

MINUTES OF MEETING
2026 CHARTER REVIEW COMMISSION
May 13, 2026

Members Present: Chris Aiola, Andy Bemer, Elizabeth Gerstenhaber, Collen Hauer, Chris Klym, Dr. Al Melton, Michael O'Donnell, Pat Roberts, and Peter Sullivan Jr.

Presence Noted: Mayor Pamela Bobst and Law Director Michael O'Shea

Chairman Bemer opened the meeting at 6:02 PM and stated that Charter Member Sullivan will be addressing Articles XIII and IX tonight for the commission. He stated that before the commission does that, he would like to invite Law Director O'Shea to address the charter issue regarding benefits for the elected position. Chairman Bemer acknowledge a handout showing Article IV – Administrative Departments of the charter and had proposed language from the law director regarding the issue of benefits.

Law Director O'Shea addressed the commission by stating that this is the only change he is suggesting is the one that is highlighted in the handout everyone just received. He stated that he has given this topic a lot of thought and stated that things have changed a lot with this office in the past decade in regard to what law directors do. He went on to state that the law director has become a very important functional part of the city particularly, in the past five years. It has become a very tasked fill job. For example, he receives up to 60 emails a day involving city matters and the work involved is 30 hours or more a week. The law director then acknowledged the health coverage situation of the previous law director and his current coverage status as well. He pointed out that the successor to this position will have to make a difficult decision as to run and including benefits to this position is necessary. Law Director O'Shea stated that the current qualifications outlined in the city charter is already limiting for this position and there are not a lot of candidates available for this job so adding benefits would only make it more attractive for someone to run. He stated that is the reason why he suggested the language that was presented to everyone. He also stated that he has spoken to other Law Directors regarding this matter and when he mentions the current benefits and staffing levels of this office, he stated that they all ask how that can be. Law Director O'Shea then mentioned that he is ready for someone to ask if this topic is a council issue and stated that this has been a council issue for the past twenty years and still has not been resolved. He believes that this charter review commission has the ability to take it out of the thorny political batch of council's ongoing considerations. He stated that council has so much else to deal with that they should not have to be dealing with the salary and the benefits of the law director. He then opened the discussion up to the commission with any questions that they may have.

Charter Member Roberts asked the law director where else in Cuyahoga County this sort of language exists for law directors. Law Director stated that he did not know if it does or not. He stated that he does know that the other law directors have not faced this sort of situation. Charter Member Roberts then followed up by asking if civil service rules or regulations have anything to do with this issue. Law Director O'Shea stated that is not aware that they do. Charter Member Gerstenhaber then asked if other law directors are full-time and Law Director O'Shea stated that they are not. The only time you see them as full-time is with the City of Cleveland and he stated

that Cleveland Heights has a full-time but other than that they are all part-time then. Charter Member O'Donnell then made the statement that he does struggle with whether or not this is a council issue. He also pointed out that the issue of the law director's salary and how, in this proposed language, is tied to the mayor's annual salary. Charter Member O'Donnell asked why this was not mentioned the last time he spoke to the commission and asked the law director why he added this now. Law Director O'Shea stated that this is the same philosophy behind the benefits issue. He went on to note that the salary for the current mayor is not enough and that he does love his city council but disagrees with them on that subject, but to keep and retain talent for the city, this is necessary. This is his personal philosophy he stated, and he believes that the city needs salaries and benefits to attract the right kind of candidate. Charter Member O'Donnell stated he has not given that much thought in linking the two salaries of the mayor and the law director in the charter. The Law Director did state that the charter review commission could bifurcate the two topics, and he thought since he was here talking in front of them, he would present that topic as well. Charter Member Gerstenhaber then that she agrees that benefits should be offered but wanted to ask the law director that he mentioned that things have changed in the five years and wanted to know how so. Law Director O'Shea then listed the number of duties and responsibilities that have increased over the past few years. He stated that emails are longer and more complicated, the court dockets, in general, have gotten bigger at the city court, and more legal questions are submitted to the office on a daily basis. He also mentioned that staffing levels are bigger now because of the amount of legal work flowing through the city.

