



**MINUTES OF PUBLIC MEETING
BRECKSVILLE CHARTER REVIEW COMMISSION
BRECKSVILLE CITY HALL
MARCH 14, 2023**

The Charter Review Commission was **CALLED TO ORDER** by Chairperson Skaljac at 6:30pm.

Following the **PLEDGE OF ALLEGIANCE**, Commission Members answered to **ROLL CALL** as follows:

Present: Bartos, Bender, Berlin, Gawlik, Lesh, Mansfield, Schirch, Skaljac, Vida-Clough
Others: Commission Alternate Holub, Council President Laura Redinger, Council Representative Beth Savage, Law Director Dave Matty.

APPROVAL OF FEBRUARY 27, 2023 CHARTER REVIEW COMMISSION MEETING MINUTES

Chairperson Skaljac asked for comments regarding the minutes of the February 27, 2023 meeting. Hearing none, Chairman Skaljac moved to approve the minutes, seconded by Lesh.

ROLL CALL:

Ayes: Bartos, Bender, Berlin, Gawlik, Lesh, Mansfield, Schirch, Skaljac

Abstain: Vida-Clough

Nays: None

MOTION CARRIED

CHAIRPERSONS COMMENTS

Chairperson Skaljac began by outlining the meeting. He said he hopes to have an open discussion regarding the legislation for gender neutral/typo corrections then move on to discuss the booklet that will be sent out to voters. He said he hopes to make a small subcommittee to write the verbiage for the booklet. He said hopefully the Committee will have a draft booklet completed by the first or seconded meeting in April.

ARTICLE XII: GENDER NEUTRAL/TYPO CORRECTIONS FOR ENTIRE CHARTER

Chairperson Skaljac began by reminding the Commission that at the last meeting they discussed several different cities and some examples done throughout Ohio and they gave Law Director Matty some direction to provide them with a couple of different options of ones that they seemed to like and want to discuss further. The Law Director provided the Commission a document of two examples. Chairperson Skaljac asked if anyone had an opinion on these.

Mrs. Lesh said she liked option number two. She said the outline at the beginning is pretty clear in terms of the responsibility of who needs to take care of the matter and the bullet points spell out to the voters what is being done. She said last time it was discussed, and it was in the wording again, and questioned the term "reprinting". The Commission asked if that is the correct term for this day in age with everything being done electronically. Law Director Matty informed the Commission it is required by law to have a physically printed copy of the Charter. He also informed them the Charter does not get reprinted unless there's an amendment to it.



Mr. Berlin agreed with Mrs. Lesh, he said he thinks it is straightforward as they discussed in the last meeting and a nice combination of what they have read. Chairperson Skaljac agreed they are both good, but he likes option two a little bit better. He asked the Law Director about the requirement for approval, Council approval or majority Council approval. Law Director Matty said option two could read “following any election at which any amendment to this Charter is adopted, the Clerk of Council, with the approval of Council and the Law Director, shall prior to any reprinting of the charter,”. Mrs. Gawlik said she rewrote it as well and her thoughts were to have the word majority in front of approval, so it would read “the Clerk of Council, with the majority approval of Council, and the Law Director shall,”. She said she had one other change in that first paragraph. She would have it read “following any election at which any amendment to this Charter is adopted, and prior to any reprinting of the charter, the Clerk of Council, with the majority approval of Council, and the Law Director, shall make the following changes therein:”.

Mrs. Gawlik said she would also edit (a), (b), and (c) because she thinks it needlessly repeats “reprinting of the Charter” since they would have it in the beginning paragraph.

Law Director Matty reread for clarification what he had: “following any election at which any amendment to this Charter is adopted, and prior to any reprinting of the Charter, the Clerk of Council, with the majority approval of Council, and the Law Director, shall make the following changes therein:”, and then strike “prior to any reprinting of this Charter” in subsections (a), (b), and (c). She responded that was correct.

Mrs. Mansfield said it also keeps repeating “provided that no substantive changes” and asked if they wanted to remove that from each subsection as well. She also said the only other thing they are missing from option one that is not in option two is a reference to “no ballot measure” and asked if that was something the Commission wanted.

Law Director Matty said the introductory paragraph would read “make the following changes therein, provided that no substantive changes to the Charter language are made”.

With regards to the no ballot measure language, Mrs. Gawlik asked if there was any legal significance to have it in there. Chairperson Skaljac said he believes it is acting as the triggering event, where the one they are looking at has the triggering event an election where an amendment is made. Law Director Matty said that is correct.

Law Director Matty said to finalize, the title would need to change also. He said it will read: “Misspellings, Errors in Grammar, Renumbering upon Codification, and Gender Neutral Designations: All legislation and amendments to the codified ordinances shall henceforth contain gender neutral language period. Following any election at which any amendment to this Charter is adopted, and prior to any reprinting of the Charter, the Clerk of Council, with the majority approval of Council, and the Law Director, shall make the following changes therein:”. This will make sure gender neutral designation goes with any future City Ordinances and any legislation and then this would give the ability to correct things that were previous 1993.

