



CHARTER REVIEW COMMISSION
July 25, 2018

The Charter Review Commission meeting of July 25, 2018 was called to order by Chairman Daniel Ivancic at 6:02 pm in Council Chambers.

Roll Call

The following members were present: Michael Casadonte; Daniel Ivancic; Linda Lipovec; Mark Ozanick; Thomas Thielman; Joseph Turi; Donald Zimmerman; and Joseph Yesilosky. Absent: Camaron Mays

Reading and Approval of Minutes

After reading the minutes of the July 11, 2018 meeting, a motion was made by Mr. Casadonte, seconded by Mr. Zimmerman, that the minutes be approved as presented. All in favor. Motion carried.

Communications

There were no communications.

Old Business

Building Commissioner Raymond Sack was invited to attend this meeting in order to answer questions in regards to the position of Building Commissioner being classified as a Civil Service Commission position.

Mr. Zimmerman asked why this position was made a Civil Service position. Mr. Sack replied that he asked for it during the Charter Review of 2008 and that basically, he feels being a Civil Service employee brings stability to the City; it does not guarantee the job; it adds another step to the discipline process; when issuing citations he does not need to think twice about doing so; as an at-will employee, one may be up against pressure from others to not issue a citation.

Mr. Ozanick asked if success rate in court is better, worse, or the same with the Building Commissioner being a Civil Service employee rather than a non-Civil Service employee. Mr. Sack replied that he could not speak for other communities, but his success rate in court is 100%. Mr. Sack confirmed that all building commissioners have the same authority no matter how they are classified and that ordinances must be enforced no matter the position classification.

Mr. Zimmerman asked if there is an industry standard (best practice) relative to Civil Service classification being preferred? Mr. Sack stated that he is not aware of any industry standard and that it is up to each city or jurisdiction to make that decision.

Mr. Thielman commented that from what he has read, Civil Service is more about the hiring of the individual rather than the removal. He asked Mr. Sack if he went through the testing/hiring process. Mr. Sack replied that he was 'grandfathered in' and that in the future, testing for this position will provide the best person for the City.

Mr. Ozanick summarized by saying that it matters not whether one is a Civil Service employee or non-Civil Service employee - so why did this change happen in Wickliffe? Mr. Sack replied that sometimes there is political pressure that goes along with this position.

Mr. Yesilosky asked Mr. Sack if there was anything related to his job position that may have initiated the proposed Charter change in 2008. He asked if there were restrictions previously that kept him from doing something that he is now able to do. Mr. Sack replied that now the pressure is off for doing some things

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that he may have been reprimanded for previously. Mr. Thielman asked if there was a marked increase in the amount of citations issued since the position became Civil Service. Mr. Sack replied that there has been a marked increase. Mr. Sack repeated that being under Civil Service is not a job guarantee. Mr. Zimmerman asked how citations originate. Mr. Sack replied that it is about 50% phone complaints/50% cursory observations.

Mr. Sack was thanked for his time and stated that he is open to phone calls if there are further questions.

After the discussion with Mr. Sack, questions and areas of concern remain with this Commission. Dialogue will continue with Civil Service Commission Chairman James Cain at the August 8, 2018 Charter Review Commission meeting.

New Business

A. Message from Mayor Barbish re- Mandatory Zoning Referendum

Mr. Ivancic reported that Mayor Barbish would like this Commission to further discuss Mandatory Zoning Referendum. Mrs. Iafelice will send the minutes of the City Council Meetings of June 11, June 25, June 26, the Committee of the Whole Meeting of June 25, and Ordinance 2018-25 to CRC members for their review prior to the next meeting. Mr. Ivancic would like to bring this topic to a conclusion at the next meeting. Mr. Ivancic has a colleague who goes before city councils seeking amendments and has no problems dealing with putting things on referendum. It has never impacted a project that he was on. This person feels the sense of urgency is inflated. Mr. Ivancic will invite him to share his expertise at the August 8, 2018 meeting. Mr. Ivancic stated that this Commission should make a very prepared argument that can hopefully sway a 3-3 vote to a 5-2 vote.

B. Financing, Funding, and Taxation

In regards to levies, Mr. Ivancic commented that sometimes voters think that everyone is acting in their best interest at all times, but sometimes voters are not well-informed.

Topics that remain for continued discussion:

1. Civil Service position of Building Commissioner: (1) The effects on hiring (impede? or improve?); (2) Accountability; (3) Checks and balances are currently in place with Council being required to approve the hiring and firing of administrators.
2. Mandatory Zoning Referendum
3. Composition of Charter Review Commission
4. Disbursement/Separation of funds; funds earmarked for capital improvements

Mr. Ivancic took a moment to express his appreciation to everyone for coming to meetings. He "loves" the conversations and how everyone speaks their mind respectfully. Mr. Zimmerman and Mr. Ivancic took a moment to acknowledge the support that Mrs. Iafelice continues to provide to this Commission.

Public Comment

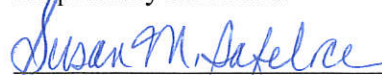
Chris Mlachak commented that City Council has briefly discussed a Charter change in regards to allocations to Capital Improvements. He suggested that if a change to Mandatory Zoning Referendum is proposed, a definite procedure should be included in the proposal.

Adjournment

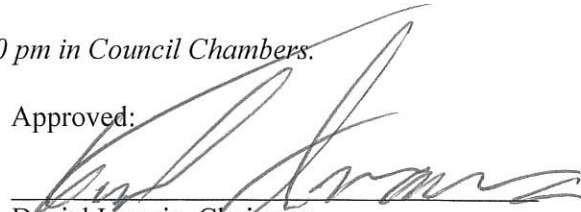
Motion was made by Ms. Lipovec, seconded by Mr. Zimmerman, to adjourn the meeting. All were in favor. Motion carried. Meeting was adjourned at 7:00 pm.

The next meeting is scheduled for August 8, 2018 at 6:00 pm in Council Chambers.

Respectfully submitted:


Susan M. Iafelice, Secretary

Approved:


Daniel Ivancic, Chairman