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CHARTER REVIEW COMMISSION MEETING

6:30 p.m. MARCH 28, 2024

LOCATION: Willowick City Hall

Present: Natalie Antosh, Keith Beck, Jodi Di Domenico, Mark Lasmanis, Patrick Mohorcic, Nicole Monaco, Tom Ott, David Phares, Bob Reho.

Mayor Vanni welcomed the commission members to their first meeting and outlined the charter review process. Proposed amendments are due 90 days before the November election, typically the first week in August.

The mayor did not directly propose any amendments but said the law director had mentioned the possibility of having the Board of Zoning Appeals cast the final vote on matters that come before the BZA instead of forwarding the board's decisions to the City Council for approval or rejection. The mayor said that according to the law director, most cities leave the final decision to their BZAs. The mayor said he had no preference.

The mayor instructed the commission to select a chairperson and secretary but said the three City Council members on the commission should not be among the choices. Bob Reho volunteered to serve as chair. Tom Ott will act as secretary.

The commission then began going through the charter section by section.

ARTICLE I THE MUNICIPALITY

SECTION 1.1 NAMES AND BOUNDARIES

Current wording deemed acceptable.

ARTICLE II THE POWER OF THE MUNICIPALITY

SECTION 2.1 POWERS

Current wording deemed acceptable.

ARTICLE III THE COUNCIL

SECTION 3.1 NUMBER AND TERM

Currently, all council members run in the same election, along with the mayor, raising the possibility of the entire government turning over in the same year. Tom Ott asked whether any members had interest in staggering the four-year terms to preserve institutional knowledge when seats change hands.

Several commission members expressed support for exploring the idea. Natalie Antosh said most cities in the area stagger council terms. Patrick Mohorcic said staggering elections would allow voters to make changes in the composition of the council at shorter intervals. A previous amendment, approved by voters, extended terms from two to four years, giving members more time to serve without worrying about campaigning.

The commission will consult with the mayor and law director to learn the basis for choosing the current system and how the transition to staggered terms could be accomplished.

SECTION 3.2 WARDS

Current wording deemed acceptable.

SECTION 3.3 QUALIFICATIONS

Nicole Monaco questioned whether the requirement that council members live in the city continuously for one year before being elected or appointed should be increased and added that she would be comfortable with two years. David Phares stressed that candidates need to get involved and become familiar with the community before holding office. Patrick Mohorcic said he does not think that the number of years determines whether someone cares enough about the community or is qualified to run and added that voters should decide those questions. Bob Reho said members appeared to be weighing whether to keep the requirement at a year or increase it to two years. No consensus emerged, but the issue could be revisited.

SECTION 3.4 REMOVAL

Current wording deemed acceptable.

SECTION 3.5 VACANCIES

Current wording deemed acceptable.

SECTION 3.6 SALARIES AND BONDS

Nicole Monaco asked whether other commission members saw benefit in placing council salary increases on the ballot. Others responded that the salaries represented a

minimal portion of the municipal budget and that residents could voice their opinion during the three readings the legislation would have to undergo before the council voted.

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We will ask the law director whether the following reference is outdated and should be deleted, pending voter approval, or whether it may be viewed as historical context. "The Council of the Municipality shall, on or before August 1, 1953, fix the salaries of all elective officials assuming office January 1, 1954. Natalie Antosh expressed concern that voters might cast sweeping votes to reject all amendments, even housekeeping measures.

SECTION 3.7 COUNCILPERSON AT-LARGE; DUTIES

Current wording deemed acceptable.

SECTION 3.8 SUCCESSOR TO THE MAYOR

We will ask the law director whether new language is needed now that the mayor's position is full time. The concern is that the line of succession ends with the City Council and the charter does not specify what would happen if all council members declined. Patrick Mohorcic said nothing in the charter would prohibit the mayor from holding a second full-time job.

SECTION 3.9 VACANCY IN OFFICE OF COUNCILPERSON-AT-LARGE

Current wording deemed acceptable.

SECTION 3.10 EMPLOYEES OF COUNCIL

We will ask the law director whether reference to "The Director of Finance as the Clerk of Council ..." should be stricken, pending voter approval, now that the clerk is a separate position. This reference appears elsewhere in the charter. Tom Ott wondered if all routine amendments could be handled in a single ballot issue.

SECTION 3.11 ORGANIZATION. (REPEALED)

No action needed.

The current wording of the following sections was deemed acceptable.

