

"TYPED" MINUTES PREPARED BY RUTH GRAY.
CHANGES REFLECTED WERE FROM APRIL 20, MEETING
AS AMENDED AND APPROVED BY MEMBERS.
PRINTED REVISIONS BY FIORELLI.

Fiorelli 1-5-16

**2015 South Euclid Charter Review Commission
March 30, 2015 Meeting Minutes
South Euclid City Hall Community Room
349 South Green Road
South Euclid, Ohio 44121**

Pledge of Allegiance:

Present were Dennis Fiorelli, Ruth Gray, Marty Gelfand, Ed Icové, David Miller, Modestino Romeo, Michael Shaughnessy, Denise Turner and Georgine Weló

Approval of Minutes

Motion was made to approve the minutes of February, 16, 2015 with revision to include in section E- the chair asked for a vote; the motion passed. The motion passed.

ALSO APPROVED MARCH 2, MINUTES AS SUBMITTED. DF

Fiorelli asked for consideration for proposal changes

Romeo suggested that the language be revised in proposal number #4 to indicate that confirmation should take effect after the election of 2015.

Request for Withdrawal

#1-Fiorelli requested withdrawal of proposal #1 **Public Employment of Council-** Fiorelli, GRAY, Gelfand, Icové, Miller, Romeo, Shaughnessy, Turner and Weló voted to approve withdraw of proposal #1. ^{DF}

#8-Weló requested withdrawal of proposal #8 **Merging of South Euclid Court-** Fiorelli, Gelfand, Gray, Icové, Miller, Romeo, Shauaghnessy, and Weló voted approve withdrawal of #8.

Vote on Proposals

#2- Fiorelli- **Adopt the State Constitution standard-general municipal election.** Voted in favor- Fiorelli, Gelfand, Gray, Icové, Miller, Romeo, Shaughnessy and Weló. The proposal passed

#3 **change pronouns to gender neutral** Voted in favor- Fiorelli, Gelfand, Gray, Icové, Miller, Romeo, Shaughnessy and Weló. The proposal passed

#4 **Confirmation of the Law Director** - Voted in favor of passage Miller, Gelfand, Romeo, Shaughnessy, and Weló. Voted against passage- Fiorelli, Gray, Icové, and Turner- The proposal passed

#5 Conflict of Interest proposal was revised to include Public officials **"and employees"**. Voted to approve passage.- Fiorelli, Gelfand, Gray, Icové, Miller, Romeo, Shaughnessy and Welo. The proposal passed.

#6 Charter Review Commission. Voted in favor of passage Fiorelli, Gray, Icové, Miller, Romeo, Shaughnessy and Welo. Voted against the proposal- Gelfand. The proposal passed.
(ELECTED OFFICIALS NOT ELIGIBLE)

#7 Residency Requirement- Voted in favor of passage- Fiorelli, ^{DF}~~Gelfand~~, Miller, Romeo, and Welo. Voted not in favor of passage- Gray, Icové, Shaughnessy and Turner. The proposal ~~passed.~~

