

City of Independence  
2022 Charter Review Commission  
Wednesday, April 27, 2022  
Annex Conference Room  
6335 Selig Dr.

Minutes

**Present:**

Chris Walchanowicz

Craig Belec

Deena Rini (Chairperson)

Noelle Ostrowski

Dayna DePerro Milligan

Chad Vancure

Kenn Synek (Co-Chairperson)

Debra Cooper

Tim Lesh

Chris Mudra

Brad Chelko

**Meeting called to order:**

Meeting was called to order by Chairperson Rini at 6:00 p.m.

**Approval of Minutes:** 4/20/22:

Chairperson Rini asked if there were any suggested changes to the Minutes of the April 20, 2022 meeting. There were none.

Chairperson Rini called for approval of the minutes via roll call. ROLL CALL: MOTION CARRIED 9/1/1 (VOTING YEA: Mr. Walchanowicz, Mr. Belec, Ms. Ostrowski, , Mr. Vancure, Mr. Synek, Ms. Cooper, Mr. Mudra, Mr. Chelko, and Ms. Rini. VOTING NAY: Mr. Lesh ABSTAINING: Ms. DePerro Milligan).

## **Discussion:**

Chairperson Rini reminded those present the goal of tonight's meeting is to finalize the Commission's suggestions to Council.

Chairperson Rini asked for comments concerning the letter Mr. O'Brien drafted concerning the suggestions.

Mr. Walchanowicz took the opportunity to say it's been a privilege to work with everyone on the Charter Review Committee, and notified everyone present he will abstain from any voting that occurs tonight. He went on to say he agrees with a lot of the suggestions, however there is a chance his mind may change on some issues after discussions with his fellow City Council members. Mr. Walchanowicz did not want anyone on the Commission to misunderstand, as there are viewpoints that may be brought up in Council discussions that he has not yet considered.

Mr. Lesh suggested the City consider the implications of a Council member participating in the Charter Commission and voting on items that will be presented to City Council.

Ms. Ostrowski said she was speaking with her aunt recently concerning how the Committee will present their suggestions to Council. Her aunt was surprised to find out the Committee is not presenting their suggestions to Council as a formal presentation, including things such as a PowerPoint.

Mr. O'Brien remembered that presentation, saying that is the only time a Charter Commission has presented their suggestions in that way. He went on to say the Committee certainly has the option to do a similar presentation, but it is not necessary.

Ms. Ostrowski expressed an interest in the Committee presenting their suggestions with a presentation.

Mr. Walchanowicz asked if Mr. O'Brien can address Mr. Lesh's question concerning his appointment to the Charter Review Commission, including his abstaining from the votes in today's meeting.

Mr. Lesh reiterated his concerns, stating Mr. Walchanowicz's votes have affected what will or will not be presented to Council. He does not believe Mr. Walchanowicz should have voted on any of the issues.

Mr. O'Brien addressed Mr. Lesh's concerns, saying he disagrees with Mr. Lesh's statement that Mr. Walchanowicz should not have voted in previous meetings. However, he understands the concern. Drawing from his years of experience with the City's Charter Commissions, Mr. O'Brien believes the reason a member of Council is designated as member of the Charter Review is for that purpose, to vote and be able to add a Council viewpoint to the discussions. When the Charter was developed and the verbiage was included that a member of City Council must be appointed, there was no stipulation that said Council member must abstain from voting. Mr. O'Brien believes the reason the suggestions are presented to Council at a mandatory meeting is a continuation of that collaborative process, allowing Charter Review Committee members an

**Discussion (continued):**

opportunity to explain the genesis behind their suggestions.

Further discussion ensued concerning the appointment of a Council member to the Charter Review Commission.

Ms. Ostrowski asked when the presentation to Council would need to be completed. Mr. O'Brien stated the report is due to Council by May 5th, at which point Council will reach out to schedule the meeting.

Chairperson Rini said she's unsure how many present are interested in creating a PowerPoint presentation, however she believes it is important for those on the Committee to attend the meeting with Council and give their reasoning behind the suggestions. She then opened the table to discussion on what type of presentation the Committee would like to prepare.

Vice Chairman Synek agreed with Ms. Ostrowski, saying he doesn't believe only submitting the report to Council would not be a great capstone to all the time, effort, and energy the Committee has put into the process. He suggested Ms. Ostrowski and Ms. Rini represent the Commission in a Council caucus meeting, which he believes is the perfect forum for the presentation. The caucus is a much more informal setting than the Council meeting.

