

City of South Euclid  
2015 Charter Amendment Proposals for Consideration

As of 1-5-15

Compiled by Dennis Fiorelli, Chairman

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<p>1. Fiorelli Article II. – Council Section 2. Qualifications</p>	<p>Proposal to change italics sentence to read: <i>Council shall NOT allow, nor take any action to permit, any public employment that is or maybe in conflict with the best interests of the residents of South Euclid and ensuring South Euclid will receive maximum consideration in discretionary matters. All judgments shall error on the side of the residents of South Euclid.</i></p>	<p>This change will help ensure the interests of South Euclid will be protected from conflicts. It will also help clarify what is expected and reduce judgments.</p>	<p>1, 23, and 31 are similar.</p>
<p>2. Fiorelli Article XI. – Amendments to Charter</p>	<p>Proposal to change italics to read: <i>signed by qualified electors which equal in number at least ten percent (10%) of the total votes cast for Mayor at the last regular mayoralty election</i></p>	<p>This change is consistent with State regulation.</p>	
<p>3. Fiorelli Article XI-A Charter Review Commission</p>	<p>Proposal to change 30 days to 35 days and also allow the option to mail a single notice to each household with at least one registered voters.</p>	<p>With the growing popularity of “vote by mail” this will allow residents to get the information sooner. It will also reduce mailing expense.</p>	
<p>4. Gelfand Throughout</p>	<p>Currently, throughout the charter, pronouns refer to the male gender, e.g., "he", "him." I want to change the language of the charter to reflect gender neutral pronouns, or where possible, to eliminate the pronoun. E.g., replace "he" with "he or she", or replace "he" with "the Mayor."</p>		
<p>5. Gelfand Article 5 Section 7</p>	<p>Civil Service Commission. Currently, Mayor appoints all 3 members. I want to change this to the Mayor appointing 2 and Council appointing 1. Alternatively, the Mayor continues to appoint all 3 but add "with advice and consent of City Council."</p>		
<p>6. Gelfand Article 5 Section 9</p>	<p>City Planning Commission. Currently, Mayor appoints 4, Council appoints 1. I want to change this to the Mayor appointing 3 and Council appointing 2. Alternatively, Mayor appoints all 5 with advice and consent of Council.</p>		

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7. Gelfand Article 5 Section 11	Zoning and Building Standards Board of Appeals. Currently, Mayor appoints all 5 members. I want to change this to the Mayor appointing 3 and Council appointing 2. Alternatively, Mayor continues to appoint all 5 with advice and consent of Council.		
8. Gelfand Article 5 Section 2	Law Director: Proposal to change position of Law Director to an elected position. See attached draft of a proposal based largely on Rocky River, but with a 4 year term as opposed to Rocky River's 2 year term.		8 and 26 effect the law director
9. Gray Article V-Administrative Departments and Commissions Section 1. General Provisions	All job openings with the City of South Euclid shall be made public & posted according to federal, state, and local laws.	More transparency	
10. Gray Article IX-A-Tax Limitation	Tax increases approved by the voters shall be used for the purposes for which they're intended and originally promoted to the public for approval.	More transparency	
11. Gray Article XIII Ethics and Standards Section 4. Disclosure of Private Interest in Legislation	Public officials shall be required to submit in writing to City Council any prior business relationships with individuals to be hired by the city or contracted to provide goods and/or services to the city of South Euclid. City Council shall have the responsibility to review and approve, so as to avoid impropriety or the appearance thereof.	More transparency	
12. Gray Article III-The Mayor Section 2. Powers of the Mayor	The Mayor shall provide an annual State of the City Address by January 21st including details of the City's financial health.	More accountability	
13. Gray Article XI-A-Charter Review Commission	The City Charter defines the powers and scope of responsibility of the Mayor, therefore the Mayor shall not be eligible to sit on the Charter Review Commission.	More accountability	

