

MINUTES OF MEETING
2014 CHARTER REVIEW COMMISSION
MARCH 18, 2014

Members Present: Urban, Campanella, Hower, Hanson, Hvizda, Keenan, Robenalt,
Welsh, Yezbak

Presence Noted: Mayor Pamela Bobst
Andrew Bemer, Law Director

Council Members Present: Jim Moran, Ward 2
Dave Furry, At-Large
Michael O'Donnell, Ward 3
Brian Sindelar, At-Large
John Shepherd, Ward 4

Council President Moran opened the March 18, 2014 meeting of the 2014 Charter Review Commission at 6:00 p.m. in Council Chambers at City Hall with an invitation to stand and recite the Pledge of Allegiance.

Mr. Moran said he would like all of the City Council members who are present tonight to introduce themselves. He began by saying that he is the Councilman for Ward 2, which is in the southwest section of the City, bordered by Detroit Rd., Wagar Rd., Westlake and Fairview Park. Mr. Moran has served a total of 5 terms on City Council and this is his fourth term as Council President. He is also the Chair of the Finance Committee.

At-Large Council Member Brian Sindelar came forward and introduced himself as the newest member of City Council and the Chair of the Economic Development Committee. Mr. Sindelar is an Attorney by trade. As an At-Large Council Member, he represents the entire City and not just a single ward. He thanked the Commission for volunteering and said he is available to help them in any way he can.

Ward 3 Council Member Michael O'Donnell came forward and said that Ward 3 borders Lakewood on the east, then goes toward St. Chris and the Middle School and north to Beachcliff II, everything east of Wagar. It is bordered on the north by the south side of Lake Road. He is also an attorney by trade and said he sat on the Charter Review Commission 6 years ago and thought it was a wonderful experience. He offered any assistance this Commission needs and added that the Charter is what governs our City and our City's government. It is up to this Commission to try to improve our City government and he hopes they thoroughly vet any suggestions or ideas they have to the best of their ability. He looks forward to seeing some great ideas and hopefully having them on the ballot in November.

At-Large Council Member Dave Furry came forward and said he is just starting his fourth term with City Council. He is Chair of the Environment Committee and he thanked the Charter Review Commission for their service.

Ward 4 Council Member, John Shepherd came forward and said he is just beginning his fourth term on City Council. Ward 4 is the southeast quadrant of the city, which is south

of the freeway and east of Wagar Rd. Mr. Shepherd thanked the Commission for their service and offered his assistance to the members.

Mayor Pamela Bobst came forward and said she is going into her twentieth year in elected office in Rocky River. She started as an At-Large City Council Member and then became Council President. In June of 2006, she was appointed by City Council to serve as Mayor and she has been elected several times since then. Her last election was her tenth election in the City of Rocky River. She is very pleased that all of the Commission members are willing to take time away from their families and be a part of this process, which is one of the most important processes that we go through as a City. The Charter Review Commission that preceded this one spent a lot of time and detailed work that was very helpful to them as they manage City government on behalf of the residents. Her door is always open and if there is anything she can do in this process, she would like them to let her know.

Law Director Bemer said he is commencing his fifth term as Law Director. Previous to this position, he was elected to the Board of Education and went through three terms, which is twelve years there. At that time, Mr. Bemer said he drew inspiration from John Urban, who preceded him on the School Board and who is now part of this Commission. Mr. Bemer has been a resident of Rocky River for over 35 years and has raised three children who all went through Rocky River schools. His wife, Kathy is a nurse at Fairview Hospital and he has a private law practice in Westlake. Mr. Bemer asked the Members of the Commission to introduce themselves to those who are in attendance.

Commission member Paul Hvizda said he is a lifelong resident of Rocky River and has 3 children who all attended Rocky River schools. Mr. Hvizda is the Vice President of a printing company called Admiral Products, is a current resident of Ward 3 and has been heavily involved with the Chamber of Commerce of Rocky River over the years.

Commission member Marci Hower has been a resident of Rocky River for 4 years and she and her husband were Lakewood residents before that. They have 3 children in the Rocky River school system and they own a business called Ohio Geese Control and some of the members may have seen their cars driving around the City. Ms. Hower explained that they humanely chase geese using Border Collies and it is a fun business to be involved in.

Commission member Michael Yezbak has lived in Rocky River for approximately 22 years. He has two small children, ages 5 and 3 and one is currently at Goldwood Primary School. He is currently a probation officer with the Common Pleas Court and he has also been a real estate agent with ERA Rath Realtors for the past 6 years.

Mr. Bill Welsh has been a resident of the City since 1971 and he and his wife currently reside on Orchard Park. He retired about 12 years ago after being employed for 35 years with the Cuyahoga County Engineers Office as a heavy equipment operator. For the past

34 years he has been a Special Deputy with the Cuyahoga County Sheriff's Department and he currently holds the rank of Captain and is in charge of that unit. He looks forward to working with everyone on the Commission.

Commission member Jay Hanson has lived in Rocky River for about 16 years now. He and his wife, Nancy live on Middlepost Lane and have 4 children. He too is an attorney by trade and he is looking forward to working with everyone.

