

EXECUTIVE & FINANCE COMMITTEE MEETING  
IMMEDIATELY FOLLOWING  
COMMUNITY ASSETS/PROGRAMS COMMITTEE  
AUGUST 30, 2010

Council President Holzheimer Gail called an Executive & Finance Committee Meeting for Monday, August 30, **IMMEDIATELY FOLLOWING THE COMMUNITY ASSETS/PROGRAMS COMMITTEE**, in the Euclid Municipal Center Council Chamber.

AGENDA

Discussion on council meetings, plan for fall, update on outstanding committee issues and other general Council business.

Members Present: Gilliam, Scarniench, Jones, Minarik, O'Neill, Wojtila, Van Ho,  
Holzheimer Gail  
Excused: Langman

Councilman O'Neill moved to excuse Councilman Langman. Councilman Wojtila seconded.  
Yeas: Unanimous.

Others Present: Mayor Cervenik, Law Director Frey, Fire Chief Cosgriff, Clerk of Council Cahill.

President Holzheimer Gail – I know it is late but we are getting ready to come back to Council session and I thought it was a good idea just to touch base about what we have left in Committee, how we can make our council meetings more efficient, uses of everybody's time, and touch base on a couple of items on the Committee of the Whole. A couple of changes, some of them are housekeeping and one of them is about political comments.

Going forward legislation in Committee I gave you sheet on your desk, it is two sided so one has the legislation in Committee, the other one has Chapter 121.20 that talks about Councilmen's Comments. That's more for everyone to know what we have and if you want to call a Committee meeting to move those forward, that is up to the committee chairperson.

The other piece, home occupation is still in Planning & Zoning. They have not had a chance to talk about that and send it back to us. I will expect that to happen at the next meeting. The Memorial Master Plan Committee has been meeting over the summer and is going to be meeting to finalize some recommendations or come up something in September hopefully bring back to us in a couple of months. That is where we are.

One of the things I wanted to talk about is efficient use of our time and I don't think there needs to be any reason we need to be meeting as a council for four hours and that being said it is 10:00 already. Number one, Council members need to do their homework and that is why I added the piece about Councilmen's Comments because that goes both at the end of the meeting, what we should be talking about and this is in the Codified Ordinances. Day to day stuff should be asked, make a phone call to the Director, send an email to the Director. If it is for the good of a neighborhood or a street, I know there's times when people need to hear you say stuff and ask questions and that's fine, but I think there's a lot of questions being asked that could have been handled before a council meeting especially regarding some of the legislation. I'm not trying to shut down any debate, I'm not trying to say you can't voice your opinions or ask questions, absolutely you can. We need to realize there's 9 of us, there's directors sitting here, almost everyone has been working all day and we need to do better at getting some of those questions answered ahead of time.

In terms of priorities for Council and I sort of feel like a Mom, but in terms of Council's priority, I've always looked at it, I'll share you my philosophy. My commitment to Council is I have Council meetings Monday and Wednesday night. Community meetings come second. I've told community groups, yes I'll be there and then had to call them back and say I'm sorry I have a committee meeting, it is a committee I am on, I need to be there. I can come another day, I can come after when we're done, but the priority should be council meetings, committee meetings and then other commitments. I know that is not always going to stand and hold true, but we need people to be at the committee meetings and the council meetings, so we don't have to re-hash other things. If you are going to miss, you need to make sure you're reviewing the minutes, getting your questions answered so we don't have to go through the same things twice. I'm sorry to be the mother of the group here, but I think it is worth reminding. Everybody's time is important and you lose interest, not interest but you lose your focus, you lose your sharpness after about two hours of a meeting.

There are three pieces of draft legislation on your desk also which talks about Section 121 again. I sent all of these to you back in May or June and asked for comments. Most people were supportive but we haven't had a chance to talk about them yet. I would like to have them introduced at the next Council meeting if we can get it together in time.

The first one talks about the Committee of the Whole, and restricts, it has been an unwritten rule that we don't talk about political candidates, we certainly don't talk about ourselves and our political campaigns. The public forum here at Council Chamber should not be to promote a political candidate, a cause, anything. The one piece that looks at 121.18 Committee of the Whole, adds language, advocacy by members of the public for a political candidate is prohibited but advocacy by members of the public for or against a political issue is permitted. So if somebody wanted to come talk about a school issue, a library issue, health and human service issue, that's okay, it is not a personal candidate.

The second part of the changes here are just making a gender neutral language.

