

**Cuyahoga Falls City Council
Minutes of the Special Committee Meeting
January 25, 2010**

Members: Mark Ihasz, Chair
Don Walters
Terry Mader

Mr. Ihasz called the meeting to order at 6:40 p.m. All members were present.

Discussion

Mr. Ihasz stated the purpose of the Special Committee meeting was to discuss the Mayor's temporary appointment to the Civil Service Commission. Ms. Jones stated that one of the members on the Civil Service Commission has a conflict of interest and cannot serve to hear an appeal on a termination. The termination hearing was originally set last week with two members. Administration had asked Magistrate Slaby to help the Commission through the hearing process because there will be a lot of exhibits and legal information. None of the three current members have any legal background. The City thought that may be an issue so it asked Judge Slaby to help direct them. Mr. Gilbert objected and felt that a vacancy had been opened due to the conflict. Mr. Arrington and Mr. Gilbert both felt that for purposes of this hearing, they would agree that a vacancy exists. Mr. Gilbert asked the Mayor to appoint a member to fill in. Administration felt it would be difficult for non-legal members to sift through information so they recommended that the Mayor appoint an attorney. Stephan Kremer is an attorney and they feel he will do a good job in helping to direct the Commission. The appointment is limited to this termination appeal. The hearing had not yet been rescheduled. Ms. Jones stated they were not sure who would be selected or how long it would take to get the appointment. Mr. Ihasz confirmed this would be just for this hearing. Mr. Walters asked Mr. Kremer's field of practice was in employment. Ms. Jones stated she did not believe he specialized in employment law. The Civil Service Commission is a three-judge panel that will listen to the facts on why the City terminated the employee and why the employee felt he should not be terminated. Knowing the Rules of Evidence and procedural matters will be helpful to the Commission. Any attorney who does litigation would be helpful in that regard. Mrs. Hummel asked if there will now be a full commission of three, including the appointment of Mr. Kremer, to hear this hearing. Ms. Jones stated there would. She stated that two of the members were present at the last meeting. The member with the conflict was not in attendance. The rescheduled hearing will be heard by three members.

Committee recommended bringing out the appointment.

Meeting adjourned at 6:45 p.m.