Chairman Bemer then gave some history regarding the issue of the salary package with the law office and city council of the city. A salary survey was conducted a few years back regarding the surrounding communities law directors and focused on Bay Village since it is considered the sister city of Rocky River. Chairman Bemer indicated that the city council here was unresponsive to the issue but did credit some council members for wanting to pursue the issue. He pointed out that when comparing the two cities, back in 2021, the Bay Village Law Director made \$20,000.00 more a year as compared to the law director here in Rocky River. Moreover, their law director was offered health benefits as well. He also stated that most of the communities in Cuyahoga County offer health insurance benefits to their law director regardless of their full or part-time status. He stated he is still upset with the issue and then indicated, in his opinion, of how many work hours by the law director should be conducted on weekly basis based on the current salary. He then stated, with all of that background, he is still struggling if this subject is a charter issue or a council issue. He then asked the law director if he has discussed this issue with the current council president of the city. The law director stated that he has in the past but not today. Law Director O'Shea pointed out that all this commission is doing is recommending the wording be sent to the public for a vote. He stated that nothing that is passed by this body is bound to city law, it is a recommendation. He believes that city council would feel relieved if it does pass because it takes the topic of the table from their consideration. Chairman Bemer then stated that he wants to make sure that the right thing is done for salaries and then gave an example of past salary considerations within the city that the council did pass through their ordinance procedures. The mayor did ask Chairman Bemer for clarification of the example. In conclusion, Chairman Bemer requested that Law Director O'Shea speak to Council President Shipp about the issue and then ask the council president back to the commission to speak as to why this should or should not be in the charter. Charter Member Roberts then stated that she is all about the process for this topic. She reviewed the steps that she believes this

process would take place through the office of Human Resources, then to council, then approval. She noted that the charter itself is an overview of the organization of government this topic is getting into the details that would not necessarily be needed in the charter. The law director did point out that this proposal is his opinion only and that he will speak to council in the appropriate manner. In conclusion of this discussion, the mayor did speak and wanted to make sure the commission knew that council does set the compensation for all elected officials and when they do that, they do for the upcoming term. Chairman Bemer stated the mayor was right and that the state law does not allow salaries of elected officials to increase during their current term in office. It has to be set for their next full term in office.

Next, Charter Member Sullivan then spoke on Articles VIII and IX tonight and began by reviewing each of the sections contained in the article. He stated that the articles deal with election related issues. Charter Member Sullivan did add that the commission did discuss the issue of removal and Article VIII does deal with the removal of an elected official by the public. The prior discussion dealt with the issue of removal of a member by the elected body. He reviewed the signature requirement needed to place an elected office on recall and the written justification for the recall and the 200-word maximum provision. He then stated that it comes down to whether these two sections addressing the removal of a ward councilman or at-large councilman is sufficient or does there need be any updating of the requirements. He states he believes the current provision does provide a sufficient level of checks and balances but the idea of these separate levels of impeachment provisions may not be necessary but stated that the commission can most certainly debate that. He then opened up the floor for any discussion on that.

Chairman Bemer spoke to the commission regarding a current state statute that states you need a minimum of 15% of required signatures for recall efforts and pointed out the city charter has this threshold at 25% so it goes above the state minimum. Charter Member Gerstenhaber then commented on the 200-word requirement needed to file a recall notice with the city. She stated that if a person is soliciting signatures from the voters regarding a recall, the language in the charter should be simple. Charter Member Roberts agreed that the language should be kept simple and straight forward as well. Charter Member O'Donnell stated that he did not have a problem with the 200-word requirement and then asked Mayor Bobst if there had been any recall efforts in regard to elected officials. She stated that there were efforts in North Olmsted a few years ago but never here in the city that she can recall. Charter Member Gerstenhaber then reviewed the 25% threshold signature requirement in the charter and stated that it seems a bit high and a big lift to acquire the petition collector. Charter Member Roberts said in regard to the wards in signature gathering, the population there is nothing like what it would be for example in Lakewood with more people living there. She said that is a good percentage to acquire a good cross section of population and is a healthy number. Charter Member Hauer then asked what the 25% of signatures is based on and it was clarified that you need 25% of signatures of those people of voted in the last municipal election. Charter Member Roberts stated that you would want a substantial number because in regard to recall, you would not want to do this action frivolously.

Charter Member Melton then spoke about the word "promptly" that appears in Article VII in regard to how long it takes to certify the signatures and whether or not the petition is defective.

