Director for our City. Our City has challenges right now. We have, let's be honest, we have an interbranch conflict, the Executive Branch and the Legislative Branch aren't exactly seeing eye to eye on a lot of things. So, we do need someone who has a demonstrative track record of not only municipal law experience for the many, many, challenging legal issues facing the City and I can vouch for the fact, as an attorney, myself, that these issues that our City faces are not simply issues. These are very complex issues that our City is facing. And I think that the interbranch conflict is something that even the best Law Directors in the Nation, struggle with. It's not easy to represent an entire City. It's very difficult. And for someone who has never served as a Law Director, who has served as an Assistant which doesn't necessarily mean that there's really any relevant municipal law experience. I just have serious concerns that person isn't the best candidate for the job. Just based on their resume alone and based on our interview, I wasn't really totally convenience that this person can handle the complexity of our situation, just from a professional standpoint. He might be wonderful, he might be close friends with someone I respect and can admire, but that's not how we should pick somebody. So, you know, I think that we need to look a little more closely than just our gut feeling about somebody. This is a very important job in our City and I think that

is in all of our best interests that we have someone who understands what a conflict between branches is. How to try to resolve that. It's a very difficult undertaking for anyone.

**Councilman Fiebig:** Mayor, you didn't answer the question as to why you picked him other than he's fair, I don't hear enough in there to really make the public understand why you chose him. So, that was an insufficient answer. I mean, there should be some criteria you go by. I know I would. I would look for municipal law experience...

**Mayor:** Which he has.

**Councilman Fiebig:** No, he doesn't.

**Mayor:** Yes, he does.

**Councilman Fiebig:** Okay, where?

**Mayor:** In Fairport Harbor, he was the Assistant Law Director.

**Councilwoman Pizmoht:** Madam President. Mayor, you mean, Grand River and Kirtland Hills. They're Villages and they do have Charters, but as an Assistant Law Director, we had two people who called themselves Assistant Law Directors in Willoughby Hills, who didn't, one of them would sit at the Council table and say that they didn't know municipal law. So, that doesn't necessarily mean that he has relevant experience. In fact, if you look at his entire career, the amount of municipal law is a teeny, tiny percentage of the time he spent in legal practice. So, again, there's an ioda of municipal law experience, but is that enough, especially in a very challenging environment like this. And also, those cities, those villages, are tiny, together they might have 10, 15 percent of our residents. We have very challenging issues here. So, you know, I can't say that he isn't the best candidate, but I can't say that I'm wowed either, so, you know, I think we need a little more here.

**Mayor:** I asked you for five candidates each that you would confirm. I didn't get one. The only person that talked to me was Janet and she said, yeah, O'Leary. But, she didn't go any further than that.

**Councilman Fiebig:** Mayor, just to reiterate, if anybody is interested in this conversation, you sent us an email on Tuesday and said give me three names by Friday.

**Mayor:** Right.

**Councilman Fiebig:** So, that's a fact. Not, five, and it's not ongoing and then I also at the next meeting brought up well, why don't, I gave you a name for the Planning and Zoning Board and you simply said I'm going to pick somebody else. It's like a kiss of death if we, if I was to recommend somebody. So, why would I put somebody through that? So, what I've said to you before, and to those of you who don't know, the process is, the Mayor needs four votes of Council. So, it's the Mayor and four Councilmembers; five people have to agree. So, in this process, you said that you talked to Janet, who has a, Councilwoman Majka, who has a relationship, I don't know, they went to Church together, I think you had said. That's different than what we need as a community in a municipal Law Director. Now, getting back to my point, here's the things that I would look for, municipal law experience, I would look for a pretty good track record of municipal law experience in communities of at least our size, if not larger. I would also look for someone who has represented not only municipal law, but some other issues that go along with planning and zoning issues which obviously, we need. Perhaps, some labor issues, union negotiations and things like that. There's certainly a breath of issues that go into municipal law but having that breath of experience is important for a community our size. I would look for someone's track record, that's public record, to be pretty clean. I would want somebody not to have things like tax liens on their background, I would want somebody that has pretty good track record of being a good citizen; I would want someone who, I would feel, didn't misrepresent something, that didn't say one thing, but really the fact was something else, to us. I would want someone that won't say that they were arrested three times. I

