

**City of Maple Heights
Charter Review Commission Meeting Minutes**

Via Video/Teleconference

February 25, 2021

Law Director Frank Consolo called the first meeting of the City of Maple Heights 2021 Charter Review Commission to order at 6:08 p.m. Those present were Charter Review Commission members Ms. Katurah Johnson, Ms. Rikki Brown, Ms. Michele Rudolph Ms. Almeida Dye, Ms. Lakiesha Nevels, Ms. Daphne Coleman, Ms. Linda Mitchem, Ms. Angela Oglesby, Mr. Herb Wilborn, Ms. Jackie Albers and Ms. Lois Poole. Also present were Law Director Frank Consolo and Clerk of Council Leonette Cicirella Johnson.

Mr. Consolo welcomed the Members of the Commission and said that the Commission was comprised of two (2) appointees by the Mayor, one (1) appointee from each District selected by each Councilperson and two (2) alternates as appointed by the Council President. He said the first order of business for the Commission at tonight's meeting would be the selection of a Chair and Secretary for the Commission.

Mr. Consolo said that per the City Charter, the Charter Review Commission will meet for the next six (6) months from now through August. He said the fourth Thursday of each month was chosen as the date for these meetings and that due to the pandemic the meetings would be held via video/teleconference. Mr. Consolo advised the Commission that the meeting schedule could be amended by the Commission to meet more than once per month if deemed necessary.

Mr. Consolo said each Commission Member should have received a packet delivered by an Auxiliary Police Officer and that the most important item was the hard copy of the City Charter. He said the purpose of the Charter Review Commission was to look at the different Articles and Sections of the Charter. Mr. Consolo said this review was done every five (5) years to update the Charter as may be necessary to remove items that are not needed, to clarify Sections, to make sure the Charter is in conformity with current State and Federal provisions and to make any changes for the City as it has grown. He said Commission Members may request to hear about the Charter and possible changes from the City's elected officials, from the Directors and from the Department Heads. Mr. Consolo described the various City Departments to the Commission and gave the name of each Director, starting with the Law Department. He said the Law Department also included the Human Resource Department under its purview; Police Department: Police Chief Todd Hansen; Fire Department: Fire Chief Vito Kavaliunas; Service Department: Director Tony Ciresi; Building Department: Managed by Economic Development Director Patrick Grogan-Myers with the Chief Building Official from SafeBuilt, Inc.; Finance Department: Finance Director Tinita Tillman; Human Services Department: Human Service Director Mrs. Linda Vopat. He said all City Departments are set in the Charter.

Mr. Consolo said that besides the Charter Review Commission various other Boards and Commissions were established by the Charter including the Planning and Zoning Commission and the Civil Service Commission. He said an Architectural Review Board was recently started in the City which had not been active for some time.

Mr. Consolo said the Charter paralleled the Constitution of the City and that it was our guide as to “how things are run.” He said we go first to the Charter to determine the law of the City. Mr. Consolo said that from the Charter were the Codified Ordinances of the City. He said the Codified Ordinances flow from the Charter and were the everyday laws that were in place to govern. Mr. Consolo said the Codified Ordinances were published for the City by American Legal Publishing and were available online at www.amlegal.com. Mr. Consolo said the Codified Ordinances include Sections that deal with criminal cases and also the City’s Building Code. He said these ordinances also parallel Federal and State laws.

Mr. Consolo said the City Charter also dealt with the different branches of government including the Executive Branch in Article V, the Legislative Branch concerning Council in Article VII and the Judicial which included the City’s Mayor’s Court with limited judicial powers. He said Mayor’s Court was held by a Magistrate who was the Judge for those cases. Mr. Consolo said all branches of government were provided by Charter and that some parts of it may not need to be changed. He said that some parts were self-explanatory.

Mr. Consolo asked if there were any questions from the Commission.

There being no questions, Mr. Consolo said the Commission would proceed to nominations for the position of Chair of the Commission. He said the Chair was an important position. Mr. Consolo said this Member will work closely with the Law Director and the Clerk of Council to select the topics for the agenda for each meeting and will run the Commission meetings including the call to order, allowing members to speak and maintaining order during the meetings.

Mr. Consolo asked if there were any nominations. Ms. Mitchem nominated Ms. Johnson as Chair of the 2021 Charter Review Commission. Ms. Rudolph seconded this nomination.

Mr. Consolo asked if there were any other nominations. Ms. Oglesby nominated herself which was seconded by Ms. Dye.

Mr. Consolo asked if there were any other nominations. Mr. Wilborn asked which of the candidates was familiar with the charter review process and was experienced with the work of the Commission.

Mr. Consolo said that was a good point and that it would be good to have everyone introduce themselves to the other members before voting for the Chair and Secretary of the Commission.