SECTION 3.12 MEETINGS OF THE COUNCIL AND OTHER MUNICIPAL BODIES

SECTION 3.13 QUORUM

SECTION 3.14 PROCEDURE

SECTION 3.15 EFFECTIVE DATE OF ORDINANCES OR RESOLUTIONS

SECTION 3.16 EMERGENCY ORDINANCES OR RESOLUTIONS

SECTION 3.17 GENERAL ORDINANCES

The meeting was adjourned at 8 p.m. Commission members tentatively scheduled their next meeting for 6:30 p.m. Thursday, April 11, 2024.



Commission Chair, Bob Reho

ATTEST:



Secretary, Tom Ott

CHARTER REVIEW COMMISSION MEETING

6:30 p.m. April 11, 2024

LOCATION: Willowick City Hall

Present: Natalie Antosh, Keith Beck, Jodi Di Domenico, Mark Lasmanis, Patrick Mohorcic, Nicole Monaco, Tom Ott, David Phares, Bob Reho

OLD BUSINESS

Natalie Antosh reported that she spoke with Law Director Stephanie Landgraf after the Charter Review Commission's March 28 meeting and received the following responses to commission questions.

- References to the "finance director as clerk of council" do not need to be changed to reflect the fact that the council has a clerk. The law director said the wording is acceptable because the finance director must handle the duties if the clerk and potential substitutes are unavailable. The charter also has language allowing for the appointment of a council clerk.
- The commission should decide now rather than vote at the end of the review process on the question of extending the residency requirement for council candidates beyond one year.
- References to provisions taking effect in 1953 or on other dates from the past can be stricken, but each change would have to go to the voters.
- In Article III Section 3.3, which specifies qualifications for council members, it is not necessary to separately mention the council president. "Member of council" covers the council president.
- Four council members constitute a quorum, but the council must still adhere to sections that require five votes to decide certain matters.
- The transition to staggered council terms, a proposal discussed March 28, could be accomplished, effective with the 2027 election, by having one council member per ward elected to a four-year term that year. At the same time, a second council member per ward would be elected to a one-time, two-year term. When the two-year seats came up for election, the terms would be filled for four years.

The commission's responses were as follows:

- Antosh suggests leaving "historical dates" as is rather than take multiple dates to the ballot. There was no further discussion of this matter.

- Regarding staggered terms, the commission had questions about which council members would run for two years and which would run for four. Would it be determined by lottery or by

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choosing the seat of the member who received the lower vote total in the last election? Chairman Bob Reho brought the discussion to a close by asking whether it was correct to say that commission members supported staggering terms but could not agree on how to make the transition. No one said they disagreed. The discussion will continue at a future date.

- Re: qualifications for council members. See New Business

NEW BUSINESS

Commission members began a section-by-section review of Articles IV, V, VI and VII.

ARTICLE IV

THE MAYOR

SECTION 4.1

TERM OF OFFICE

Current wording deemed acceptable.

SECTION 4.2

QUALIFICATIONS

- The commission previously discussed extending the council residency requirement from the current one year to two or three years, the latter matching the requirement for mayoral candidates, but members had not come to a consensus. Nicole Monaco said that she still favored two years but that voters might be distracted by more important issues. Patrick Mohorcic said he remained opposed to “limiting the democratic right to run” of anyone who had resided in the city for only a year. The matter was tabled.

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Current wording deemed acceptable on the following sections.

SECTION 4.3

REMOVAL

SECTION 4.4

JUDICIAL POWERS

SECTION 4.5

LEGISLATIVE POWERS

SECTION 4.6

VETO POWERS

SECTION 4.7

EXECUTIVE POWERS

ARTICLE V

APPOINTED ADMINISTRATIVE OFFICERS AND DEPARTMENTS

Current wording on all sections -- 5.1 General Provisions, 5.2 Director of Public Safety, 5.3 Director of Public Service, 5.4 Director of Public Service, 5.5 Director of Law and 5.6 Director of Recreation and Recreation Board – was deemed acceptable. Tom Ott did note that, except for Section 5.5 Director of Law, the charter is silent on residency and other requirements.

ARTICLE VI

PLANNING COMMISSION, ZONING ORDINANCE AND BOARD OF ZONING APPEALS

SECTION 6.1

PLANNING COMMISSION: MEMBERSHIP, ORGANIZATION, TERMS OF OFFICE AND VACANCIES

Current wording deemed acceptable.