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14. Gray Article V- Administrative Departments and Commissions Section 1. General Provisions	There shall be frequent communications to the public about the status of city services, ADA compliance, and all executive level departments.	More accountability	
15. Gray Article V-Administrative Departments and Commission	Council shall confirm or reject the incumbent Director of Finance during the month of January every two years, effective January 2016. Council's failure to act within this timeline shall result in automatic confirmation.	More accountability	15 and 20 are similar
16. Gray Article XIII Ethics and Standards Section 4. Disclosure of Private Interest in Legislation	There must be full and immediate public disclosure to council when a vendor whose company is owned by or employs a City employee or the City's employee's family.	More accountability	
17. Gray Article IX-A Tax Limitation	There will be no tax increases and no tax credits shall be repealed without a prior vote of consent of the people.	More citizen involvement	
18. Gray Article XI-A-Charter Review Commission	The Charter Review Commission shall be comprised of seven citizens elected by the voters and two elected officials appointed by City Council as in ex-officio capacity.	More citizen involvement	18 and 19 effect the charter review commission
19. Icove Article XI – A: Charter Review Commission.	The Charter Review Commission (“CRC”) shall consist of 11 commissioners. The Mayor and President of City Council are ex-officio members of the CRC, and neither can serve as chairperson. Nine additional commissioners are elected by the voters as at-large members.	1. Guarantees that at least three members of the CRC will not hold some other elected public office in the City.  2. Guarantees that the people holding the two most important City political positions will be on the CRC.	18 and 19 effect the charter review commission
20. Icove Article V –Administrative Departments and Commissions.	The Finance Director shall be nominated by Mayor and confirmation shall be the same as we use for the Law Director—four affirmative votes by Council members. The reconfirmation process will be the same too.	1. Institutes a needed system of checks and balances between the executive and legislative branches of government, which almost all other municipalities in our County now have in place.  2. Promotes good government and transparency.	15 and 20 are similar

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<p>21. Icove Article V –Administrative Departments and Commissions.</p>	<p>The Service Director, Building Commissioner, Housing Manager, and Economic Development Manager are nominated by the Mayor, and take office upon confirmation by Council. There is no reconfirmation process.</p>	<p>1. Institutes a needed system of checks and balances between the executive and legislative branches of government, which almost all other municipalities in our County now have in place.  2. Promotes good government and transparency.</p>	
<p>22. Romeo Article II – The Council Section 1. Powers, Number and Term</p>	<p>With the reduction in population, is it time to also reduce the size of City Council. Can we reduce the size to: 2 Council at Large and 3 Ward Councilpersons?</p>	<p>Rational: The population of South Euclid has reduced in the last 10 years, do we still need seven council persons to represent approximately 23,000 people?</p>	<p>22 and 30 are similar</p>
<p>23. Romeo Article II – The Council Section 2. Qualifications</p>	<p>No member of Council shall hold any other public office or public employment during his term in office excepting the office of Notary Public and membership in the National Guard or Reserve Corps and the office of Precinct Committee Person. Council shall be the judge of the election and qualifications of its members.</p>	<p>Rational: A councilperson should be dedicated to serving our council on all matters and not be concerned that having public employment in another city will have any influence on any decisions that person has to make for the benefit of our residents.</p>	<p>1, 23, and 31 are similar.</p>
<p>24. Romeo Article III – The Mayor Section 1. Qualifications and Term of office.</p>	<p>The chief executive power shall be vested in a Mayor, who shall be an elector of the City and shall have resided in the City continuously for a period of at least (5) five years immediately preceding his election.</p>	<p>Rational: It is my belief that a person running for Mayor should have lived in our city long enough to go through an election cycle and not be part of that cycle.</p>	
<p>25. Romeo Article III – The Mayor Section 1. Qualifications and Term of office.</p>	<p>The Mayor should be able to have the ability to have private employment and engage in private business if the Mayor’s salary has reached the cap. (This suggestion requires the review and establishment of salary caps for all non-union employees. Salary caps are not in place today and would have to be set in ordinance to allow for private employment or private business if the cap has been reached).</p>	<p>Rational: If the salary cap is met, the employee should be given the opportunity to seek additional income if necessary.</p>	