Members pointed out that there was no designated time limit for this action spelled out in the charter and then it was discussed how the Board of Elections would handle it. Chairman Bemer then stated that he does remember there was a land use issue that was taken to a petition and the Board of Elections was included in that verification process in regard to signature validation. Charter Member Roberts then asked if the Ohio legislature has any guidelines to this particular issue and Chairman Bemer stated that he could not find anything. With that point, Charter Member Gerstenhaber asked if it was the City Clerk verifying the signatures on this recall initiative and are they using the Board of Elections for help. Chairman Bemer stated that the charter states it is the Clerk of Council to do so. Charter Member Gerstenhaber then asked does the Clerk of Council have the same access to signature verification than the Board of Elections and Chairman Bemer responded that that is the dynamic issue at hand is that should it be the clerk or the Board of Elections doing the verification. In truth, the Clerk of Council probably has never done this sort of action Chairman Bemer pointed out to everyone. He then asked Charter Secretary Greco to add this topic to the list of further discussion. Charter Member Hauer sought clarification regarding who can sign a petition, what is an elector, and who can be a part of the 25% of when signatures are sought. Mayor Bobst pointed out that the Board of Elections are the ones who possess the signature of the registered voter so they will be needed in the verification process.

Charter Member Sullivan then went on to review Article IX of the charter. He went on to summarize each section and then asked the commission if they had any comments or questions regarding this article. Chairman Bemer then stated that he did write the current language in this article with the help of the mayor. Discussion then focused on why the primary language was set up the way it currently stands. Charter Member O'Donnell then recalled an election that had a primary with a certain number of candidates, very few people voted in that election, and it cost the city a significant amount of money to run that particular election. He went on to state that's the reason why current language exists on how each party can run register their candidate for the election. Charter Melton did point out that it could be a possibility that two candidates from the same party could run against each according to these current provisions of the charter and wouldn't the city want a candidate from each party. Other charter commissions members stated that this should be up to the party itself to clear the field and make sure there is only one candidate on the ballot. Charter Member O'Donnell did point out that you could have five people on the ballot from the same party but if there is another candidate added to that list from another party, then a primary is triggered. He asked if this is what the commission would like to see. Discussion continued with examples of how parties could get candidates on the ballot and how that could potentially split the vote of the electors. Charter Member Klym then stated that this language in the article was difficult to parse but it does balance in making sure there is enough choice for the elector to choose from during an election. Then topic of non-partisan elections then surfaced, and the committee discussed what other communities do. Charter Member Roberts stated that she does not have a problem with this section of the article the way it is written and points out that she doesn't believe there hasn't every been any issue with the language in the past, as well as any legal issues.

Charter Member Sullivan then discussed how independent candidates can run in the city's election which is the final section of the evening. He asked the commission if they should review the threshold of signatures needed for an independent candidate to get on the ballot. It is

somewhat higher than the other requirement of the other party candidates. Mayor Bobst pointed out to the commission that independent candidates can get signatures from any person registered as a Democrat, Republican, and/or Independent. Whereas a Democrat can only get signatures from registered Democrats and Independents and Republican candidates can only get signatures from registered Republicans and Independents. Charter Member Gerstenhaber then discussed the amount of signatures needed and does it seem too high, and Chairman Bemer responded with saying that the signatures are based on the prior election so one year it may be high and the next year it may be a low turnout which results in lower signatures needed then.

With that, Chairman Bemer did ask if there were any votes to move forward with discussion on the number of signatures needed for an independent candidate to get on the ballot. There were no votes for the discussion item to move forward.

After that, all of the members spoke and voted, there was three items that were placed on the master list of further discussion:

Article VIII – INITIATIVE AND REFERENDUM – Section 2 Recall – have a discussion regarding the definition of “promptly” in promptly certifying the particulars in which the petition is defective.

- Discuss the utilization of the Board of Elections to verify petitions instead of the Clerk of Council in recall elections

Article XI – NOMINATIONS AND ELECTIONS – Section 3. Declaration of Candidacy – have a discussion of partisan elections vs. non-partisan elections

Charter Secretary Greco reviewed the task list that was set by the commission for the next meeting.

The next meeting of the Charter Review Commission will be held at 6:00 p.m. on May 20, 2026.

There being no further business, the meeting was adjourned at 7:12 p.m.