

CUYAHOGA FALLS CITY COUNCIL
Minutes of the Special Council Meeting

January 4, 2016

Call to Order:

Mrs. Klinger, as senior member, at 6:30 p.m.

Roll Call:

Mr. James, present; Mrs. Klinger, present; Mr. Colavecchio, present; Mrs. Pyke, present; Mr. Rubino, present; Mr. Iula, present; Mrs. Nichols-Rhodes, present; Mr. Pallotta, present; Mr. Brillhart, present; Mr. Iona, present; Mr. Miller, present;

Mrs. Klinger accepted nominations for Temporary Chair. Mr. Iona nominated Mr. Pallotta. There were no further nominations. Motion passed unanimously, voice vote (11-0). Mr. Pallotta is Temporary Chair.

Mr. Pallotta announced the passing of Jim Hummel and stated the many ways the Hummel family have served the City of Cuyahoga Falls.

Invocation:

Mr. Pallotta

Pledge of Allegiance:

Mr. Pallotta

Organizational Business:

Mr. Pallotta accepted nominations for Council President. Mr. Iona nominated Mrs. Pyke. Mr. Colavecchio nominated Mr. James. Hearing no further nominations, the nominations were closed.

Mr. Colavecchio called a point of order, objecting to the fact the paper ballots had Council members' names on them, and stating they should be blank ballots.

Mr. Pallotta deferred to Mr. Balthis. Mr. Balthis stated Council rules do call for a paper ballot. He referred to Robert's Rules of Order in that one of the main purposes for voting by ballot is secrecy. Mr. Balthis noted that Attorney General's Opinion 2011-038 has been issued that states secret ballot voting is not permitted. He further stated that Attorney General's opinions are a recommendation and not legally binding.

Mr. Colavecchio stated that the purpose of a secret ballot is to ensure there is no intimidation, so people can freely vote without fear of reprisal. Mr. Iona stated that Council was here to vote for the best candidate and not play partisan politics. Mr. Colavecchio stated that, until two years ago, the ballots had always been blank, and it was not setting a good precedent by having ballots with names on them. Mrs. Pyke asked Mr. Colavecchio if he was suggesting that Council proceed forward in a public meeting despite the Attorney General's opinion that secret ballots were not allowed. Mr. Colavecchio restated his objection to proceeding without secret ballots. Mrs. Pyke stated that balloting had been conducted in this manner for the past two years, and that up until this meeting or week, there had been no objection.

Mr. Pallotta cited his appointment to council in 2013. At that time, a secret ballot took place. That secret ballot was challenged by the Democrats arguing that secret ballots could not be used in a public meeting. In response to the challenge, the vote was taken without secret ballots and he was appointed to council. He felt that not only supported the Attorney General's opinion, but set a precedent. Mr. Pallotta stated that voting would proceed with ballots containing names.

Mr. Pallotta appointed Mr. Iula and Mr. Brillhart as tellers. They distributed paper ballots, then collected and counted them. Mrs. Pyke was elected President of Council (vote 6-5) and was sworn in by Mayor Walters.

Mrs. Pyke accepted nominations for Council Clerk. Mr. Iula nominated Jo Ann Schloz. Mr. Colavecchio nominated Dana Capriulo. Hearing no further nominations, the nominations were closed.

Mr. Colavecchio called a point of order. He stated since Council had in its possession a copy of Ms. Schloz's resume, he would like the opportunity to pass out Ms. Capriulo's resume or to say a few words about her qualifications. Mr. Colavecchio stated that Ms. Capriulo was a court reporter with the Summit County Domestic Relations Court, and had been a court reporter for 29 years. He had a concern about the timeliness of receiving minutes in the past, and stated that the best-qualified person should be elected to the position.

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Mrs. Pyke read Ms. Schloz's resume. She stated that Ms. Schloz is a licensed Ohio attorney and certified financial planner. Ms. Schloz's community service includes serving on the Community Legal Aid Society and Save-a-Dream Foreclosure Prevention Program. Mrs. Pyke then asked if there were any questions about either candidate's resume.

Tellers Mr. Iula and Mr. Brillhart distributed paper ballots, then collected and counted them. Dana Capriulo was appointed as the new Clerk of Council (voted 6-5), was sworn in by Mayor Walters, and took her seat at the Council rail.

Mrs. Pyke accepted nominations for President Pro Tem. Mr. Iona nominated Mr. Pallotta.

Mr. Miller made a motion to suspend Council Rule 111.01(F) and dispense with written ballots; second by Mr. Iula. Motion passed unanimously, voice vote (11-0).

There were no further nominations. Motion passed unanimously, voice vote (11-0). Mr. Pallotta is President Pro Tem.

Mrs. Pyke appointed a five-person Committee-on-Committees and Seating consisting of Mr. Pallotta, as Chair, Mr. Miller, Mr. Iona, Mr. James and Mrs. Pyke.

Mrs. Pyke accepted nominations for Sergeant-at-Arms. Mrs. Pyke nominated Mr. Miller. There were no further nominations. Motion passed unanimously, voice vote (11-0). Mr. Miller is Sergeant-at-Arms.

Mrs. Pyke accepted nominations for Chaplain. Mrs. Pyke nominated Mr. Iona. There were no further nominations. Motion passed unanimously, voice vote (11-0). Mr. Iona is Chaplain.

Report of Committee-on-Committees

Mr. Iula moved to approve the appointments to the Committees, Boards and Commissions and the seating assignment, second by Mr. Miller. Motion passed, voice vote (11-0).

Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 7:10 p.m.

Mary Ellen Pyke, Council President

Dana Capriulo, Clerk of Council