



ETHICS BOARD

April 18, 2013

Present: Joseph Amprey, Melissa Eggert, Jeff Darlington – 3

Absent: Jonathan DeCollo – 1

Also Present: Greg Shantz, Solicitor
Shelly Katzenmoyer, Secretary

The meeting was called to order at 7:38 am by Jeff Darlington.

A quorum is present.

APPROVAL OF MINUTES

Motion was made by Ms. Eggert, seconded by Dr. Amprey, to approve the October 2 and December 11, 2012 minutes as written. Motion carried unanimously.

OLD BUSINESS

- Integrity in Government

Ms. Katzenmoyer explained that the amendment to the Code of Ethics has been in the Council Open Government Committee for several months because the Committee has many questions. She requested that Mr. Shantz attend the next meeting to address the questions. Mr. Shantz stated that he will attend.

NEW BUSINESS

- Complaint Hearing

Mr. Shantz stated that the Board will not learn details about the complaint until the hearing. He stated that the investigative officer has determined that the complaint warranted investigation and has issued a findings report. The findings report has been released to the subject of the complaint and that the subject has requested a hearing. The hearing must be held within 45 days of the request.

Mr. Shantz explained that the Board will hear the appeal and issue a final determination. He reviewed the procedure. He explained that there will be an attorney who prosecutes the complaint and an attorney who will advise the Board. He stated that these must be two separate attorneys and stated that his firm has been working to identify attorneys who are experienced and qualified to serve in these positions who do not have a conflict of interest. He proposed that the Board accept the solicitor's recommendations of attorneys.

Dr. Amprey questioned the timeframe to schedule the hearing. Mr. Shantz stated that the deadline is the second week of May.

After a brief discussion, the Board decided to hold the hearing on Tuesday, May 7 at 5 pm.

Ms. Katzenmoyer questioned if the hearing needed to be advertised. Mr. Shantz stated that it does not as the complainant has not requested a public hearing.

Mr. Darlington questioned if there would be any conflict of interest with Board members who may be familiar with the complainant. Mr. Shantz stated that there will not. He explained that the Board members must put their personal relationships aside and stay neutral during the hearing and the formation of the decision and base their decision on the information presented at the hearing.

Dr. Amprey questioned the length of the hearing. Mr. Shantz stated that it will be several hours. He stated that he also does not have details about the complaint but that members should plan on the hearing taking 2 – 3 hours.

Mr. Darlington questioned the process. Mr. Shantz explained that after the hearing the Board would meet with its attorney to formulate its final decision. He stated that the decision must be in writing.

Ms. Katzenmoyer questioned if Mr. Shantz would like to review a final decision rendered by the Charter Board to use as a reference. Ms. Shantz stated that he would like to review this information.

Ms. Katzenmoyer stated that she will schedule a room for the hearing and will confirm the details with the Board.

The next meeting will be in the form of a hearing and will be held on Tuesday, May 7 at 5 pm.

Meeting adjourned at 8:02 am.

Respectfully submitted,

Shelly Katzenmoyer
Deputy City Clerk