SECTION 6.2

PLANNING COMMISSION; POWERS AND DUTIES

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Reho asked whether the Planning Review Board, a separate entity, should be mentioned in the charter. Antosh and David Phares said that was unnecessary because projects vetted by the board still must go before the Planning and Zoning Commission.

SECTION 6.3

PLANNING COMMISSION: MANDATORY REFERRAL

Current wording deemed acceptable.

SECTION 6.4

ZONING ORDINANCES AND BOARD OF ZONING APPEALS

The law director has suggested that the commission consider following the lead of other cities and let the Board of Zoning Appeals have the final decision on requests that come before it. Council members thought the law director recommended the change for the purpose of efficiency. Antosh said she would double check with the law director. Currently, the BZA recommends action, and the council confirms or denies. Council members Antosh, Phares and Mohorcic supported leaving the charter as is, noting that the period between the BZA's recommendation and the council's decision is typically brief, perhaps as short as a week. Reho also voiced support for retaining council oversight. Ott said that absent a compelling reason, the commission should leave the wording as is.

SECTION 6.5

CONSTRUCTION

Current wording deemed acceptable.

SECTION 6.6

PLANNING COMMISSION AND BOARD OF ZONING APPEALS: FUNDS

Current wording deemed acceptable. Antosh noted that the funds are for advertising notice of meetings.

ARTICLE VII

CIVIL SERVICE COMMISSION

SECTION 7.1 MEMBERSHIP

Antosh noted that the varying length of the terms – 2, 4 and 6 years – was intended to ensure that someone with knowledge of previous meetings was on the commission at all times.

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SECTION 7.2 OFFICERS

Current wording deemed acceptable.

Section 7.3 CLASSIFICATION OF SERVICE

Current wording deemed acceptable.

SECTION 7.4 DUTIES

Current wording deemed acceptable.

SECTION 7.5 SUSPENSION AND REMOVAL

Current wording deemed acceptable.

SECTION 7.6 FUNDS

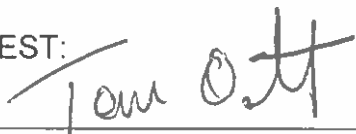
Current wording deemed acceptable. Antosh said the purposes of the funding included drug testing for those testing for open positions.

The meeting was adjourned at 7:30. The commission scheduled its next meeting for 5:30 p.m. Thursday, April 18.



Commission Chair, Bob Reho

ATTEST:



Secretary, Tom Ott

Willowick Charter Review Commission meeting

5:30 p.m. Thursday, April 18, 2024

Willowick City Hall

Present: Natalie Antosh, Jodi Di Domenico, Mark Lasmanis, Patrick Mohorcic, Nicole Monaco, Tom Ott, David Phares, Bob Reho. Keith Beck had an excused absence.

Old Business

Natalie Antosh clarified how the transition to staggered City Council terms would be accomplished should the issue be placed on the ballot and gain voter approval. Changes would take place in 2027, when all council members complete their current four-year terms. In the 2027 election, candidates for one council seat per ward would run a four-year term while candidates for the other seat would seek a one-time, two-year term. At the conclusion of the two-year terms, candidates for that seat would run for a four-year term. The council would determine the process for selecting which seats would temporarily carry a two-year term. The discussion will continue.

New Business

The commission resumed discussion of the law director's proposal that the Board of Zoning Appeals be final. Currently, the BZA's decisions are recommendations that the City Council decides to confirm or reject. Bob Reho questioned whether the change, which would streamline the process and follow the lead of other cities, was necessary. Antosh noted that the council and BZA have disagreed on occasion and said the change might be acceptable if there was a guarantee that BZA members would visit locations involved in the matters they decide. Mark Lasmanis asked how that could be ensured. Antosh said the volunteer members could not be forced to make site visits. The commission voted and decided, 8-0 with one member absent, to reject the proposed amendment.

The commission then began reviewing the remaining articles of the charter:

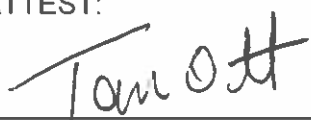
Article VIII Finances; Article IX Taxation; Article X Nominations and Elections; Article XI Initiative, Referendum and Recall; Article XII Miscellaneous; Article XIII Effect of Charter.

The commission considered all the above articles and their sections and decided that no changes were needed.



