

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

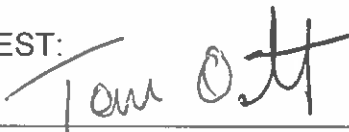
Current wording deemed acceptable. Antosh said the purposes of the funding included drug testing for those testing for open positions.

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