Mr. Walchanowicz said all Council meetings are hybrid, so if Tuesday or Thursday is a bad day for someone on the Committee to be able to attend in person there is the option of a Zoom link so they may still participate. He said if the report is prepared in time he may be able to get the Committee's meeting scheduled for May 10th and begin the meeting at 5:00 instead of 5:30.

Mr. Lesh agreed that everyone needs to attend the meeting with Council, so they are available should Council wish to ask a question of any member.

Mr. Walchanowicz said the majority of Council are familiar with the suggestions, which will help in navigating the coming meeting.

Mr. Belec said he thinks a PowerPoint presentation would be a great way to articulate the Committee's thoughts, however it will need to be orally presented to explain how the Committee arrived at the amendment suggestions.

Mr. Lesh said a PowerPoint would be good, but he also thinks Council should know how each member voted on the suggestions in case they have any questions.

Chairperson Rini said the report will state how many votes were received for and against each item. She then reminded those present that the purpose of the meeting tonight is to approve the final draft of the suggestions to Council and asked if there are any suggested edits before a vote is called.

Ms. Cooper suggested including the vote count on the report.

Vice Chairman Synek made a suggestion for Page 5, the third line from the bottom, reads: "Majority of members elected to Council, and shall serve for a term concurrent with that of the

**Discussion (continued):**

Mayor, or appointed by him or her.: He suggested the Finance Director's term should not be tied directly to that of the Mayor, stating the Police and Fire Chief positions are not structured that way, and he would prefer the position did not end when the Mayor does if the Committee doesn't want to leave the end of the Finance Director's term silent.

Mr. Lesh agreed, saying during the transition of the mayoral position you would want to make sure the Finance Director retains their position. Even if the Mayor wants to bring in their own Finance Director, there will still be a need for a transition from one to the other. Mr. Lesh suggested 90 days.

Vice Chairman Synek mentioned the bottom of Page 5, and then on Page 6, second paragraph, "serves the remaining term of Council," saying he believes that wording should be struck as well.

Mr. Lesh asked if it's too late to include the wording, the Finance Director shall stay for a minimum of 90 days at the beginning of the new term of Mayor.

Mr. Walchanowicz agreed, stating there needs to be a smooth transition between administrations.

Chairperson Rini asked what if the transition doesn't take 90 days, but the City is required to pay the old Finance Director for 90 days.

Vice Chairman Synek said he believes there should be nothing in the Charter that specifically ends the term of the Finance Director, or the Police Chief, or the Fire Chief other than the removal powers that are already written into the Charter.

Mr. Lesh said with the positions of Police and Fire Chief there are those below them in rank who would be able to step into the position if necessary. However, the Finance Director position is not the same.

Chairperson Rini asked those present if anyone opposes removal of that language. No one opposed.

Chairperson Rini called for a vote on either adding 90 days or just removing the language. The Committee voted 3/7 to strike the language discussed and not add anything further.

Vice Chairman Synek referenced the last page, the second line, "The highest number of votes constituting 50 percent plus 1 of the votes passed in that election," and the third line from the bottom, "Number of votes will run in a run-off election held on the first Tuesday of December." He said it reads short and choppy, and he believes it needs rewording. He then referenced another line, "Number of votes cast in the run-off election shall be declared the winner."

Chairperson Rini agreed, asking Vice Chairman Synek if he had suggested language or if anyone else present agreed with Vice Chairman Synek's point. For clarification, Chairperson Rini read the excerpt with Vice Chairman Synek's suggestions. "In an election for the office of Mayor, the

**Discussion (continued):**

candidate receiving the highest number of votes constituting 50 percent plus 1 of the votes cast in that election shall be declared the winner. Should no candidate receive 50 percent plus 1 of the votes cast, the two candidates receiving the highest number of votes will run in a run-off election held on the first Tuesday of December following the general election. And the candidate receiving the highest number of votes cast in the runoff election shall be declared the winner."

Chairperson Rini asked if anyone objected to the additional language. No one objected.

Mr. Belec referenced Page 6, the last sentence concerning the frequency of Council meetings, "Council may also make a purchase or enter into a contract involving more than \$25,000 without advertising for bids, if it determines and declares by a 3/5 vote that an emergency exists and sets forth the nature of the emergency in its Minutes." Mr. Belec brought up the point that Council only meets once a month, therefore is there a special meeting called if an emergency is presented.

Mr. Walchanowicz said that has happened in the past, as recent as the day before. Such meetings are called Council Workshops. During these meetings anything can be discussed that needs to come across the table that particular day. The meeting yesterday concerned the remodeling of Council Chambers to make it easier for residents to attend Council meetings virtually. The original legislation for the remodeling that was passed in December, but there have been issues that arose and there was not enough funding to cover the increase in the project. Council was made aware of this on Monday, when the contractor was there installing things. Therefore, an emergency legislation was held on Tuesday because the increase in funding being requested was above \$15,000.