Law Director Matty thanked the Commission and informed them that his part, after he produces this piece of legislation, is done. He said he will assist Kristen in reviewing the booklet and any procedural questions she might have. He said the legislation he produced is only a draft with proposed ballot language, and is only the first step. The Board of Elections will do its own review of the ballot language then it goes to the Secretary of State for final authority. The final ballot language may be different than your booklet you are drafting and Kristen will have to try to follow that. He said there are two ways of notification for the public, a publication of general circulation or one being mailed to every registered voting resident.



Chairperson Skaljac asked if all six topics pass to Council, and all six pieces of legislation are in Councils hands, when Council will vote to officially push them through. He said Council can push it through immediately or do three readings, however, it has to make its way to the Board of Elections before the beginning of August. Chairperson Skaljac asked, for booklet timing, if the Commission sends the legislation to City Council after the next meeting, and Council does three readings, then they go to the Board of Elections, does the City have any control on when the Board of Elections would give final ballot language that could then be incorporate that into the booklet. Law Director Matty said the Board of Elections typically addresses them right away.

Chairperson Skaljac asked if there was any other questions or comments. Hearing none the Commission moved to the next topic.

DISCUSSION OF VOTER BOOKLET

Chairperson Skaljac reminded the other members they will prepare a booklet that will go out to all voters and posted online. Kristen provided a template format to everyone as an example. He said there is always a cover letter from the Chairperson and Mayor, and then the last page is an explanation of the Charter Review Commission. He suggested the Commission keep the template as a format. He referenced the booklet of 2013 and said he knows they worked on it for a while to try and reduce down the wordiness but yet still provide with enough information to explain what the purpose behind the recommendation to change was. He said they want to just make sure they are being clear and presenting it in a way that residents will understand. He asked if there was a few people willing to create a first draft.

Mr. Schirch and Mrs. Gawlik both offered to create a first draft. Chairperson Skaljac said if they can, they could bring it to the next meeting on March 22. He asked them to send the document to Kristen to forward to him and all the other members to review. He said he will work with the Mayor for the cover letter and also prepare something for the back page.

Mr. Bender asked if there was a certain time they historically sent it out to voters. The booklet from 2013 was dated September 1. Chairperson Skaljac said they will send it closer to the election but in enough time prior to absentee ballots. Mrs. Gawlik asked how quickly they typically get a response from the Secretary of State regarding language. Law Director Matty said it depends on volume and when we send them in, but the sooner the County receives it the better. Chairperson Skaljac said to go with how the Ordinances read now, and if any language changes after the County and Secretary of State's office reviews, we can change the booklet.

Mrs. Vida-Clough asked if it was mailed separately or with the newsletter. Chairperson Skaljac responded it is mailed separately. Mr. Berlin asked if it could and should be included in the Brecksville Magazine or alternative media. Mrs. Gawlik said the City would need to pay for it. Chairperson Skaljac said it will go out to every registered voter, it will be posted at City Hall, the library, and online. Law Director Matty said under state law, the method of giving notice on proposed Charter amendments says the following "in accordance with section 9 of article 18 of the Ohio Constitution, notice of proposed amendments to Municipal Charters shall be given in one of the following ways a not less than 30 days prior to the election at which the amendment is to be submitted to the electors the clerk of the municipality shall mail a copy of the proposed Charter amendment to each elector whose name appears upon the poll or registration books of the last regular or general election held therein". He explained it will only be going to registered voters, and the date proposed of September 1st would work. He said the second method is the option that is "the full text of the proposed Charter Amendment shall be published once a week for not less



than two consecutive weeks in a newspaper of general circulation in the municipal corporation or as provided in section 7.16 of the revised code with the first publication being at least 15 days prior to the election at which the amendment is to be submitted to the electors.” The Commission agreed to send out to all registered voters with a target date of September 1, 2023.

PUBLIC DISCUSSION AND COMMENTS:

Chairperson Skaljac asked if there was any comments from the public or additional comments from the Commission. Law Director Matty asked Chairperson Skaljac if the Commission was still planning on sending a letter to City Council regarding Human Resources. Chairperson Skaljac said he will work on a draft letter.

Mrs. Gawlik asked procedurally if she and Mr. Schirch work on a draft for the booklet should they cc Kristen on all communications. Chairperson Skaljac said yes.

The Commission confirmed the next meeting of Wednesday, March 22. Due to Chairperson Skaljac’s absence, Vice-Chairperson Bender will run the meeting. The Commission also confirmed April 5th at 6:30 and Tuesday, April 25th at 7:30pm

Hearing no other requests for PUBLIC DISCUSSION & COMMENT, motion by Skaljac, seconded by Berlin to close the meeting at 7:15p.m.

ROLL CALL:

Ayes: Bartos, Bender, Berlin, Gawlik, Lesh, Mansfield, Schirch, Skaljac

Nays: None

MOTION CARRIED

Meeting recorded by Kristen Kouri