FAILED DF

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GELFAND

Public comments

Next meeting April 20, 2015

Respectfully submitted, Ruth I. Gray, CRC Secretary

**City of South Euclid 2015 Charter Amendment Proposals for Consideration
As of March 16, 2015**

# & Proposed by Article/Section	Proposal	Benefits/Reasons
1. Fiorelli Article II – Council Section 2. Qualifications	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>	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.
2. Fiorelli Article XI – Amendments to Charter	Adopt the State Constitution standard: The percentage of electors required (10 percent) to sign shall be based upon the total vote cast at the last preceding general municipal election.	This change is consistent with State Constitution. It would further disclose more reliable and accurate data to the community.
3. Gelfand Throughout	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."	
4. Gelfand Article 5 Section 12	... The head of each department shall be a director appointed by the Mayor who shall serve at the pleasure of the Mayor. However, the appointment of the Law Director shall be for a term concurrent with that for which the Mayor is elected for the full term beginning January 1, 2016. The newly elected (or re-elected) Mayor shall nominate a Law Director by January 1 of the full term commencing and Council shall confirm or reject the Mayor's appointment no later than January 31 st of the year of appointment. Failure by Council to confirm or reject the appointee by January 31 st of the appointment year shall result in automatic confirmation of the Mayor's appointee	
5. Gray Article XIII Ethics and Standards Section 4. Disclosure of Private Interest in Legislation	Conflict of Interest Statement Public officials shall not engage in activities which might tend to impair his or her independence of judgment, seek unwarranted privileges influenced or have an interest in enterprises which might be influenced by decisions he or she make on behalf of the City. He or She shall act in accordance with any existing or future standards or codes of ethics. No Public officials shall have an unlawful interest in a public contract (See ORC. 2921.42). Beginning on 2 January 2016, all public officials of South Euclid must complete and sign a Conflict of Interest statement by the 2nd council meeting of February. This process will occur each year following implementation. Any and all conflicts that may affect your decisions or conduct (vote, recommendations for hire, bidding contracts, professional services) must be disclosed in writing and presented to council. All signed Conflict of Interest documents will be part of public records.	More transparency

**City of South Euclid 2015 Charter Amendment Proposals for Consideration
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6. Icove Article XI – A: Charter Review Commission.	The Charter Review Commission (“CRC”) shall consist of 11 commissioners.	Guarantees that at least three members of the CRC will not hold some other elected public office in the City.
7. 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.	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.
8. Welo Article VII	The City of South Euclid City Council shall sponsor a Resolution requesting the merging of the South Euclid Municipal Court with the Lyndhurst Regional Court once affirmed by the voters in November 2015.	To allow the City of South Euclid Independent Municipal Court to merger with the Lyndhurst Regional Court. The Lyndhurst Court operates on the court costs they collect and returns all City fines to the municipalities.

In 2012, a group of citizens, led by Councilwoman Gray, James Gray, Yakov Lieber, Mary Ilove and me spearheaded a Charter Amendment requiring Council to approve the Law Director every two years. The citizens of our City approved the amendment by over 70% of the vote. This confirmation process is performed by almost all governmental bodies including councils in other cities and the United States Congress, and was adopted for all 7 department heads by the Cuyahoga County Charter, Article V. Without question, it is an important component to the checks and balances of a free society.

This rationale applies today. Additionally, recent history supports review every 2 years, which gives Council more flexibility in accepting the Mayor's appointment, and promotes the public's opportunity to provide input into the process.

Therefore, I respectfully urge the Commissioners to vote against the proposal, and leave the confirmation process every 2 years.

Charter Review Makeup Charter Comparisons

GOVERNMENT	MEMBERS	APPOINTED/ELECTED	REVIEWED
CUYAHOGA COUNTY	9 members: County Executive (9 electors of County with no more than 5 may be same political party)	All appointed by Mayor and approved by Council— No more than 2 may be officer or employee of County	10 years
EUCLID	9 members: 5 Mayor, 4 Council	All appointed	6 years
LAKEWOOD	9 members::: 4 Mayor, 5 Council	All appointed—None can be public officials or work for City	10 years
LYNDHURST	11 members: 4 Mayor, 7 Council	All appointed— None can be public officials or work for City	10 years
RICHMOND HTS.	5 members: Mayor	All appointed by Mayor and approved by Council	5 years
SOLOM	9 members: Mayor (7 members for each ward and two at-large)	All appointed by Mayor and approved by Council	5 years
HIGHLAND HTS.	9 members: Mayor	All appointed by Mayor and approved by Council— None can be public officials or work for City	5 years
UNIVERSITY HTS.	11 members: 1 Mayor, 1 by each member of Council; 3 appointed by majority vote of Council	All appointed—None can be public officials or work for City	10 years
SOUTH EUCLID	9 members	All are elected	10 years