

City of Independence
2022 Charter Review Commission
Tuesday, February 22, 2022 at 6pm
City Hall Council Caucus Room
6800 Brecksville Rd.

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

INTRODUCTION:

Kenn Synek, of Great Oaks Parkway, has four children, three of whom are grown. The youngest graduated college this past May and has recently begun his full-time employment. Mr. Synek has lived in Independence his entire life, and his mother still resides in the home on Brookside Road where he and his seven siblings were raised.

Debra Cooper grew up on Cheryl Ann and still resides in the area but not in the same house. Ms. Cooper raised three children in Independence, two of which are now residents. Her son and his fiancé currently lives in the home she grew up in. She has lived in Independence since her parents settled there in 1970, except for the few years she lived in Brecksville.

Deena Rini, of Elmerge Drive, is also a lifelong resident. She does not yet have any children, but does have a dog.

Craig Belec, a 31-year resident, retired at the end of 2020 after a 38-year career in IT. He is currently focusing on volunteer work with Habitat for Humanity. Mr. Belec has been married for 34 years, and has two adult children who do not live in the area. He does, however, have 16 great-nephews and nieces (with two more on the way) who live in the city, and Mr. Belec's participation in the committee is driven by the want to ensure they are protected moving forward.

Chad Vancure, of Route 21, also lives close to his childhood home. Mr. Vancure has four children, still young and living at home. Mr. Vancure is a lifelong resident whose family settled in the area in 1985, and is excited to be participating in the committee.

Tim Lesh's family moved to Independence approximately 52 years ago. He has a niece, nephew, two brothers, and both of his parents living in the area. Mr. Lesh has been retired for a little over 12 years, has no children and no dog.

Dayna DePerro Milligan of Hawthorne Trace, has been a resident for five years. She and her husband, both attorneys, have two sons who attend St. Michaels Parish. Mr. and Mrs. Milligan moved to Brecksville when they married 13 years ago, and St. Michaels became their parish. Once they became more involved in the St. Michaels community they decided to move to Independence. Mrs. Milligan's vocal expression of how much she loves the city led to her being asked to participate in the committee.

Brad Chelko, of Wood Street, grew up in Brecksville. He and his wife purchased their home in Independence one and a half years ago, and are expecting their first child in the next two weeks.

Noelle Ostrowski's parents are high school sweethearts and lifelong residents. Ms. Ostrowski also attended St. Michael's, and spent some time living in Brecksville. Ms. Ostrowski is a high school principal by career, which led her to Singapore. When Ms. Ostrowski left Singapore she moved home to Independence to raise her adopted son, and is excited to have him in the Independence school system. She had hopes to get involved in the future in the school board, and is looking forward to participating in the committee in the hopes of learning some things about the city that she does not yet know.

Chris Mudra, of Hawthorne Trace, has lived in Independence since 2003. He currently lives in his third home purchased in the city. Mr. Mudra's in-laws are lifelong residents of Independence. Mr. and Mrs. Mudra have three daughters, a 13-year-old and twin 12-year-olds. To complete the home is their female dog, leaving Mr. Mudra the only man in the house.

Chris Walchanowicz is a Councilman and lifelong resident. He has a family business, he has coached for many years, and his uncle is the Recreation Director. Mr. Walchanowicz grew up loving the community, and loves to give back to the community that did so much for him as a child.

Mayor Kurtz shared a story relating to everyone's comments of wanting to be involved and moving back to Independence. Mayor Kurtz's first public involvement was as a member of the Charter Review Commission. He was appointed by the mayor, and little did he know that it would become something he participated in so many times. Mayor Kurtz said it has been a privilege, as his record has been one of public service, and he can't think of any better way to understand your community than understanding the city's Charter. The Charter is the city's version of the constitution, and allows you to understand the history of the city.

The original Charter was put in place in 1960. Mayor Kurtz said he had the privilege of meeting every week for years with the recording secretary of the original Charter Review Commission. That particular Commission was voted on to create the original Charter. Mayor Kurtz explained it was a privilege and

also a responsibility of understanding the Charter, as the gentleman would challenge him on certain aspects of it.

Mayor Kurtz explained during this process he realized the ultimate power of the community is vested with the people, and the people through the Charter actually manage and give elected officials the authority in representing the residents. He went on to say his first experience and exposure to the Charter Review Commission, there was some confusion on what was expected of him. However, having the privilege of watching the process evolve over the past number of years has been amazing. Everyone usually comes into the process wanting to change everything.

Mayor Kurtz explained if previous procedures are followed, all the elected officials will have an opportunity to spend a few minutes with the Committee to share what they believe to be a priority, and answer any questions the Committee may have in how to move forward.