Ms. Johnson said she was a retired school teacher and had been a resident of Maple Heights for twenty-eight (28) years. Ms. Johnson said she loved Maple Heights and had been a member of the 2016 Charter Review Commission. Ms. Johnson said she would be a good chairperson since she had worked on other committees and was familiar with these types of meeting. Ms. Johnson said she has held past leadership positions and had worked with District 1 Councilman Shenett.

Ms. Brown said she was the representative from District 2 and was currently the precinct committee person for 2B. Ms. Brown said she had no interest in being the Chair of the Commission.

Ms. Rudolph said she was the representative from District 3 and was currently the precinct committee person for 3A. Ms. Rudolph said she worked with Ms. Johnson on the 2016 Charter Review Commission.

Ms. Dye said she was an eighteen (18) year resident of the City and had worked on District 4 Councilwoman Anderson's campaign. Ms. Dye said she was not familiar with the Charter Review process but would work together with the other members.

Ms. Nevels said she was an eighteen (18) year resident of the City and had worked twenty (20) years in the IT Department for Heinen's. Ms. Nevels said she was excited to learn new things and was willing to work with the other members.

Ms. Coleman said she was the representative from District 6 and that she had been a resident of Maple Heights for twenty-eight (28) years. Ms. Coleman said she was not interested in being selected as Chair of the Commission but would be willing to work with whomever was selected.

Ms. Mitchem said she had been a resident of the City for seven (7) years and that she also had no interest in being selected as the Chair. Ms. Mitchem said she nominated Ms. Johnson because she knew Ms. Johnson was familiar with the Commission's work.

Ms. Oglesby said she was a twenty-seven (27) year resident of the City and had been a former Building Department employee. Ms. Oglesby said she was willing to work and had attended a lot of Council Meetings. Ms. Oglesby said she would be a good Chair because she had a big mouth and had worked on other committees. Ms. Oglesby said she currently worked in customer support for an IT Department.

Mr. Wilborn said he was a thirty-three (33) year resident of Maple Heights and that his children went through the City's school system. Mr. Wilborn said he was a retired chemical mixer from GE and currently worked as a professional jazz musician. Mr. Wilborn said his band had played in the City's Music in the Park program. Mr. Wilborn said he was interested in learning about the Charter review process.

Ms. Albers said she was appointed by Council President Jackson as an alternate and that she had been involved with the 2011 Charter Review Commission. Ms. Albers said it was a pleasure for her to have been appointed and that she liked to stay involved in the City. Ms. Albers said she had served as a former Council President for the City.

Ms. Poole said had also been appointed as an alternate for the Commission and that she had been a resident of Maple Heights for eighteen (18) years. Ms. Poole said she was retired from AT&T and has worked closely with Mr. Jackson. Ms. Poole said this Commission was all new to her but that she was willing to work with the Commission and was excited to be involved in it.

Addressing the Alternates, Mr. Consolo said they would be required to attend all the meetings but would have no vote.

Mr. Consolo said there were two (2) nominations for Chair of the Commission and asked if there were any other nominations. There being no other nominations, Mr. Consolo closed the nominations.

Ms. Mitchem made a motion, seconded by Ms. Rudolph, to elect Ms. Johnson as Chair of the 2021 Charter Review Commission.

ROLL CALL on the motion to elect: Johnson: Yes; Brown: Yes; Rudolph: Yes; Dye: Yes; Nevels: Yes; Coleman: Yes; Mitchem: Yes; Oglesby: Yes; Wilborn: Yes.

Ms. Johnson was elected Chair by the vote of nine (9) ayes to zero (0) nays.

Mr. Consolo asked if there were any nominations for Secretary of the 2021 Charter Review Commission. Mr. Wilborn nominated Ms. Rudolph as Secretary since she also had previous experience with the Commission. Ms. Rudolph thanked Mr. Wilborn for his nomination but asked if any other members would be interested in this position. Ms. Rudolph said she had already served in prior leadership roles so she would prefer that someone else accept this position.

Mr. Wilborn nominated Ms. Oglesby as Secretary of the 2021 Charter Review Commission. Ms. Coleman seconded this nomination.

Mr. Consolo asked if there were any other nominations for Secretary of the Commission. There being no other nominations, Mr. Consolo closed the nominations.

Ms. Dye made a motion, seconded by Ms. Nevels, to elect Ms. Oglesby as Secretary of the 2021 Charter Review Commission.

ROLL CALL on the motion to elect: Johnson: Yes; Brown: Yes; Rudolph: Yes; Dye: Yes; Nevels: Yes; Coleman: Yes; Mitchem: Yes; Oglesby: Yes; Wilborn: Yes.

