



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING

WEDNESDAY, JULY 10, 2013

CUYAHOGA COUNTY JUSTICE CENTER

COUNCIL CHAMBERS – 1ST FLOOR

1:00 PM

1. CALL TO ORDER

Due to the nature of the items referred to Committee, Council President Connally requested that Councilmember Greenspan, Chair of the Council Operations and Intergovernmental Relations Committee, preside over the meeting. Chairman Greenspan then called the meeting to order at 1:10 p.m.

2. ROLL CALL

Chairman Greenspan asked Clerk Schmotzer to call the roll. Councilmembers Rogers, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally were in attendance and a quorum was determined. Councilmember Simon entered the meeting shortly after the roll call was taken.

3. PUBLIC COMMENT RELATED TO AGENDA

Mr. Greg Coleridge, representing Northeast Ohio American Friends Service Committee, addressed the Committee regarding issues of concern to him relating to Resolution No. R2013-0135, a Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials.

4. MATTERS REFERRED TO COMMITTEE

In general, Mr. Michael King, Assistant Law Director; Mr. Bruce Akers, Mr. William Tarter, Mr. Shawn Riley and Mr. Patrick McLaughlin, representing the Charter Review Commission; Mr. Majeed Makhoulf, Director of Law; and Mr. Jim Boyle, Clerk of the Charter Review Commission; addressed the Committee regarding Resolution Nos. R2013-0133, R2013-134, R2013-0135, R2013-0136, R2013-0137, R2013-0138, R2013-0139 and R2013-0140 as the items were discussed.

Councilmembers asked questions pertaining to the items, which were answered accordingly. Discussion ensued.

- a) R2013-0133: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Mr. Greenspan made a motion to refer Resolution No. R2013-0133 to the full Council agenda with a recommendation that this Charter amendment be placed on the ballot. There was no second.

On a motion by Mr. Greenspan with a second by Ms. Connally, Resolution No. R2013-0133 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot.

- b) R2013-0134: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Mr. Rogers to refer Resolution No. R2013-0134 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 2 yeas to 9 nays with Councilmembers Rogers and Greenspan voting in the affirmative and Councilmembers Simon, Connally, Miller, Brady, Germana, Gallagher, Schron, Conwell and Jones casting dissenting votes.

On a motion by Mr. Greenspan with a second by Ms. Connally, Resolution No. R2013-0134 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot with Councilmembers Simon, Connally, Miller, Brady, Germana, Gallagher, Schron, Conwell and Jones voting in the affirmative and Councilmembers Rogers and Greenspan casting dissenting votes.

- c) R2013-0135: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 of the Charter of Cuyahoga County requiring the Executive to solicit the advice

of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Mr. Schron to refer Resolution No. R2013-0135 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 1 yea to 9 nays with Councilmember Schron voting in the affirmative and Councilmembers Rogers, Connally, Greenspan, Miller, Brady, Germana, Gallagher, Conwell and Jones casting dissenting votes.

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2013-0135 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot with Councilmembers Rogers, Connally, Greenspan, Miller, Brady, Germana, Gallagher, Conwell and Jones voting in the affirmative and Councilmember Schron casting the only dissenting vote.

A short recess was taken after which Chairman Greenspan reconvened the meeting.

- d) R2013-0136: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article VI, Section 6.02 of the Charter of Cuyahoga County clarifying the role of the Board of Revision; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Schron, Resolution No. R2013-0136 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

- e) R2013-0137: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.10(5) of the Charter of Cuyahoga County specifying actions of Council that do not require Executive approval to be binding; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Germana, Resolution No. R2013-0137 was considered and approved by a unanimous roll-call vote to be

referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

- f) R2013-0138: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

A motion was made by Mr. Greenspan and seconded by Mr. Schron to refer Resolution No. R2013-0138 to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot. The motion failed by a roll-call vote of 2 yeas to 7 nays with Councilmembers Germana and Rogers voting in the affirmative and Councilmembers Connally, Greenspan, Miller, Brady, Schron, Conwell and Jones casting dissenting votes.

On a motion by Mr. Greenspan with a second by Mr. Schron, Resolution No. R2013-0138 was considered and approved by a majority roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment not be placed on the ballot with Councilmembers Rogers, Connally, Greenspan, Miller, Brady, Schron, Conwell and Jones voting in the affirmative and Councilmember Germana casting the only dissenting vote.

- g) R2013-0139: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.03 of the Charter of Cuyahoga County preventing the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Rogers, Resolution No. R2013-0139 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

- h) R2013-0140: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 of the Charter of Cuyahoga County requiring any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

On a motion by Mr. Greenspan with a second by Mr. Germana, Resolution No. R2013-0140 was considered and approved by a unanimous roll-call vote to be referred to the full Council agenda for second reading with a recommendation that this Charter amendment be placed on the ballot.

Resolution Nos. R2013-0141, R2013-0142, R2013-0143, R2013-0144, R2013-0145, R2013-0146 and R2013-0147 will be considered at the July 11, 2013 Committee of the Whole meeting.

- i) R2013-0141: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0141.

- j) R2013-0142: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0142.

- k) R2013-0143: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 Vacancy of the Executive of the County Charter requiring the County Executive to designate a successor and more clearly specify the order of succession in case of a vacancy; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0143.

- l) R2013-0144: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.07 Vacancies and Length of Appointment of Council clarifying the length of appointment should a vacancy in the Council arise; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0144.

- m) R2013-0145: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI adding Section 11.05 Performance Audit of Cuyahoga County's Justice System requiring the County Executive to appoint a board or university to conduct a performance audit of the Cuyahoga County Justice System; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0145.

- n) R2013-0146: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0146.

- o) R2013-0147: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

No legislative action was taken on Resolution No. R2013-0147.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment given unrelated to the agenda.

7. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 4:03 p.m., without objection.