Director Frey – There were two parts, the same prohibition that no member of the public or city council could make comments for Governor Strickland or against Governor Strickland; or for any particular candidate. While it has not happened with great regularity, it has happened where somebody will come in and use this public comment to announce their candidacy for “x”. Under these rules that would be prohibited. Certainly could advocate for the levy for the Library for instance. That would be a permitted part of the advocacy here.

Councilman O'Neill – I totally agree with Director Frey and what you put forth here. The only suggestion I would make is possibly we can have that put on an easel and put at the front of the door so people can read it as they come in and get a heads up.

Councilman Van Ho – Unless somebody has some other suggestion, I would recommend that we send this to the full Council with a recommendation to pass it.

President Holzheimer Gail – It is not actually in committee. We will ask Law Director Frey to put that on for the council meeting on the 7<sup>th</sup>. It is not in committee so we can't take that official action as a committee.

Director Frey – That is correct, it has not been introduced to this committee and we will put it on for the 7<sup>th</sup>. So that you know it is a relatively long agenda that is going to be coming out for the 7<sup>th</sup>.

Councilman Gilliam – I guess the intent is to avoid the possibility of an individual or council person coming in and endorsing or possibly supporting a candidate. I think the language should be expanded because it is quite obvious that someone could come in here with a Kirsten Holzheimer Gail for Governor t-shirt on and speak right there. We might have to extend it to like the Board of Election says, no political paraphernalia passed these doors or things of that nature. That's my only statement. Buttons, t-shirts, things can always pop up. We have characters out there that do that.

Councilwoman Minarik – I agree with the council man. Last fall, the last session, we had a number of people that came to the mic and simply introduced themselves, I'm running in such and such a position. So you're saying that would not be allowed either, not even an introduction, if they made no political statement, they didn't identify their party, I don't believe, they just said I'm running for this position?

President Holzheimer Gail – I think if you introduced yourself as a candidate for whatever, but then did not talk about yourself, I personally would say that is sort of okay. If Kenny Yuko comes up, I'm Kenny Yuko State Rep. You want him to introduce who he is. I'm not opposed to candidates saying who they are so people know. The line is then, my campaign speech is, or using that to promote themselves in their candidacy.

Councilwoman Minarik – I agree with that.

President Holzheimer Gail – That's probably a fine line that would be open to determination, that is probably how I would determine it.

Councilwoman Minarik – That would be going along the lines of Councilman O'Neill's suggestion. If you are a candidate, you may introduce yourself, but not politicking.

President Holzheimer Gail – Unless there's no objections, that one will be on the Council Agenda. The other two, the one about the Sgt.-at-Arms which is 121.16, the difference is it currently says we shall have a Sgt.-at-Arms. We obviously don't have one at the moment, so just to clean that up we may have a Sgt.-at-Arms. Our committee meetings according to this are Monday and Wednesday, the old way, between 7:00 & 10:00. Which we all know we have not been following. We either need to change that and Regina and I had spoken earlier about, there maybe times we want to meet at different times. We'll have to talk about that one whether that 6:00 is a good time and we may not extend past 10:00. I don't know if this one is quite as important now. We're cleaning things up, we might as well clean it up.

Councilwoman Scarniench – Is it really necessary to even have a time in there? You don't have a committee meeting unless you have a consensus of how many people can be there, why even put a time in there? We might want to meet at 5:30 one day because that's when everybody can make it.

President Holzheimer Gail – Maybe we take that piece out.

Director Frey – That would read then, all committee meetings shall be held on Monday or Wednesday with no more than two meetings called on any one night, is that the sense of what you're asking for? Do you want this on the 7<sup>th</sup>'s agenda or not in this revised version?

President Holzheimer Gail – My other question was, can we bundle these so that all the changes to 121 are part of one piece, that might make it easier. Looking at even the Section I passed out has Councilmen on top. There is gender neutral language throughout the whole thing that if we're going to change it in one section we should change it throughout.

Director Frey – I may not have it ready for the 7<sup>th</sup> if that's the case. I'll try to have it ready. It might hold to the next meeting, if I don't have it all done.

President Holzheimer Gail – The last piece again was the gender neutral language.

Mayor Cervenik – Does that mean we're having no meetings on Tuesday or Thursday?

President Holzheimer Gail – There is a provision.

Mayor Cervenik – As much as that's likeable, during budget hearings sometimes it is more convenient to meet Monday, Tuesday and Wednesday, three days in a row.

President Holzheimer Gail – That was all I wanted to touch base on. I will ask people while Law Director Frey is looking at 121, take a look at it on line. Chapter 121 talks about Council and see if there are any other items. I will as well but maybe we just need to clean up how it doesn't match how we normally do things.