Commission member Tom Robenalt has been a resident of Rocky River for approximately 19 years. He recently opened a law office in Rocky River on Center Ridge Road. He has 1 child at Magnificat and 2 children at Rocky River High School. He said they are encouraging the child at Magnificat to attend Rocky River High School next year. He is also looking forward to working with everyone.

Commission Member John Urban said this is the second time he has been on the Charter Review Commission and he thinks they brought a lot of good ideas to the table last time. They passed either 11 or 12 out of the 13 items that they took to the ballot at that time and he enjoys the opportunity to help set the direction of the City. He has been a Rocky River resident for almost 39 years and they have just recently moved to Hilliard Boulevard, near Westwood Country Club. He spent 2 terms on the Rocky River School Board and both of his children graduated from the school system. One of his children is a Chiropractor in Rocky River and one works in Chicago in the movie industry. He looks forward to working with everyone.

Commission member Patrick Keenan is a long time western suburb resident and just moved to Rocky River 5 years ago. His son, Justin is a senior at Rocky River High School and has gone through the system since first grade. He is grateful for what they have done for his son and this gives him the opportunity to give something back. Mr. Keenan is a graduate of St. Edward and Ohio University. He has managed Americab Transportation for the last 25 years in Cleveland, which is a 100 fleet taxi and delivery service. He is honored to serve on this Commission and looks forward to working with everyone.

Commission member Jeanne Campanella has been a resident of Rocky River since 1985. Her husband, Tom worked for Ohio University for 3 years during that time so they relocated there briefly. They have two grown children and she works for Cuyahoga County Foundation Office raising funds for Tri-C. Her involvement with Rocky River has been through Community Challenge in various capacities and she worked very closely with the City on Community Challenge programs and events. She is happy to be here and is looking forward to the opportunity to serve on the Commission.

Kate Straub, Recording Secretary for the 2014 Charter Review Commission works in the Building Department and also works closely with Building Commissioner Kevin Beirne and Law Director Bemer. She assists in the permitting process and has many dealings

with residents, contractors and developer. She is also the Assistant to the Boards and Commissions of the City of Rocky River. This is Ms. Straub's second time assisting the Charter Review Commission and her job is to keep the Commission organized and informed and she is looking forward to working with all of them.

Mr. Moran said that Thomas Hunt, Ward 1 Council Member, was unable to be here tonight. He has been a lifelong resident of Rocky River and has served on City Council for 4 years. Mr. Hunt is also Council President Pro Tempore and is Chair of the Safety Committee. Council Member Christopher Klym was also unable to attend. He was appointed as a Council Member halfway through the last term and is now into his second term. Council Member Klym is Chairman of the Recreation Committee.

In summary, Council President Moran said that City Council is available to listen to the Commission and to support them. If the Commission needs them for any reason, they are available either during a meeting or after hours. Mr. Moran said he is sure the Commission has read everything contained in the Charter and explained that Council appoints 9 people to review the Charter every six years and report back to Council any recommended changes within 5 months. The first thing this Commission needs to do is elect a Chairman and a Vice Chairman, and suggested that they set a meeting schedule. This will be important so that any Directors who are invited to appear as each section is reviewed, have advanced notice of the meeting date at which their attendance is requested. This will give them an opportunity to come prepared, as well as get information to the Commission prior to the meeting if requested. Mr. Moran thanked the Commission again and turned the meeting over to them.

MOTION: Moved by Mr. Robenalt, seconded by Mr. Hanson, to elect John Urban as Chairman of the 2014 Charter Review Commission. John Urban was elected Chairman by unanimous acclamation.

MOTION: Moved by Mr. Hanson, seconded by Mr. Welsh, to elect Tom Robenalt as Vice-Chairman of the 2014 Charter Review Commission. Tom Robenalt was elected Vice-Chairman by unanimous acclamation.

Mr. Urban explained that when the Charter was reviewed, there were a number of changes that went through because the entire Charter had to be rewritten. The language that was in the Charter was archaic and the pronouns weren't right, so it didn't make sense. The last paragraph of the Charter now says that City Council has the right to fix any grammatical errors contained in the Charter.

Mr. Urban opened the discussion regarding when the Charter Review Commission will meet. They decided to meet every Wednesday night at 6:00 p.m., beginning next Wednesday, March 26, 2014. There will be no meeting held on Wednesday, April 23, 2014 because the schools will be closed for spring break and some of the members will be out of town. Mr. Urban said that he understands that everyone cannot make every

meeting and all they need is a majority present in order to hold a meeting. Meetings will be scheduled for two hour time frames but flexibility is important, depending on what issues they are discussing. Mr. Urban said that for planning purposes, he would like the Commission to know that he will not be able to attend the meeting on April 2, 2014 because his son is getting married in Chicago and he will be out of town.

