

CITY OF TWINSBURG, OHIO

CHARTER REVIEW COMMISSION MINUTES

April 7, 2014

ROLL CALL: D. Albright, D. Romito, G. Spera, R. Sypen, T. Jones, J. Magnes, D. Martin, D. Detweiler

ABSENT: K. Monachino

ALSO PRESENT: Gary Sorace, Council Member
Katherine Procop, Mayor
David Maistros, Law Director

R. Sypen started the meeting at 7:00PM

APPROVAL OF MINUTES:

- Ms Spera believes that on page 4, section 7AO1, third bullet point should read as follows. (replacing the word “in” with the word “of”)
He has drafted a revision to read that changes of classifications or sub-classifications shall first, go to planning commission, shall second, go to Council and shall third, be approved by the majority of the city and the majority of the ward in question
- Mr. Maistros and Mr. Sypen agree with the above correction.

MOTION TO ACCEPT THE MARCH 31, 2014 MINUTES AS AMENDED.

Moved by R. Sypen, seconded by D. Albright

Upon roll call, motion passed unanimously 8-0 (K. Monachino absent)

AUDIENCE PARTICIPATION: none

OLD BUSINESS:

- Mr. Maistros explains the legislation process. He has drafted legislation for the four sections that were discussed at the March 31, 2014 meeting. Mr. Maistros explains that the Board of Elections is in control of their ballots and that they can change the specific language that will appear on the ballot once they receive it.

New Section 12.04:

- Mr. Sypen reviews the proposed legislation: Draft 12.04 Resolution regarding the use of electronic notification
- The following sections in the Charter reference advertising:
 - Section 3.11 just refers to Section 6.03
 - Section 6.03 references bid postings
 - Section 7.01 references Boards & Commissions
- Ms. Spera does not want the Boards & Commissions ads to be entirely electronic. She would like to see those ads kept in the newspaper as well. There is discussion between commission members on this topic.

- Mr. Maistros explains the cost and timing issues with posting in a newspaper. He also explains that the Charter does not specify a specific newspaper to post in (it could be the Plain Dealer, the Akron Beacon Journal, or the Twinsburg Bulletin)

MOTION TO ACCEPT RESOLUTION DRAFT 12.04

Moved by Mr. Romito, seconded by Mr. Detweiler

Upon roll call, motion passed unanimously 8-0 (K. Monachino absent)

Section 7A.01:

- Mr. Sypen reads Sec. 7A.01 Procedure
- Mr. Maistros provides clarification on the legislation
- Members agree that the proposed draft of this legislation provides the requested clarification

MOTION TO PUT DRAFT 7A.01 PRESENTED TODAY, APRIL 7TH FORWARD THIS TO COUNCIL

Moved by Mr. Sypen, seconded by T. Jones

Upon roll call, motion passed unanimously 8-0 (K. Monachino absent)

Section 4.05 Powers of the Mayor

- Mr. Maistros reviewed the changes in this section. Specifically, the second and third paragraph of section “A”. Mr. Maistros asks the commission for input on whether the remaining unchanged paragraphs should be included in the legislation. Discussion between commission members. Members agree that only the changed section “A” be included on the legislation, and that the word “Executive” be added to the Proposed Charter Amendment language.

MOTION TO ACCEPT DRAFT 4.05 AS WE HAVE AMENDED IT BY JUST INCLUDING SECTION 4.05 SECTION A AND INCLUDED IN THE SYNOPSIS OF THE PROPOSED CHARTER AMENDMENT TO ADD THE WORD EXECUTIVE BEFORE THE WORD POWERS OF THE MAYOR SO THAT IT WOULD READ TO ESTABLISHING THE EXECUTIVE POWERS OF THE MAYOR

Moved by Mr. Sypen, seconded by Mr. Romito

Upon roll call, motion passed unanimously 8-0 (K. Monachino absent)

Section 4.04 Vacancy in the Office of Mayor

- Mr. Maistros reviews the succession plan in filling a vacancy in the office of the Mayor.

