

## **RULES & ORDINANCES COMMITTEE MINUTES**

**November 7, 2007**

The Rules & Ordinances Committee meeting was held on November 7, 2007, at North Royalton City Hall, 13834 Ridge Road. The meeting was called to order at 6:33 p.m.

Present: Chair Robert Stefanik, Kurt McKee, Larry Antoskiewicz; Council; Denise Bobulsky, Vince Gentile, Don Willey, Lisa Uffman-Kirsch; Other Attendees; Gary Petrusky, Ashley Petrusky, Paul Marnecheck, Nick Cinquepalmi, Linda Zalenka.

Moved by Mr. Antoskiewicz to approve the minutes from the April 3, 2007, meeting, seconded by Mr. McKee. 3 yeas/0 nays. Motion carried.

### **1. Proposed Ordinance 07-116 appointment to Parma Hospital Review Board**

Mr. Stefanik said that information was distributed regarding the appointment of Mrs. Zalenka who was present to answer questions. Mrs. Uffman-Kirsch said that based on the resume and information provided she would do a thorough job and be able to carry out the duties in a good manner.

Mr. Willey said that since there will be a new Mayor and Council in a few weeks, he would like to wait until the time when the new members are in before making a decision with regard to this appointment. He would also like to know what the responsibilities are of the board members. Mrs. Zalenka explained what she knew of the position, and how her background would fit the primary role of fundraising that this position would need as well as other duties that may arise.

Mr. Antoskiewicz said he would like this to be reviewed after the new administration takes office.

Mr. Stefanik was asked what the new administration intended. Mr. Stefanik thought that the vacancies should be made public and resumes be sought for review. The general public would then be made aware of the vacancy and perhaps more applicants could be reviewed for selection.

Mrs. Bobulsky said that the vacancy has been sitting around for a while and that Parma Hospital is anxious to have it filled. Mr. McKee said that Council was not made aware that this has been vacant for any length of time. Mr. Willey did not feel that there was urgency.

### **2. Proposed Ordinance 07-130 Charter amendment filling vacancies on Council**

Mrs. Bobulsky said that this Ordinance would deal with how Council would fill a vacancy if one would occur. It is modeled after Cleveland. Ultimately this would go to the electors. Mrs. Uffman-Kirsch said that the difference from what is done now is that the applicants would go to the electorate as soon as possible as opposed to Council filling a seat for the remainder of a term. Mr. Willey felt that there would be times that Council would need the super majority. There could be a scenario with more than one opening. Where there would be legislation requiring a majority of Council, various wards would not have representation for perhaps a longer time than now.

Mrs. Uffman-Kirsch said that Council would appoint the vacancies until the next general election as they do now. A special election would occur if the vacancy would be more than six months. The approximately \$5,000 involved would be money well spent and not be considered a frivolous expenditure of the taxpayer dollar.

Mr. Gentile said that Cleveland does not have an at-large position and modeling after that may not work. He reviewed the current process under our Charter to allow that the government move forward. Mr. Stefanik asked if there were other cities used in making this ordinance and asked for copies of the legislation used. Mr. Stefanik recommended reviewing this after the additional information is received.

### **3. Proposed Ordinance 07-131 amending 220.06 Rules of Council, Rule XXIII filling vacancies on Council**

Mrs. Uffman-Kirsch asked if anyone had any questions on this. No one present had discussion or question. Mr. Stefanik said he would recommend reviewing this after the additional information requested above is received.

Mrs. Uffman-Kirsch said these are not tied to each other; they are related, but not tied to each other. She said that this addressed things raised during the recent filling of the Ward 5 vacancy. This talks of what happens during the process Council utilizes when filing vacancies. The public would be informed of the submission of letters of interest and qualifications, in-person interviews open to the public with the thinking that this is supposed to be an elected position and until such time they can be elected it would be important for Council to get the input of their constituents.

Mr. Willey thought this might be a topic for the Charter Review Commission and then the Council Rules could be changed after the Charter is reviewed.

Mrs. Bobulsky felt that more of the point is to have the applicants be present in front of all of Council for one interview as opposed to phone call interviewing.

Mr. Willey said that all applicants were invited. He does not know that the city is responsible for that. All participated in the last process, even if they did not make it to attend the meeting.

Mrs. Uffman-Kirsch said she does not have a problem with the person chosen; she has a problem with the process.

Mr. Gentile thinks each Council member should have the right to discuss in private with the applicant and that it is permitted to be done in confidence. If this is dragged on then Council and the citizens it represents will lose its right to fill the vacancy and it would be turned over to the Mayor.

Mrs. Bobulsky said this is not a new occurrence. It is used by other communities. This piece of legislation is putting the process on paper. It is nothing different than the interview process that occurred with the vacancy in Ward 5.

Mr. Gentile said that if this is considered then the Charter should be changed to perhaps 60 days for the ability of the Mayor to appoint.

Mr. Willey said if this is codifying what was done then there is no need to codify this.

Mrs. Uffman-Kirsch felt that this should be done all the time and the public should be involved.

Mr. Antoskiewicz asked if this was done with an election, why all of the other actions would be necessary for the filling of the vacancy temporary for only 30 days. Mrs. Uffman-Kirsch said it is not being appointed for 30 days it is within 30 days for up to 6 months and someone should be qualified.

Mrs. Bobulsky said that it is the right of the people to select. Mr. Willey said that a petition could be sent. Council is given the authority by their election to carry out the duties of Council.

Mr. Stefanik asked Mrs. Uffman-Kirsch to give the information to the Council Office. Mrs. Uffman-Kirsch said she would give the list of communities used for the modeling of the ordinance.

Mr. Antoskiewicz moved to adjourn the meeting, seconded by Mr. McKee. 3 yeas/0 nays. Meeting adjourned at 7:20 p.m.