He went on to explain past procedure allowed for a certain amount of time allocated to review each aspect of the Charter. Once the members of the Committee have an understanding of every component of the Charter, they will narrow down the topics they would like to explore. At that point, the Committee can ask Ms. Danford to research and provide copies of charters of other communities. This will allow the Committee to review what other cities are doing, review the history of previous commissions, and refine what topics will be considered. Mayor Kurtz recommended no more than six topics, as any proposed changes will need to be voted on by the residents.

Ultimately there will be a recommendation sent to City Council, who will then have the option to put those recommendations on the ballot. City Council has the authority to refine or change any recommendations by the Commission, or create their own recommendations, and place those on the ballot for the next general election. The final decision on whether the Charter is changed will be the responsibility of the voters.

Mayor Kurtz explained the many components (financial, elected officials, etc.) that go into the discussions when it comes to any changes to the Charter. He thanked everyone for investing their time in their community and then opened the floor to any questions.

Mr. Belec asked if May 5th is a hard deadline for any proposed changes to be sent to City Council, to which Mayor Kurtz said it is, as Council has to have enough time to do their review before the information is sent to the Board of Elections by September 9th to make sure the proposed changes are placed on the ballot.

Mayor Kurtz suggested the Commission make their recommendations by the beginning of May. This depends on how often the Commission meets, whether it be weekly or bi-weekly. He went on to make it clear that there are no right or wrong answers in this process, simply perspectives and opinions. Those not the committee are participating as residents to think of what is best for the future of the community and not what they believe they can get approved. The Commission's job is to make recommendations to Council, whose job is to refine the recommendations to what they believe to be acceptable, and then residents will be given the opportunity to vote on those recommendations.

Mayor Kurtz said over the years there were recommendations he had thought would be voted in, and they were not, and vice versa. Some examples would be term limits, and length of terms.

Mayor Kurtz said the Commission has the right to invite whomever they would like to speak at their meetings. He suggested the Mayor, the council people, and the finance director be invited to share their perspective. He then went on to give examples of items in the current Charter such as appointment and

removal of the police and fire chiefs, financial limitations on what the Mayor can spend without Council approval, et cetera.

Mayor Kurtz urged the Commission to not base their decisions on current dynamics, but to consider future Councils and administrations, as the Charter is meant to be a living document that serves as the foundation for the city government.

Mr. Lesh clarified the Charter is law, to which the Mayor agreed, stating again the Charter is considered the City's constitution and what the city government must abide by when performing their duties.

APPOINTING A CHAIRPERSON:

Prior to opening the floor for suggestions, Mayor Kurtz explained the Chairperson would need to be someone who has the time and capacity to work closely with Ms. Danford in navigating the process to keep things on schedule. He then explained that while attending every meeting is encouraged, it is not expected. Sometimes people miss meetings due to family or work obligations and that is understandable. In those situations Ms. Danford will have the Minutes of each meeting available for review before the next meeting so no one feels as if they missed something.

Mayor Kurtz did suggest the Commission choose times and dates for their meetings that take everyone's schedule into consideration, and also set a hard stop to each meeting. Concerning the timeframe of meetings, the May 5th meeting will be the final Commission meeting, however the Commission will need to meet with Council to propose the chosen recommendation. Once that meeting occurs, the Commission's job is complete.

The Commission has the freedom to run their meetings any way they choose, whether in-person, virtual, or a mixture. The Commission has the freedom to set the parameters of how often, when, and how they will meet.

IMPORTANT DATES & MEETING SCHEDULE:

Mr. Lesh nominated Mr. Synek, for his loyalty and service to the community through the school board and Council.

Ms. Rini offered to be the Chairperson.

Mayor Kurtz asked the two candidates to make a statement concerning their qualifications.

Mr. Synek began by thanking Mr. Lesh for the nomination, saying he would be honored to serve as the Chairperson. He's had the pleasure of serving on the School Board for 8 years, and the City Council for 2 years. Therefore he has 10 years' experience in public meetings, understands how they work, and how to keep a meeting moving while make sure everyone feels heard. In his professional life he is a partner at a CPA firm of 12 employees, located on Rockside Road, which has also given him experience in running meetings. He thanked Mr. Lesh for the nomination, saying he is honored.

Ms. Rini said she is a lifelong resident of Independence, and hopes to remain for many more years. She also hopes to participate in roles that guide the City. Professionally Ms. Rini is a director of 15

employees on a retirement plan consulting team, which has given her experience in running meetings and keeping the discussion on task. Ms. Rini also has experience in charters, as she wrote the charter for her Women's Leadership Council at her corporation.

Ms. Rini was voted in as Chairperson at 9-2, with Mr. Synek voted in as Co-Chairperson.

