

MINUTES OF THE COMMITTEE OF THE WHOLE
April 1, 2019
Auditorium

Present: Councilmembers Anderson, Bullock, George, Litten, O’Leary, O’Malley, Rader

Also Present: Law Director Butler, 5 members of the public

Call to Order: 7:07

RESOLUTION 9057-19 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing John Hueter to the Youth Council Planning Task Force. (Deferred 2/19/19; referred to COW 03/4/19; Name inserted at COW 3/18/19)

RESOLUTION 9058-19 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing McKenzie Lane to the Youth Council Planning Task Force. (Deferred 2/19/19; referred to COW 03/4/19; Name inserted at COW 3/18/19)

RESOLUTION 9059-19 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, appointing _____ to the Youth Council Planning Task Force. (Deferred 2/19/19; referred to COW 03/4/19)

President O’Leary reminded the Committee that it had previously inserted the names John Hueter and McKenzie Lane into Resolutions 9057-19 and 9058-19.

Councilmember Rader motioned to insert the name Siwita Ali Shah into Resolution 9059-19. He expressed excitement that Ms. Shah aspires to be a social worker. Motion was seconded by President O’Leary.

All members voted in favor. Motion passed.

President O’Leary noted that next the Mayor and the Community Relations Advisory Commission will each appoint three members to complete the Task Force. The Task Force is charged with setting up the frame work of a Youth Council.

ORDINANCE 07-19 - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, providing for the submission to the electors of the City of Lakewood an amendment to the Third Amended Charter of the City of Lakewood in order to create a primary election for the office of municipal court judge. (Placed on 1st reading and referred to COW 2/19/19; 2nd reading 3/4/19)

President O’Leary introduced the ordinance stating that it would allow voters to decide whether or not to amend the Charter to create a primary election for Municipal Court Judge.

Councilmember O’Malley remarked that he has spoken with members of the Charter Review Commission who expressed their support. He stated that the proposal is straightforward and brings the judicial election in line with how other elected officials in the City are elected. He noted that the next judicial race could potentially see a great number of candidates and result in a winner that the majority did not select. He noted that such a result would be undemocratic. He asked the Committee for its favorable consideration.

Law Director Butler remarked that each municipality has the opportunity to create a primary election. If it chooses not to then one will not occur. All other elected positions in the City have primaries,

In response to questions by Councilmember Bullock, Councilmember O’Malley stated that most municipalities do not have judicial primaries. He acknowledged that this would put Lakewood in a unique position but stated that he still considers this a best practice. He noted that Lakewood is unique in that it is a single judge court and that the boundaries of the court district comprise the entirety of the City.

Director Butler verified that the ordinance does not conflict with any rules established by the Supreme Court of Ohio.

Councilmember O’Malley concluded that ultimately the voters will decide if they want a judicial primary and that Council is merely putting the issue before voters. He remarked that he wanted to put the matter forward during a municipal election year in order to maximize participation.

Councilmember George expressed support for the ordinance, stating that she believes the top vote-getter should be elected.

Motion by Councilmember O’Malley, seconded by President O’Leary to recommend Ordinance 7-19 for adoption by Council.

All members voted in favor.

Director Butler advised that upon voting on the floor that Council take a roll call vote.

Motion by President O’Leary, seconded by Vice President Anderson to recommend Resolutions 9057-19, 9058-19 & 9059-19 as substituted to Council this evening.

All members voted in favor. Motion passed.

Committee of the Whole adjourned at 7:20 p.m.