

SPECIAL SESSION

November 12, 2009

The Council of the City of Chardon met in Special Session Thursday, November 12, 2009 at 6:00 P.M. in Council Chambers of the Chardon Municipal Center.

Karen Simpson, President of Council presiding.

The meeting opened with the pledge of allegiance and roll call.

Members of Council present: Leslie Bednar, Mary Bramstedt, Jefferey Campbell, Jr., Robert Cromwell, Philip King, Deborah Reiter, Karen Simpson.

Members of Council absent: none.

Others present: City Manager David Lelko, Finance Director Jeffrey Smock, Assistant Manager Randy Sharpe, Law Director James Gillette, Clerk of Council Amy Day, Planning and Zoning Administrator John Sheehan, City Engineer Doug Courtney, Sue Schade, Ken Ovark, Mariel Rouru, Richard & Sharon Haynes, Ed Ferrall, Mary Briggs, Georgeanne Mitchell, Paula Noyes, Joyce Campbell, Nancy McArthur, Gwen Sheehan, Ken Miller, Betsy Scott, John Mallen, Arlene Hill, Mitch Hewitt, Bill Hess, John Eltzroth.

Regarding the Announcement of Decision by the Board of Ethics Review, Mayor Simpson moved and Mr. Cromwell seconded that Council adopt a Resolution of formal censure reflecting the decision of the Board of Ethics Review.

Mrs. Bramstedt spoke and stated that during her time on Council she has worked diligently for the residents and stated that she has done nothing wrong and that the allegations are untruths.

Mrs. Reiter stated that from the beginning, she has been uncomfortable with the investigation and after reading the report, she finds it to be inconclusive. There are many inconsistencies and there is no physical evidence, and she believes Mrs. Bramstedt and will not be voting to adopt the Announcement of Decision.

Mr. King asked Mrs. Reiter that even though she is focusing on the report, if there is any reason that she would not consider the recommendation by the Board of Ethics Review.

Mrs. Reiter stated that she does not agree with the information that the Board of Ethics Review based their decision on and she chooses to believe Mrs. Bramstedt.

Mariel Rouru, Irma Dr., stated that Mr. Gillette stated to the Ethics Committee that there was no evidence and no leak.

Mr. Gillette stated that Mrs. Rouru's statement is incorrect.

Ken Ovark, 334 Irma Dr., spoke to reflect on his experience he has had at Council meetings.

Georgeanne Mitchell, 12860 Mayfield Road, stated that she has known Mrs. Bramstedt to be honest, loyal and dedicated to her job on Council.

Paula Noyes, 308 South Street, stated that she was disappointed with the Board of Ethics Review as they did not take into consideration the Law Director's interpretation of the IRG report and his recommendation thereof.

Sharon Haynes, 305 N. Hambden Street, spoke on Mrs. Bramstedt's behalf and stated that Mrs. Bramstedt is honest and is surprised by the decision that the Board of Ethics review has made.

John Mallen, 101 Wynewood Place, spoke to state that the Board of Ethics Review stated that they read the report by IRG in detail and that their opinion is non-biased.

Mayor Simpson asked if the motion is sufficient.

Mr. Gillette stated that the motion is sufficient but it is up to Council if they want him to prepare a formal resolution or if they want it done by motion only. Generally a formal censure in terms of how it is done by other legislative bodies, is they adopt a formal resolution of censure but this is not necessary. It can be done by motion only.

Mayor Simpson asked if Council can accept formal censure as well as the recommendation of the Board of Ethics Review by motion or resolution.

Mr. Gillette stated that council's adoption of the recommendation by the Board of Ethics Review, whether by formal resolution or by motion has the same effect. It is not legislation.

Mr. King asked if Council needs to issue findings of fact.

Mrs. Bednar asked if Council can just concur with the findings of the Board of Ethics Review.

Mr. Gillette stated that this could be part of the motion or as part of a formal resolution.

Mr. King stated that he is satisfied with a motion as there needs to be closure and is satisfied with incorporating the findings and the recommendations of the Board of Ethics Review but that would be up to the Councilmen who made the motions.

Mrs. Simpson and Mr. Cromwell amended the motion to adopt a resolution of formal censure by the Council adopting the recommendation as contained in the Announcement of Decision and the findings of fact by the Board of Ethics Review.

Mrs. Bramstedt asked if she should abstain from voting.

Mr. Gillette stated that the decision is up to Mrs. Bramstedt, but he would recommend it.

Mrs. Bramstedt stated that sometimes people jump to conclusions without having all the facts referencing comments made to her regarding parking in a handicap parking spot, comments made about flyers that were circulating that she had no part of, and allegations that she gave money to someone where she did not know where they lived.

Results of the roll call vote:

Bednar:	Yes	King:	Yes
Bramstedt:	Abstain	Reiter:	No
Campbell:	No	Simpson:	Yes
Cromwell:	Yes		

Motion passed.

**EXECUTIVE SESSION** - none.

**ANY OTHER BUSINESS** - none.

**ADJOURN**

Mr. King moved and Mrs. Bednar seconded to adjourn. Upon voice vote the motion passed unanimously.

The meeting adjourned at 6:23 P.M.

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KAREN S. SIMPSON, Mayor  
President of Council

Attest:

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AMY DAY  
Clerk of Council