Mayor Kurtz congratulated Ms. Rini and Mr. Synek on their appointments, and thanked everyone for their participation on the Commission. He reminded everyone that Mr. O'Brien will be available should the Commission have any legal and/or procedural questions.

Mr. O'Brien told those present he's found the most effective Charter Review Commission meetings in the past have been set as twice a month at the forefront of the process, and reevaluated as the Commission works through their schedule. He also advised specifying which sections will be discussed in each meeting, so participants can read those sections and be prepared in advance. Concerning the structure of other charters, he explained most charters reflect other charters, unless there are unique provisions included. When the Commission begins discussion on the Mayor's section of the review, Mr. O'Brien suggested inviting the Mayor in at some point for discussion.

Mayor Kurtz then said his goodbyes and turned the meeting over to Ms. Rini.

ADDITIONAL MATTERS DISCUSSED:

Ms. Rini suggested the Commission decide when to hold their meetings. Tuesday was ruled out due to conflicts with other city meetings.

Mr. Lesh asked if anyone could give him an idea of how many times the Commission should meet per month, to which Mr. O'Brien suggested committees get weary if meetings go past 90 minutes. Beyond that, the meetings will be determined by how much discussion occurs for each section. Mr. Lesh voiced concerns over covering all sections in the time that has been allotted, to which Mr. O'Brien assured him the Chairperson will make sure the meetings move at a pace that all sections are given their appropriate time.

Mr. Walchanowicz suggested scheduling one meeting a week for the first three weeks and then reevaluate after seeing how much is accomplished during that time.

The next meeting was scheduled for Wednesday, March 2, 2022, at 6:00 p.m.

The committee discussed whether the meetings should be in-person or virtual, and most agreed in-person would be best. However, the room has Zoom capabilities and if there is a need for a member to attend the meeting virtually it should not be a problem.

Ms. Rini suggested the focus of the next meeting be the first two Articles of the Charter. Mr. Lesh expressed concerns over the Oath of Office being discussed at the end. He would like to see it discussed first, since that is where he believes it all starts. Ms. Rini agreed, suggesting the committee discuss the Oath and the first two articles. Mr. Lesh suggested discussing an amendment to place the Oath as the first article of the Charter from now on.

Ms. Ostrowski asked about the process of how others will prepare for discussions in the next meeting, to which Ms. Cooper said she plans to come up with questions, and if necessary provide information to support her views on any changes that she believes needs to be made.

Mr. Belec he believes the committee needs to look at things from an internet security standpoint.

Mr. Lesh mentioned the current Finance Director has recently raised concerns over the City's revenue, and he doesn't believe there should be an increase in the Mayor's spending limit.

Mr. Belec asked how much influence the Charter Commission has on city budgeting and other concerns of the residents. Discussion ensued concerning finances and the impact of the pandemic on the city's finances.

Mr. Synek referenced Ms. Ostrowski's original question, saying his suggestion is that everyone comes to the next meeting having read the articles and with three items written down which are key points they would like to discuss. If each person on the committee shares three points it should take quite a bit of time. He then asked Mr. O'Brien about the regulations concerning contact between members of the committee. Mr. O'Brien said the Ohio Open Meetings Act does apply, and gave examples of what is and is not acceptable. The main idea is the sharing of information is fine, but the debate, deliberation, and decision-making can only be done during the meetings.

Mr. Synek asked Ms. Danford to share a contact list among the committee members.

Ms. Ostrowski asked if the three points for the next meeting should concern the articles that are the focus of the meeting or overall viewpoints. Ms. Rini suggested at least one overview idea and a couple of others on the main focus points of the meeting. This should streamline the meeting.

Mr. Chelko said he sees the three points as opportunities to bring about challenges or things he would like to see changed in the subject matter. However, he also thinks it is important for each of them to point out things they are in support of and would not like changed.

Ms. Cooper asked about the protocol if a committee member would like Ms. Danford to provide information to the group prior to a meeting, to which Mr. Synek explained that all requests should go through Ms. Rini, as the Chairperson, who will then get with Ms. Danford on providing whatever has been requested. Once the information is available, Mr. O'Brien suggested Ms. Danford will produce it via a group email to cut down on duplicate requests.

Mr. O'Brien explained in all the years he has been involved in this process, he has seen strong opinions and strong personalities, but he's never seen anyone be disrespectful.

Mr. Walchanowicz suggested everyone be open-minded about all the articles, and consider why commissions in previous years created said article.

The Commission decided to put a cap on the meeting length at 90 minutes.

The next meeting was scheduled for Wednesday, March 2, 2022 at 6:00 p.m. in the conference room in the Building Department annex.