

CITY OF WICKLIFFE CHARTER REVIEW COMMISSION

TUESDAY, MARCH 25, 2008

Meeting Minutes

The Wickliffe Charter Review Commission held its meeting on Tuesday, March 25, 2008 in Council Chambers. The meeting was called to order at 7:02 p.m. by Chairperson Cindy Marino.

Commission Members present: Cindy Marino, James Schall, Nancy Cole, Don Contenza, Ron Ely, Joe Oboczky, Cookie LoSchiavo, Mary Ann Surtz and Judy Powers.

Cindy Marino asked if there were any additions or corrections to the minutes from the March 11 meeting. Joe Oboczky made a motion to accept the minutes as published; seconded by Judy Powers. All were in favor.

At this time, the Commission took the time to read the questions that were sent to Dan Paschke and Martin Germ regarding the Public Bidding process. They were also given the response that was sent from the Service Director. Maria told the Commission that Sue lafelice called her today to let her know that Dan Paschke and Martin Germ would not be attending the meeting as previously thought. They will come to a meeting after the Mayor has come to speak with the Commission.

Joe Oboczky submitted three (3) questions to Martin Germ and Dan Paschke regarding the Contracts:

Question 1 was "How many contracts are awarded on average annually between \$10,000 and \$25,000?" Joe noted that Question 1 was not directed only to Mr. Germ and Mr. Paschke. What he was looking for was a total number of bids between \$10,000 and \$25,000 accepted by the City as a whole. Cindy Marino had a printout of the Revised Code for the State of Ohio and the City. Mr. Oboczky stated that he believes that some cities make a distinction between expenditures and contracts. Where expenditures may be \$3,000 or \$4,000 and contracts may be \$25,000. Cindy read from the Ohio Revised Code 731.141 "In those villages that have established a position of Village Administrator,The Village Administrator shall make contracts, purchase supplies and materials, and provide labor for any work under the administrator's supervision involving not more than \$25,000." There is a distinction in the Ohio Code for expenditures and contracts. Mary Ann Surtz can see where we may want to differentiate between expenditures and contracts in our Charter.

Question 2 asked "Are local businesses given any extra consideration when they bid on contracts and how?" There is no special consideration for local businesses. Joe O. stated that he was told that it is illegal to favor local businesses for contracts.

Question 3 asked "Is it required by state law that notices for contract bids be advertised in newspapers?" It is required by law that contract bids be listed in local newspapers for at least 2 days but not more than 4 days. Cindy Marino, Joe Oboczky, Jim Schall believe that the city can put a small advertisement in the newspaper listing what the city is looking for bids on then refer to the City website for further information regarding the bidding process. Maybe even put a telephone number to contact for such information. They believe that this would cut the cost of the advertising. Maria will send a memo to Bill Gargiulo asking if all information must be 'published' in the paper or can an advertisement summarizing the need appear in the newspaper then the bidding contractor will be referred to the City of Wickliffe website and the Department phone number for more of the information and how to place a bid. They believe that providing all of the information on the website or through a mailing would cut the cost of the newspaper ad and would make it easier for the City and for the contractor that would like to bid. The ORC does not require that all information appear in the advertisement; it just needs to be readily available to the bidding contractor. Judy Powers doesn't object to this but does not think it simplifies the process.

The group began to go over the Charter to see which Sections they have marked to be discussed in more detail. A decision will be made whether or not to pursue changes. The following are the Sections that will be discussed at future meetings:

Page 6. Article III. The Council. Section 1. Composition, Term and Qualifications. There was discussion pertaining to whether or not to attempt to stagger the term limits. Don Contenza would like to know why Mayor Ruffner and Council would not like this. Judy Powers is concerned that at some point in time this Council will consist of all new councilpersons with no experience. All agree that this is an issue that they would like to discuss further.

Ms. LoSchiavo thinks Councilpersons should be a resident of the city for 3 years prior to their election. After much discussion, all agreed to leave the residency requirement as is.

Page 11. Article IV. The Mayor. Section 2. Qualifications. Mary Ann Surtz thinks that our Mayor should have to live in our city for more than 1 year. She believes that he/she should live in the city for 2 to 3 years prior to their election to Mayor. Joe Oboczky made a motion to suggest the change from 1 year to 3 years for Mayor. The Charter shall read: The Mayor shall have been for at least three (3) years prior to his/her election, and during his/her term of office shall continue to be, a resident of the City of Wickliffe and a qualified elector thereof. Cookie LoSchiavo seconded the motion. All were in favor. This opens up the issue of the Council President. Jim Schall believes that Council should also be a resident for 3 years. Cookie LoSchiavo agrees. Joe Oboczky asked the secretary to find out what the requirements of Council were prior to 1966. What were the term limits and the residency requirements?

Joe asked if changing the residency requirements of the Council and the Mayor would be two separate items on the ballot if it passes through Council and is put to the voters. With that, they have decided that they will not pursue changing the requirements for Council members. The Mayor's requirements will be discussed further.

Page 18. Article VIII. Finances. Section 2. Appropriation Ordinance. There are a lot of questions regarding this Section. This Commission believes that 180 days (6 months) is a long, long time to approve the budget. This is halfway through the year. Everyone wonders why this is so long. Judy thinks that budgets are done the prior year. Otherwise, your budget is half spent going 180 days into the year. The question is for example: Is the 2008 budget prepared by the Mayor and Finance Director in November 2006 then presented to Council in early January 2007 for final approval by June 2007. The members of the Commission feel that this needs to be explained to them. Mayor Ruffner will be asked about this.

Page 19. Article VIII. Finances. Section 7. Purchases, Contracts, Public Bidding. Joe Oboczky believes that the main reason Council and Mayor Ruffner would like to see this raised to \$25,000 is due to inflation over the years. If the inflation rate is 5% higher than 10 years ago, that would bring that \$10,000 to just under \$15,000. Another question arose as to whether or not the City collects multiple estimates for anything under \$10,000. Jim Schall did make a motion to change this from \$10,000 to \$25,000 and Judy Powers seconded. More discussion began and again, this is something that Mayor Ruffner will be addressing on April 8. This Commission would like to hear Council's individual opinions on this issue. Jim then withdrew his motion to raise this limit until after the Mayor's visit.

Note regarding Article III. The Council. Section 13. Emergency Ordinances and Resolutions. Although this Commission will not pursue this further, they have expressed that Council does not make it known why emergency ordinances and resolution are pushed through as emergencies.

The secretary will extend an open invitation to Council to attend any meetings pertaining to the Sections that this Commission will be discussing further.

Joe Oboczky motioned to adjourn at 9:04 p.m.; Jim Schall seconded. All were in favor.

Maria Matiyasic, Secretary

Cindy Marino, Chairperson

Next Meeting: April 8, 2008