Law Director Bemer said that he believes all matters that go to the ballot need to be approved by City Council 90 days before the general election. He will get the specific date, which will need to give City Council some leeway, as well. Mr. Urban suggested that they try to have their review completed by May 28, 2014. The Charter Review Commission's meeting schedule was determined to be as follows:

March 26, 2014 at 6:00 p.m.
April 2, 2014 at 6:00 p.m.
April 9, 2014 at 6:00 p.m.
April 16, 2014 at 6:00 p.m.
April 30, 2014 at 6:00 p.m.
May 7, 2014 at 6:00 p.m.
May 14, 2014 at 6:00 p.m.
May 21, 2014 at 6:00 p.m.
May 28, 2014 at 6:00 p.m.

Mr. Urban said that they will set an agenda for each of those weeks and decide which Articles they will review at each meeting. Once the discussions schedule is set up for each week, it will be circulated to the department heads so they have an idea of when their presence is requested here. He said that discussions with the department heads may be helpful because it could trigger something else that should be changed. Mayor Bobst said that the Directors have not forwarded her any suggestions about recommended changes to the Charter, to date.

Mr. Urban asked Mayor Bobst if she will be available on March 26, 2014 to discuss Article II. The Mayor. Mayor Bobst said she would like to respectfully ask that she not be scheduled on that date because she will be busy preparing for her State of the City address, which she will present on the following day. Mr. Urban suggested that they go through the Charter at the next meeting and review the changes that were made as a result of the prior review. In addition, at that time they will set the agenda for discussion topics and assign discussion leaders to each topic, which is the way they structured the meetings last time.

Ms. Campanella said she noticed that some of the Articles are more detailed and substantive than others and she asked if they would be combining some of them for review on the same date. Mr. Urban confirmed that they will combine some of the Articles.

Law Director Bemer said that they have had two additional Charter Amendments that were voted on by the electorate since the last Charter review. He will provide that information to the Commission for the next meeting. He said that as discussions of each Article progressed, if there were items that were determined to be of interest, a Master List was created that included those items deemed worthy of further discussion and they were voted on by the Commission following additional review. Mr. Urban said that they may occasionally decide to table a certain topic for discussion and vote at a later date as to whether or not they would like a change to that to go to the ballot. Then, as a whole, the Commission would go back and decide if they think they want to make a change or not.

Law Director Bemer said that the Commission received Minutes from the first two meetings of the last review in 2008. At that time, a vote of 3 affirmative votes would allow a particular item to be placed onto the *Master List for Further Discussion* and then voted whether it would go onto the ballot. Mr. Urban said that they can discuss that at the next meeting, since it will be considered a learning meeting. Mr. Bemer said it will be helpful for the Commission to review the meeting minutes of the last review for each Article and Ms. Straub will send those to the Commission via email before each meeting.

Council Member Sindelar came forward and said he thinks it is important that they really read the Charter. This Commission has been chosen for a reason and this document is our Constitution. He also urged them to ask questions if something does not make sense to them because often times the best ideas come from things that are bantered back and forth.

Law Director Bemer said that these Charter review meetings are held in a public forum, with an agenda posted at City Hall. Because of this, this Commission should establish a protocol for comment from the public. Mr. Urban said that they will discuss that point next week, as well.

Council President Moran cautioned the Commission that they should be careful not to discuss the Charter outside of these public meetings with any more than 3 members at one time. However, he encourages 2 or 3 of them to have conversations between themselves. Law Director Bemer said that this Commission is a public body, as well as a decision making body. All decision making and deliberations should not be done other than in this public body. Mayor Bobst said she wants to remind everyone that they are subject to public records laws and email becomes a public record. Law Director Bemer suggested they be careful not to subject their private emails to public dissemination because someone could make a public records request for all emails between Commission members. However, if a member is merely emailing that they cannot make a meeting, then those are considered transient information only and are not intended to be covered by public records.

Council President Moran apologized for forgetting to introduce Barb Galbincea who is here tonight in the audience. Ms. Galbincea is a reporter from Northeast Ohio Media Group and is a very involved resident of Rocky River, as well as a news reporter. He said that there may be other people from the news media in attendance at some of the meetings, as well.

Ms. Campanella asked about what the expectations are with regard to leading a discussion on an Article. Mr. Urban said that the discussion leader may either read each paragraph or summarize it and will ask if there is any discussion on the paragraph. When they get to a point where any votes need to be taken, he will take over and handle the vote. He will also coordinate with Ms. Straub regarding which department heads to notify that their presence is requested at an upcoming meeting.

Mr. Bemer said that it would be helpful for the Commission members to look at the Charters for other cities to see how things are done elsewhere. Mr. Urban added that looking at them may prompt a discussion about possible changes for our Charter. A Commission member asked if anything has ever been eliminated from the Charter. Law Director Bemer said that nothing substantive has ever been eliminated but they have made revisions to procedures.

Mayor Bobst said that Rocky River history has found that our residents really take the time to educate themselves about the Charter Amendments and understand the reasoning behind why the changes are being proposed.

There being no further business, the meeting was adjourned at 7:20 p.m.

Date

JOHN URBAN, Chairperson

Kate Straub, Secretary