

## RULES & ORDINANCES COMMITTEE MINUTES

April 5, 2005

The Rules & Ordinances Committee meeting was held on April 5, 2005, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 6:30 p.m.

**Present:** Committee Members: Chair Robin Zaccardelli, Denise Bobulsky, Donald Willey; Robert Stefanik, Vincent Gentile, Tom Koch, Lisa Uffman-Kirsch.

Ms. Zaccardelli moved to approve the minutes from March 1, 2005, seconded by Mrs. Bobulsky.  
3 yeas/0 nays. Motion carried.

### UNFINISHED BUSINESS:

#### 1. **Proposed Legislation Amendment to Section 220.07 Settlement of Litigation Matters and Appeals**

Mr. Willey said he is not as concerned about the dollar amount as much as he is concerned about the principle of notifying Council and being aware before any settlement is done. Mrs. Bobulsky said in Mr. O'Donnell's March 16, 2005, memorandum he states that regular reports of the status of litigation would be available quarterly for the Finance Committee to review. Ms. Zaccardelli said with a report it could be done and over with before Council receives it and that would be too late. Council should know about it before it happens. Council has control of the money and ultimately it is Council's responsibility and Council should have a say in it. Mr. Willey thought there should be some discretion on the lower dollar amounts to settle lesser issues. He sees conflict regarding settlement negotiation regarding the information given to Council that could be jeopardizing to the settlement negotiation in the dollar amount being disclosed before the actual settlement of that amount. Mr. Stefanik said that confidential reports could be issued to Council as quarterly reports as suggested by the Law Director. If they are not being received then this process could be legislated. It may not be necessary to do so at this time. Mr. Stefanik said that the threshold is too high and he would like to see the amount about \$2,500. If the Law Director gives a verbal commitment saying Council could get quarterly reports regarding status of litigation he would be satisfied with that. If we do not get the reports it could be legislated later. Ms. Zaccardelli said she would be willing to go with the lower amount of \$2,500 and quarterly reports. Mrs. Bobulsky said she thought \$2,500 is low. Mrs. Uffman-Kirsch reviewed that the initial reason of the legislation had nothing to do with the dollar amount; rather it was a housekeeping item to clear up where appeals go. The original Section 220.07 was written because prior Law Directors would not inform Council because there was no code requirement for them to advise or consult. Mr. O'Donnell agreed that the section could be cleaned up as it related to a conflict with another section as it related to where appeals go. Ms. Zaccardelli and Mr. Willey have an issue with the \$25,000 amount. Mr. Koch said that in the information from the Law Director Mr. O'Donnell said he did not have an issue with the lowering of the dollar amount and Mr. Koch suggested the amount of \$5,000. Mr. Willey said if Council knows of the litigation ahead of time that the amount may not be a problem. As long as Council has been informed of litigation before there is settlement, he does not have a big problem with it. He feels that \$5,000 is reasonable.

Mr. Willey moved to amend the proposed legislation from \$25,000 to \$5,000, seconded by Mrs. Bobulsky.  
3 yeas/0 nays. Motion carried.

Mr. Willey moved to recommend approval to Council of this proposed legislation as amended, seconded by Mrs. Bobulsky. 3 yeas/0 nays. Motion carried.

### NEW BUSINESS:

#### 1. **Proposed Ordinance 04-183, Accountability for Public Improvement Projects**

Ms. Zaccardelli announced that she is going to withdraw her sponsorship of this legislation. She will return to this subject at a later time.

Mr. Willey announced that he is withdrawing his name as sponsor of this legislation.

Item removed from the committee agenda.

**2. Proposed Ordinance 05-29, Mayor Appointment of Christine Ragone to Recreation Board**

Ms. Zaccardelli said she feels there is a conflict. Mr. Pete Ragone does a lot of work for the city and the Recreation Department and she feels this may be a conflict having Christine Ragone on the Recreation Board. Ms. Zaccardelli would like an opinion from the Law Director regarding this.

Mr. Willey said that there was an authorization for a soccer field building improvement with money being spent, that work has not yet been completed and that there may be litigation pending. He would also ask for the opinion of the Law Director regarding Mrs. Ragone being appointed to the Recreation Board.

Mrs. Bobulsky said that Chris Ragone has been on the board of the soccer club during the time period where Mr. Ragone was not under contract but said he would do the work for the soccer club. He has never been under contract with the city to do the soccer improvements at the fields. The soccer club is looking into finding someone else to complete the job. The issue is if there is money that will need to be spent in locating another contractor, that status is unknown at this time because a representative of the soccer club has not been at the last two or three Recreation Board meetings. She said it would be nice to have someone on the Recreation Board representing the soccer club because that is not the case at this point.

Mrs. Bobulsky said Mrs. Ragone remained on the soccer club board during this time and Mrs. Bobulsky would not see a problem with her being on the Recreation Board.

Ms. Zaccardelli said this will remain on the agenda pending a legal opinion from Mr. O'Donnell regarding if a conflict exists concerning the appointment of Mrs. Ragone to the Recreation Board and the fact that Mr. Ragone being the contractor doing work for the soccer field.

An update is needed from the soccer club as well. A representative will be asked to attend the Recreation Board meetings.

Mrs. Bobulsky moved to adjourn the meeting, seconded by Mr. Willey. 3 yeas/0 nays. Meeting adjourned at 7:03 p.m.