Ms. Oglesby was elected Secretary by the vote of nine (9) ayes to zero (0) nays.

Mr. Consolo said that before he turned the meeting over to Ms. Johnson he wanted to remind all the members to return their completed W-9 forms and Oaths of Office to the Clerk of Council. Ms. Mitchem asked if there was a turn-in date. Mr. Consolo said it was important to have these forms returned as soon as possible to get the members into the payroll system.

Ms. Johnson thanked everyone for the vote of confidence in her by selecting her as Chair of the Commission and asked if any of the members had any questions concerning how the Commission operated. There being no questions, Ms. Johnson said the Commission would proceed by dividing the Charter into sections for review to see if there were any changes to discuss.

Mr. Consolo said that after the Commission reviewed the sections of the Charter and voted on any changes such as additions or deletions to it, the Charter Review Commission then will present their recommendations to Council. He said Council will approve legislation to send these Charter issues to the Cuyahoga County Board of Elections for the voters to have the ultimate say whether or not to make changes to the Charter. Mr. Consolo said that at some point the Commission will want the City's elected officials at their meetings to hear what they think would need to be reviewed. He said the CRC was an independent body but that it was proper to seek input from elected officials, directors and residents.

Ms. Johnson thanked Mr. Consolo for this additional information. Ms. Rudolph asked for clarification regarding the Commission's recommendations going to Council first.

In response, Mr. Consolo said it was his job as the Law Director to receive the Commission's recommendations and make sure they were in proper legal form as ordinances that Council will send to the Board of Elections. He said the Board of Elections will prepare the ballot language and place the issues on the City's ballot.

Mr. Wilborn asked who presented their recommendations to Council. Mr. Consolo said that was done procedurally through the Law Department in the form of ordinances based on "the recommendation of the Charter Review Commission..." and Council will then forward the Charter issues to the Board of Elections.

Ms. Oglesby asked if the Commission voted on the recommendations like other ordinances to which Mr. Consolo responded in the affirmative. Mr. Consolo said all recommendations must be approved by a supermajority (2/3) of the members of the Commission which would be six (6) affirmative votes. He said the Commission may also decide not to make any changes to the Charter.

Mr. Consolo reiterated that the Commission will vote on any changes to the Charter and only those approved by the Commission will be taken to Council through the Law Director. He said Council will vote on the legislation to have the Charter issues placed on the ballot for the November 2021 general election. Mr. Consolo said the City's voters will either accept or reject the revisions.

Mr. Wilborn asked what would happen if Council did not pass this legislation. Mr. Consolo said Council does not review the merits of the recommendations but only approved the ordinances to place the issues on the ballot.

Ms. Johnson asked if there were any other questions. There were no other questions. Ms. Johnson said it was important for the members to read the sections of the Charter before discussing at their meetings.

Ms. Mitchem concurred that the Commission would need time before each meeting to read the Charter.

Ms. Dye said the Commission should start with suggestions from the Council people and the Mayor.

Ms. Johnson said that since all of them had been appointed by their respective council representatives or the Mayor the members should talk with them and see if they had any suggestions. She said at the last Charter Review Commission the Mayor and members of Council had attended the meetings.

Ms. Johnson said the Commission's next meeting will be held on Thursday, March 25, 2021 and that she would suggest that the Commission discuss the first four (4) Articles of the Charter and perhaps Article V.

Ms. Consolo said he would suggest that at their next meeting the Commission review Articles I through Article VII, Section 8. He said there will not be any changes to Articles I and II, so the Commission could focus on Article III regarding Elective Officers, Article V regarding The Executive and Article VII concerning Council. He said Article IV would be a quick review for the Commission. Mr. Consolo said the Commission could request the Mayor and Council members to attend the March 25th meeting.

Ms. Johnson concurred with Mr. Consolo's suggestion and asked the members to review Articles I through VII, Section 8.

The Clerk of Council said she would be preparing the agendas for the Commission meetings and also the meeting notices since Charter Review Meetings were public meetings. She said Commission members will receive electronic copies of each of these documents in addition to a copy of the minutes from the previous meeting for their review and approval.

Mr. Consolo said this was a good reminder that since these meetings were public meetings they fall under the State Sunshine Laws regarding Open Meetings. He said these laws require that the Commission members cannot meet outside of the scheduled public meetings. He said the members cannot put together a group call and cannot conduct any business outside the meeting time.

Ms. Johnson asked if there were any other questions or comments. Ms. Mitchem thanked Ms. Johnson for accepting the nomination for Chair of the Commission and that she looked forward to working with all of the Commission members.

There being no further business, Ms. Johnson adjourned the meeting at 7:12 p.m.

Passed: March 25, 2021

ATTEST:

S/S Leonette Cicirella Johnson, Clerk of Council