MOTION THAT THE DRAFT AS PRESENTED TO US 4.04 BE ACCEPTED

Moved by Mr. Sypen, seconded by Mr. Detweiler

Upon roll call, motion passed unanimously 8-0 (K. Monachino absent)

Article VIII Nominations, Elections, & Qualifications

- Mr. Maistros explains the draft that he prepared, changing one word, “May” to “September”
- Mr. Maistros points out that by making this change, the primary will always be the day after Labor Day
- Ms. Spera discusses timing concerns of individuals who would like to run for mayor, and if they do not win, who would then like to run for a seat on council. She suggests possibly moving the date of the primary to August to eliminate this potential conflict. Commission members, Mr. Yates, & Mr. Sorace discuss this situation.
- The way council is currently set up with staggered terms, it would impact the four council seats that are running at the same time as the mayoral election. The other three council seats are not impacted, which results in an unfair situation between council members.
- Mr. Yates brings up monetary concerns of running in primary and election.

MOTION TO MOVE THIS FORWARD TO A RESOLUTION WITH CHANGING OF THE WORD SEPTEMBER TO AUGUST

Moved by Ms. Spera, more discussion on dates and timing, **Motion not seconded.**

- Mr. Sypen recommends tabling this issue for now, and asks that commission members look into this and carefully review dates and timing issues.
- Mr. Magnes asks Mr. Maistros to draft language that would state that the sitting Mayor would not run in the primary. The mayor would run in the election against whichever candidate wins the primary. Mr. Sypen and Mr. Sorace disagree with this option, stating the unfair advantages, including monetary, that the sitting mayor would have. After discussion, it was decided that Mr. Maistros would not draft that language.

Civil Service:

- Mr. Maistros would like to present proposed changes and get input from the Civil Service Commission when they meet on Thursday.

Boards & Commission & Mayoral Appointments:

- Mr. Maistros proposes leaving the Planning Commission ward specific, and possibly giving the Mayor some appointment on other boards & commissions.
- Currently, council appoints all boards & commissions, with the mayor not having any appointments on boards & commissions
- Ms. Spera states that boards & commissions are recommending bodies to council, that they serve the council, and should be elected by the council
- Commission member suggests having checks and balances by having the mayor and council having appointments.
- Mr. Sorace & Mr. Yates discuss that currently, the mayor can be involved in the discussions and provide opinions on appointments. They do not feel that this is an issue, and that current procedures have been working fine.
- All other Summit county cities have the mayor provide appointments and council confirms them. Twinsburg is unique in the process that is used.

- After discussion between members and Mr. Maistros, it is decided that Mr. Maistros will draft Section 4.05B dealing with the legislative powers of the mayor to allow the mayor to have a vote on Boards & Commissions.

Council Terms

Pete Metropulos of 9044 Gettysburg Dr. Twinsburg Oh 44087 (Audience Member)

- Questions Mr. Maistros about when / if a charter amendment was done that changed councils term of office start date from Dec 1st to a floating day (first meeting date).
- Mr. Maistros clarifies that it is currently written that “Council members elect shall assume office at the first regular meeting of council in December next following their election.” The issue comes when determining the ending date. The regular term of a council member is four years. Board of elections prints term beginning, term ending dates. There are times when the ending date may be after the next date that new council members are sworn in.
- Members discuss this issue and ask Mr. Maistros to draft language addressing it. (changing it to the first Tuesday of December)

NEW BUSINESS:

Summer Recess:

- Ms. Spera spoke with Ms. Mohr regarding changing the timing of summer recess. Ms. Mohr confirmed that she can adjust her schedule as needed, as long as it doesn't take effect until 2015.
- Mr. Sorace will discuss with other council members at the next council meeting and get their input.

Parks & Rec: (143.01)

- Discussion on this section will be tabled until Ms. Monachino is present.

AUDIENCE COMMENTS: (no additional – see above “Council Terms” section)

MISCELLANEOUS:

- Mr. Maistros asks for clarification on the Parks & Rec document that was distributed.
- This section will be addressed at the next meeting.

NEXT MEETING DATES: April 21, 2014 7:00PM

ADJOURNMENT:

Mr. Sypen makes a motion to adjourn

Seconded by Mr. Romito

This meeting unanimously adjourned at 7:58 PM