would want someone who really would understand what nepotism is and would really say, who know, nepotism is not a good, health thing is a community of our size; I would like to see someone who wasn't very political. I would like to see someone who didn't post things on social media that portrayed some sort of one side or the other side or really got into campaigns or things like that and I don't really care what the person's political leanings are, one way or the other, but I think that the Law Director should be seen as an unbiased professional who's interested in representing not the Mayor, not the Council, not certain people on Council, but is representing the client, the City of Willoughby Hills and understands that to the depth that they wouldn't sign an agreement saying that I work for the Mayor. They would say that I work for the City of Willoughby Hills. I think that Steve Byron made that very clear, not only in his Court testimony, but to us, here at the dais, the client is the City of Willoughby Hills. I'd want someone who kind of rose above the political arena of Lake County and some of the stuff, call it the cesspool or the swamp, or whatever you may subjectively call it. I would want someone from sort of the outside, that's what I would look for and then, you know, subjectively, I would want someone who when they're in an interview, they show respect, they wow you, they make you feel, hey, I really want this job, I'm going to try as hard as I can, really excited about this opportunity. I've been in management for many, many years, and you know it, in your gut, when you have that kind of interview with somebody. That's what I'm looking for. I remember, well, I think that I've said enough. That's what I'm looking for. I think that there should be some criteria, there should be these 10 bullet points, that if you want the Personnel Relations Board to come together and say, here's what we're looking for, here's these points and put that together because we respect the right that you appoint somebody, but here's what we're looking for and you need four of us to agree on that. So, I'm trying to give you some guidelines, here's what we need. You didn't answer the other question too, by the way, who else? You know, you're just going to stand on...

**Mayor:** You're not going to get more people to confirm. You have one in front of you. Say yes or no and I'll move on. I'll get another one.

**Councilman Fiebig:** Yeah, I don't understand that. I don't understand why you wouldn't want to interview, you know, three or four people and may be bring three or four people to Council and say, what do you think because I need four of you. What do you think? You are kind of excluding us from this process and you're saying, here, take it or leave it.

**Councilwoman Pizmoht:** Madam President. The Charter does not prohibit us from working together on this Mayor. It doesn't say that you have to do only one at a time. It doesn't say that. We can work together and in fact, our residents are demanding it. Every time I talk with someone, can't you guys work together? Can't you guys work together? That's what we want, we want to work together. We could have this executive session and interview candidates together, we could do that. And we could come up with a candidate to together that you nominate and four of us can confirm. We could do that and that's in the best interest of our City because again, when we have this conflict and this divide, we need a Law Director who can help us, who can bridge that divide. But, I have a hard time thinking that we're ever going to find that if we keep going one at a time, waiting, going through this list. Why don't we try it this way? What is the harm?

**Mayor:** Okay.

**Councilwoman Pizmoht:** That would be great.

**Mayor:** Okay, who's going to meet with me?

**Councilwoman Pizmoht:** What we can do, we can do it in executive session at a Council Meeting.

**Mayor:** All seven?

**President Fellows:** We can have a Special Meeting. For a Special Meeting you can go into executive session, not at a committee meeting.

**Councilwoman Pizmoht:** We can also do it over a couple of meetings, it doesn't really matter, we could do that. Or you could pick three, we could pick three, or you could pick two and we could pick two, or something, or Nancy picks two and you pick two. There's so many ways we can do this, it doesn't have to be all seven. So, there's many ways we can do it. But, we could work together and I'm really excited that you want to.

**Mayor:** Okay, let's do it.

**Councilwoman Pizmoht:** Great, thanks.

**Mayor:** So, is O'Leary out?

**President Fellows:** I would say that we need to interview some additional individuals so that we can look at the skill sets...

**Mayor:** And compare.

**President Fellows:** And compare. Usually in any normal position, there are more than one individual that is interviewed. I mean, at least in my employment world.

**Mayor:** Okay. I'll set something up and we'll see when some more people can come. If you know some people, let me know and I'll call them and we'll try to set a schedule up.

**President Fellows:** That's greatly appreciated, Bob. Truly.

**Mayor:** Thank you.

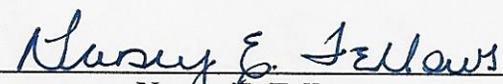
**President Fellows:** Thank you. All right, we've gone through everything else on the agenda. Is there anything else before I would entertain a motion for adjournment?

**Motion was made by Councilman Fiebig to adjourn. Councilwoman Pizmoht seconded.**

**Roll call: YEAS: Plecnik, Fellows, Fiebig, Hallum, Lenz, Majka, Pizmoht  
Motion PASSED.**

**The Regular Council Meeting of May 24, 2018 was adjourned at 8:42pm.**

APPROVED:  \_\_\_\_\_  
Date

  
\_\_\_\_\_  
Nancy E. Fellows  
President of Council

ATTEST:   
\_\_\_\_\_  
Victoria Ann Savage, CMC  
Clerk of Council