



CITY OF FAIRVIEW PARK

20777 Lorain Road
Fairview Park, Ohio 44126-2018
- *Established in 1910* -

Eileen Ann Patton, Mayor

**CHARTER REVIEW COMMISSION MINUTES
MEETING #10
MARCH 5, 2019 | 6:30 PM
FAIRVIEW PARK CITY HALL, DUNSON COMMUNITY ROOM**

Members Present: Ms. Lauren Markus, Mr. Nicholas Alexander, Mr. John Betts, Mr. Matthew J. Cavanagh, Esq., Mr. Pat Cooney, Esq., Mr. J. Patrick Lang, Mr. John Mandula, & Ms. Erika Roitblat-Bowers

Staff Present: Ms. Monica Rossiter and Mr. Joseph Gibbons, Esq.

The Charter Review Commission meeting began at 6:30 PM.

Roll call was taken. Ms. Michelle Sayer was excused from the meeting.

The Commission approved the minutes from meeting #9 on Monday, February 4, 2019.

Public comment was opened. No members of the audience addressed the Commission and public comment was closed.

The Commission began their review of all open items, the first of which is to amend the Charter to replace “he”, “his”, and all other gender-specific pronouns contained throughout the entire Charter with the applicable position-specific gender-neutral title. For instance, when “the Mayor” is referred to as “he”, “he” would be replaced with “the Mayor”. Members of the Commission were in support of this amendment.

The Commission discussed the procedure for making recommendations to City Council, and it was determined that staff will draft ballot language to be voted upon by the Commission at their next meeting. Following this meeting, all Charter amendments being recommended to City Council are to be drafted in ordinance form.

Next, the Commission discussed the implementation of staggering terms for members of City Council. After reviewing the options for instituting staggered terms, it was determined that the Commission will recommend that President of Council and Councilperson At-Large shall be elected in the regular municipal election scheduled in November 2023, for a term of four (4) years beginning January 1, 2024, and every four (4) years thereafter, and that the five (5) ward Council positions shall be elected in the regular municipal general election scheduled in November 2023, for a term of two (2) years, for positions beginning January 1, 2024, and said positions will stand for election in November 2025, for four (4) year terms beginning January 1, 2026, and every four (4) years thereafter.

The Commission moved on to the item pertaining to making ordinances, resolutions and other items under review by City Council more readily accessible to the public. Various options, including the posting of such information at other locations in the City, were discussed and it was determined that language would be added to require that all of such information be posted “in a broadly accessible place as prescribed by Council”, and that all of such information be posted on the official City website.

Next, the Commission discussed the repeal of referendum zoning, and the majority of members were in support of moving forward with this recommendation. The Commission discussed the procedure for notifying the public of

proposed zoning changes and agreed that if referendum zoning is to be eliminated from the Charter, it is critical that the requirements for notification to the public be evaluated and improved if necessary. The Commission discussed the existing requirements, as well as different radiuses within which notification should be made. Staff explained that at the next meeting the Commission can vote on ballot language, and that different iterations will be provided in respect to the requirements for mailing notifications to the public. Staff explained that City Council has their own requirements for such mailings and Commission members suggested referencing the Rules of Council in this section and requiring that the more restrictive guidelines be followed. Emphasis was placed on the requirement that proposed zoning changes must be referred to the Planning & Design Commission prior to a vote by City Council, even with the current referendum zoning in place, and that this step allows for sufficient time for the public to show support or opposition for proposed zoning changes.

The Commission moved on to discuss the amendments proposed for Article VIII, Section 6, "Public Bidding". Such amendments included adding a provision that enables purchases over \$50,000 to be made without public bidding in the event of an emergency; replacement of "lowest and best" with "lowest responsive and responsible", and an increase in the expenditure limit. The Commission discussed different options for its proposal to City Council, and decided to recommend that the State of Ohio statute be referenced rather than a numeric limit, but in an amount that can be no less than \$25,000 or \$35,000. The Commission decided to table their conversation and address this topic during the next meeting. The Commission discussed adding a provision to show that the City can forgo the bidding process when using a State of Ohio Purchasing Contract that has been publically bid in accordance with City standards. Staff stated that they would discuss this item with the Director of finance and Director of Public Service & Development.

For the next item, relating to when the regular municipal election is held in the City, it was previously suggested that the City amend the Charter so that its elections fall on the same day as most communities in the County. Staff reported that after speaking with the Board of Elections, it was determined that about half of the cities in Cuyahoga County hold their primaries in May, and the other half holds their primaries in September. The Commission determined that amending the election date will have no benefit to the City.

Lastly, the Commission discussed the final proposed amendment, which is the correction of an error in Article IX, Section 3. In the second paragraph of this section the number of candidates for Council-At-Large required for a primary election to be held should be 2 candidates, not 6 candidates, which is currently listed and does not correspond with the first paragraph of this section, which specifies that the top 2 candidates shall be on the ballot of the general election.

The Commission cancelled their next meeting on Tuesday, March 19 to provide for an adequate amount of time for the drafting of ballot language. They decided to reconvene at their meeting scheduled for April 2, at which time the Commission will determine which proposed ballot items will be submitted to City Council.

Public comment was opened. No members of the audience were present and public comment was closed.

The meeting was adjourned at 8:03 PM.