Mr. Belec said there needs to be a page number added to Page 2.

## **Summary:**

Chairperson Rini summarized the changes discussed this evening:

- Correcting the spelling of Vice Chairman Synek's name from Ken to Kenn
- Adding Mr. Chad Vancure to the listing of Charter Commission members.
- Adding page number to Page 2.
- Adding vote count to each recommendation.
- Removing language from Finance Director section.
- Add language in run-off section.

Chairperson Rini asked the Committee to keep those changes in mind when voting.

Vice Chairman Synek challenged those on the Committee to vote with the mindset of whether this is a concept that is worthy to be presented to the people of Independence as something they need to consider in terms of the form and structure of the City's government. Regardless of personal opinion.

Ms. Ostrowski said she likes that comment and would like it used in the presentation to Council.

Chairperson Rini thanked Vice Chairman Synek, saying she agrees with the sentiment.

## **Voting:**

Chairperson Rini called for a vote on the amendment to Section B, recommending by a majority vote the following amendments to Article 2, Section 1, 2, and 4. The Committee voted 8/2/1 in favor. (VOTING YEA: Mr. Belec, Ms. Rini, Ms. Ostrowski, Mr. Vancure, Mr. Synek, Mr. Mudra, Ms. Cooper, Ms. DePerro Milligan VOTING NAY: Mr. Chelko, Mr. Lesh ABSTAINING: Mr. Walchanowicz)

Chairperson Rini called for a vote on the amendment to Article 3, Section 1, The Mayor. The Committee voted 7/3/1 in favor. (VOTING YEA: Mr. Belec, Ms. Rini, Ms. Ostrowski, Mr. Vancure, Mr. Mudra, Ms. DePerro Milligan, Mr. Chelko VOTING NAY: Mr. Synek, Ms. Cooper, Mr. Lesh ABSTAINING: Mr. Walchanowicz)

Chairperson Rini called for a vote on the amendment to Article 4, Sections 2(a) and 2(c)(5) regarding the Finance Director. The Committee voted 9/1/1 in favor. (VOTING YEA: Mr. Belec, Ms. Rini, Ms. Ostrowski, Mr. Vancure, Mr. Mudra, Ms. DePerro Milligan, Mr. Chelko, Mr. Synek, Ms. Cooper VOTING NAY: Mr. Lesh ABSTAINING: Mr. Walchanowicz)

Chairperson Rini called for a vote on the amendment to Article 5, Nominations, Elections, and Mayor Run-Off. The Committee voted 7/3/1 in favor. (VOTING YEA: Ms. Rini, Ms. Ostrowski, Mr. Mudra, Ms. DePerro Milligan, Mr. Chelko, Mr. Synek, Ms. Cooper VOTING NAY: Mr. Belec, Mr. Vancure, Mr. Lesh ABSTAINING: Mr. Walchanowicz)

Further discussion prompted an additional vote on Article 4, separating out the topics of appointment of the Finance Director to include removal of the language and the spending increase.

Chairperson Rini called for a vote on the amendment to Article 4, Section 2(a) regarding the Finance Director. The Committee voted 9/1/1 in favor. (VOTING YEA: Mr. Belec, Mr. Vancure, Ms. Rini, Ms. Ostrowski, Mr. Mudra, Ms. DePerro Milligan, Mr. Chelko, Mr. Synek, Ms. Cooper VOTING NAY: Mr. Lesh ABSTAINING: Mr. Walchanowicz)

Chairperson Rini called for a vote on the amendment to Article 4, Section 2(c)(5), regarding the purchasing increase. The Committee voted 6/4/1 in favor. . (VOTING YEA: Mr. Belec, Mr. Vancure, Ms. Rini, Ms. Ostrowski, Mr. Mudra, Mr. Chelko VOTING NAY: Ms. DePerro Milligan, Mr. Synek, Ms. Cooper, Mr. Lesh ABSTAINING: Mr. Walchanowicz)

**Next steps:**

A tentative date has been set for May 10, 2022 for a meeting between City Council and the Charter Review Commission. Discussion ensued concerning other options as some of the members will not be able to attend. Mr. Walchanowicz suggested scheduling the meeting as a Council Workshop as it is more informal. It was agreed to go that route so more members can attend. Mr. Walchanowicz suggested the dates of May 12, 17, and 19. It was determined to try and schedule for the 12th.

Chairperson Rini said she is happy to work on a presentation and encouraged the other members to help.

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Chairperson Deena Rini

These minutes are unapproved as of release date 5/9/2022.
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