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26. Romeo Article V – Administrative Departments and Commissions: Section 1. General Provisions	Remove sentences regarding the approval of the Law Director by City Council.  Law Director and other directors serve at the pleasure of the Mayor and should not be approved by City Council. City Council can recommend removal of a director by resolution based upon inability to perform the functions of that department.	Rational: The department heads serve at the pleasure of the Mayor and thus the Mayor has the ability to hire and fire as necessary. Council approval is not necessary and has become a burden.	8 and 26 effect the law director
27. Romeo Article VII – Nominations and Elections:  Section 2 – Run-Off Election for Mayor and Judge	In the event that no candidate for Mayor or Judge receives a majority of the votes cast for that office, there shall be a run-off election held on the first Tuesday in December between the two candidates receiving the highest number of votes cast for that office.	Rational: The offices of Mayor and Judge are responsible for the majority of the responsibilities of our city. It is my opinion that both should be elected by a majority of 51 % of the voters.	27 and 33 are similar
28. Romeo Article XI-A – Charter Review Commission	(Second Paragraph at the end) – Each member of the Charter Review Commission shall be a qualified elector of the City, shall have resided continuously therein for not less than three years next preceding his election and shall continue to reside therein during his term in office.	Rational: Charter Review Commission members should be aware of what impact the City Charter has had on the community to help make a rational review and decision regarding the charter. Being a resident for three years would hopefully allow a member to be well informed regarding the charter.	
29. Romeo 30. Article XV – Trash Collection Tax	Remove this Article from the Charter. It should be replaced with an ordinance that provides the ability for the Council to place a Trash Collection Tax on the ballot for residents to vote.	Rational: Leaving this Article on the charter will eventually cause the City to be unable to raise revenue to fund future trash collection and cause the City to eventually cut the responsibility of the city to support the collection of trash. Private haulers will have to be found and provided to the residents to collect the trash and recycle.	29 and 32 are similar
30. Welo Article II – The Council	The legislative power of the City except as limited by this Charter and such additional	The City of South Euclid has loss income in the following areas	22 and 30 are similar

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<p>Section 1. Power, Number and Term</p>	<p>powers as may be expressly granted by this Charter, shall be vested in a Council of seven members. (Change to five (5) members)</p> <p>Three of said council members shall be elected at large. (Change to 2 members)</p> <p>In addition, one Council member shall be elected from each of the four wards to represent that ward in Council. (Change to 3 wards)</p>	<ul style="list-style-type: none"> <li>- Income tax income due to loss of population and job loss</li> <li>- Real-estate tax income due to the 2008 Bank and Housing Crash</li> <li>- Public Utility tax income due to deregulation</li> <li>- Community Activity Tax income due to the 2006 Ohio legislature</li> <li>- Cut in Local Government Fund due to Gov. Kasich 2011</li> <li>- Loss of Inheritance Tax due to Ohio legislature 2011</li> <li>- Currently we do not know what the latest loss will be regarding HB 5 the Municipal income tax legislation, which was passed in the Lame Duck session last week at the Ohio Statehouse.</li> </ul> <p>Due to continued loss of population and income:</p>	
<p>31. Welo Article II – The Council  Section 2. Qualifications</p>	<p>No member of Council shall hold any other public office or public employment during his term except as otherwise provide in this Charter and further excepting the office of Notary public and membership in the National Guard or Reserve Corps and the office of Precinct Committer Person once affirmed by the voters in the November 3, 2015 election.</p>	<p>A person elected to serve as a ward and or at large council person should not hold a position that is in direct conflict to their representation of the City of South Euclid.</p>	<p>1, 23, and 31 are similar.</p>
<p>32. Welo Article XV – Trash Collection Tax</p>	<p>Trash Collection is a Service and should be legislated not as a Charter Amendment but as an Ordinance.</p>	<p>The service of Trash Collection as a Charter Amendment could cause harm to the City of South Euclid in the area of public health. If at anytime the City of South Euclid could not afford to pick up. Residential Rubbish the service could be immediately discontinued, leaving no options as we have seen used in other communities such as</p>	<p>29 and 32 are similar</p>

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		those listed below thus causing a health, safety and welfare issue in our city.	
33. Welo Article VII – Nominations and Elections	In the event that no candidate for Judge receives a majority of the votes cast for that office, there shall be a run-off election held on the first Tuesday in December between the two candidates receiving the highest number of votes cast for that office.	The City of South Euclid Municipal Judge is not accountable to either the Administration and or the Legislature. Due to the power of the Municipal Judge over the Court Budget and use of the City of South Euclid’s General Fund Dollars the person should receive a majority of the votes cast for that office.	27 and 33 are similar
34. Welo New article	<p>The Charter Review Commission may also want to consider an Amendment that states at what population figure and or budgeted dollar amount the court needs to be merged with another regional court such as the Lyndhurst Court that currently services all the Hillcrest areas except for the City of South Euclid. South Euclid Municipal Courts increasing normal costs to do business will not be able to be sustained in the near future. Currently the Lyndhurst Court returns all fines to the municipalities – the Hillcrest communities pay nothing to the court as it runs on the court fees and special fees collected. The City of South Euclid’s dwindling revenues and shrinking population will make having a stand alone court impossible in the future.</p> <p>Add an Article to deal with the chance we can no longer fund our own stand alone Municipal Court.</p>		

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