Commission Chair, Bob Reho

ATTEST:



Secretary, Tom Ott

Willowick Charter Review Commission meeting

5:45 p.m. Thursday, May 2, 2024

Willowick City Hall

Present: Natalie Antosh, Jodi Di Domenico, Keith Beck, Mark Lasmanis, Patrick Mohorcic, Nicole Monaco, Tom Ott, David Phares, Bob Reho.

Old Business

There was no old business

New Business

The commission approved the minutes from its April 11 and April 18 meetings.

Members then examined the three proposed charter changes that emerged in previous meetings and discussed whether to recommend any to City Council. The proposals, in the order of discussion, are as follows:

Article III, The Council

Section 3.3 Qualifications

Currently candidates for council must have lived in the city for one year prior to seeking election. Commission members had debated increasing the residency period to two years but had not arrived at a clear consensus. Nicole Monaco, a proponent, described the current requirement as minimal but suggested leaving it as is. The commission unanimously agreed.

Article III Council

Section 3.1 Number and Term

All council seats, as well as the mayor's office, are currently voted on simultaneously at four-year intervals. Tom Ott said that raised the possibility the entire city government could be changed in a single election and had proposed staggering the terms to ensure continuity and preserve institutional knowledge.

Some commission members said it appeared that terms were staggered in the past, but no one knew the reason that was changed. Bob Reho suggested it might have been to spare the expense Willowick would incur if no other issues were on the ballot. None of the surrounding Lake County cities has staggered terms, except for one that has a separate election for a council member at large.

Ott agreed that mass turnover might be unlikely but added that change in the country's political climate over the years increases the chances. Natalie Antosh said the council's main job is to ensure the city balances its budget. Patrick Mohorcic said city administrators would be in place to maintain continuity in basic functions such as snow plowing and emergency response. Reho and Mohorcic acknowledged that policies set by ordinance might change.

Mohorcic said the goal of maintaining continuity was not a strong enough reason to make a change. He and Natalie Antosh said that the change might be a tough sell and that voters might balk.

If the council agrees to place the proposal on the ballot, the transition could begin after current council members complete their terms in 2027, or after an additional four-year cycle.

The council and law director would draft the transition process, but the commission suggested having candidates for one of the two seats in each ward seek a one-time two-year term. The seat could be that of the incumbent who received the lower vote total in the preceding election. If that method is chosen, Antosh argued for waiting until 2031, saying voters might not have consciously prioritized their two selections in 2023 or even voted for a second candidate. "It changes how you vote," Mohorcic said.

The commission voted 5-4 to recommend the proposal to council. Jodi DiDomenico, Keith Beck, Mark Lasmanis, Nicole Monaco and Ott voted in favor. Reho, Mohorcic, David Phares and Antosh were opposed.

Article III The Council

Sect. 3.15 Effective Date of Ordinances or Resolutions

The charter requires that voters approve any change in zoning. The commission has debated trying to remove that provision, a proposal that voters have rejected at least twice in the past.

Mohorcic, Antosh and Phares have said doing away with so-called referendum zoning would streamline the process and reduce wait time for developers and businesses. They also say that rezoning issues do not automatically go on the ballot in most other Lake County cities. But at the May 2 meeting, they expressed concern that going to the ballot again will further inflame fears that the city wants to rezone Lakefront Lodge. (They added that, to the contrary, the city and Lake Metroparks are taking steps to enhance the Lakefront Lodge site as a park.)

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Several commission members have said they believed the previous efforts failed due to poor communication. Antosh noted that town hall meetings on the issue were sparsely attended.

Mohorcic said the city has not lost opportunities to bring in a major business and would need to "have a story" to persuade voters to delete the provision.

Ott said the city is stagnating and that the story could be what could happen, not what hasn't. He also suggested that Lakefront Lodge, Dudey Park and Manry Park could be exempted from the amendment and remain subject to referendum zoning.

Mark Lasmanis said the city needs to create a "vibe" and that more "malleable" zoning practices could assist.

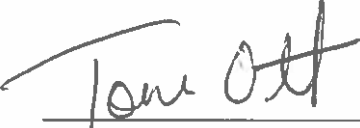
The commission voted 6-3 to recommend that the council ask voters to remove referendum rezoning from the charter. Reho, Jodi Di Domenico, Keith Beck, Lasmanis, Monaco and Ott voted in support. Mohorcic, Antosh and Phares voted no.

The meeting was adjourned at 6:51 p.m.



Commission Chair, Bob Reho

ATTEST:



Secretary, Tom Ott