

SPECIAL REVIEW & OVERSIGHT COMMITTEE MINUTES

MAY 21, 2019

A Special Review & Oversight Committee meeting was held on May 21, 2019, at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:25 p.m.

PRESENT: Committee Members: Chair Dan Kasaris, Vice Chair Paul Marnecheck, Dan Langshaw; Council: Larry Antoskiewicz, Gary Petrusky, Cheryl Hannan; Administration: Law Director Thomas Kelly, Police Chief Kenneth Bilinovich; Other: Linda Barath, Anton Krieger, Jeremy Dietrich, Jessica Fenos.

UNFINISHED BUSINESS

1. **Section 220.06 Rules of Council, Rule XI Voting**

Mr. Kasaris said that he is asking that this issue be looked into because he considers it a silly rule to require Council to give unanimous consent before a member who has a conflict of interest can abstain from voting. He asked the Council Office to research what surrounding communities do in this instance. He said that he had a conversation with the Law Director this evening who indicated that he would ask for some additional time on this matter so that he can look into the issue a bit more. Mr. Kasaris said that it was suggested that if a member has a conflict with a matter before Council, this person could discuss this with the Law Director ahead of time, and then the Law Director can render an opinion to Council. He said that there are also other ways to proceed based on what other communities are doing. Mr. Antoskiewicz agreed with what Mr. Kasaris said about the Law Director rendering the decision. He said in all of the years that he has been on Council, anyone who has abstained from voting in the past has sought the counsel of the Law Department first. He said taking this step vs. the unanimous vote of Council might make a lot of sense. If the Law Department determines that there is a legitimate reason to abstain, then this should be what we follow. Mr. Antoskiewicz said that he understands that the current rule prevents someone from just abstaining from the vote when they shouldn't be. He said that we have never had this happen, but it could happen if someone doesn't want to vote on a divisive issue. Mr. Kasaris said that we are all professionals and would think that the people who follow us would be professionals as well. Mr. Langshaw said that he has had to abstain in the past as well and when this happens, we go to the Law Department for an opinion to make sure that we are following the proper procedures. He said that we all have to file an Ohio Ethics disclosure on an annual basis. He felt that rather than a unanimous consent, he agrees that approval from the Law Department would be enough. Mr. Marnecheck asked what would happen if the Law Department says a Council rep doesn't need to abstain, but they feel that they still want to abstain from voting. It shouldn't be the Law Department's role to be our moral compass. It is still the responsibility of the individual. He said that maybe it should be discussed in an Executive Session. This would be a way to tell our fellow members the reason for abstaining in a setting where it would still be private. He said that this way his reason for abstaining is not on the record, but he has properly notified Council of the reason. Mr. Petrusky said then you should just vote no. He said that his employer will not allow him to vote for something if it entails their corporation. He feels that if your employer and their company policy does not permit you to vote, you shouldn't have to vote and just let the rest of Council vote. Mrs. Hannan said that she has a lot of problems with how the code currently reads. Mr. Kasaris asked that a Special Review and Oversight Committee meeting be scheduled for June 18, 2019 to discuss this matter.

ADJOURNMENT

Moved by Mr. Langshaw, seconded by Mr. Kasaris to **adjourn the May 21, 2019 Special Review and Oversight Committee meeting**. Yeas: 3. Nays: 0. **Motion carried.**

Meeting adjourned at 6:33 p.m.