Councilwoman Jones – I just wanted to make a comment about the days of the week. We talked about the priorities of council being at the council meetings and committee meetings. If I know that the committee meetings are either going to be on a Monday or Wednesday, I can easily schedule my other outside meetings around that knowing that there are chances there could be a Monday or Wednesday meeting. If it is opened up to more days of the week, it is going to limit me to when I can schedule other meetings. I would like to keep it on Monday and Wednesday.

President Holzheimer Gail – We have a provision during budget, we just need to know and if it is not, regularly, that's how I've always operated is Monday and Wednesday are open for council meetings and committee meetings. If you know that, you can say, yes I'll be at your neighborhood meeting, unless a committee comes up. If we plan ahead and we know with the new Finance Director, I'd like to get a regular finance meeting date set, not that Director Johnson wasn't willing to do that, he was, I never quite got there. This is a good opportunity with the new director to get that. So you know the third Wednesday, keep it open because we're going to have a finance meeting. The more we can do regular things like that, the better off everyone's time will be. If we don't need it, we can cancel it.

Councilman Van Ho – Why don't we put it in for Monday and Wednesday and then if we need additional days of meeting, the Council has to vote to do it. I know you would never abuse it but we can't say that next council president wouldn't.

President Holzheimer Gail – I know I had asked if there are issues you want to work on over the fall, now is the time if anyone has other things and Mayor and the Fire Chief has come, so I want to give you the chance if you have something you wanted to share with us. Any thoughts on fall projects, fall priorities?

Councilwoman Scarniench – I just wanted to add two things if everybody is in agreement with it. 121.28 can we take out the maximum charge of a \$1 out of there. If somebody wants a copy it is ten-cents a sheet. Why would we stop it at \$1?

Director Frey – I believe it is five cents per page. We may have to update that.

Councilwoman Scarniench - .32 can we change that so anybody distributing information has to be in the outside of the building, not in the vestibule? The handbills and stuff? We've had times over the years where we have people standing at the door. I think they should be on the outside of the building. Just like at the Board of Elections, it is election time, you're not allowed to do it in the building and I don't think that would be unreasonable to say. They can stand outside the doors and give it to people coming in or going out but not inside the building. Something to think about.

Councilman O'Neill – Chief Cosgriff, I know you're going to be coming back to us for some funding for the new ladder truck and do you have any idea for final outfit on both those apparatus?

Chief Cosgriff – As you know when we passed the legislation for the ladder truck that was being paid for the majority by the FEMA grant. Part of that grant stated it was for the truck only it was not for equipment in addition to the truck. In the past we have purchased vehicles fully equipped. We're probably looking at somewhere in the area of between \$40,000-\$50,000 for hoses and various tools and stuff we're going to need for the ladder truck. I will be coming to Council, I would like to do it for the first council meeting to ask for that kind of money so we can get it in a drawn down account so the Asst. Chief can shop around for prices. He feels that he is going to be able to get a better deal on prices if he can shop around for it.

Councilman O'Neill – The pumper in February? Approximately what cost to outfit that?

Chief Cosgriff – The pumper will be out of next year's capital budget. It is going to be less than the ladder truck, maybe in the \$30,000-\$35,000 range.

President Holzheimer Gail – Did anyone else want to talk about priorities for the Fall or anything? I know it is late. Mayor or Law Director Frey?

Director Frey – One item I wanted to mention to you in my review of all of our changes to the Charter there was probably one omission where we did not eliminate in the Mayor's term we still have the 12 year limit instead of the three full consecutive terms. We're probably going to want to change that because we could otherwise end up with a gap at the end of the next term. Potentially we could end up with a one month gap where we didn't have a Mayor, someone would end up being the acting during that period of time. I'll draft that up to change that language so it is consistent with the Council members' terms and it is consistent that it will be three full consecutive terms would be the term limit. I should have done that as part of that first piece of legislation and didn't pick it up.

Councilman Van Ho – One question since the Law Director brought up these Charter amendments, it is my understanding that we couldn't put any amendment to fund Shore until November of 2011; are we able to get these on for this year or are these going to go for November 2011?

Director Frey – Same thing is going to apply. Charter changes could be done by the 3<sup>rd</sup> of September but unless we were calling a special meeting this week, that isn't going to happen. I think that's the deadline if I remember. Yes, September 3<sup>rd</sup> is the deadline for Charter changes. These charter changes would go in 2011.

President Holzheimer Gail – I thank you everyone. I just think it is important as we start new, let's touch base back again.

Councilwoman Minarik moved to adjourn. Councilwoman Scarniench seconded. Yeas: Unanimous.  
Meeting adjourned.

