

**VILLAGE OF CHAGRIN FALLS
“MOVE TO AMEND” MEETING
March 21, 2015**

Present: Mayor Brick, Evans, Subel, Byron

The meeting was called to order at 1:00 p.m. by Janis Evans.

ORDINANCE NO. 2015-09

INTRODUCED BY: MAYOR & COUNCIL

AN ORDINANCE DESIGNATING MARCH 21, 2015, AND THE THIRD SATURDAY IN MARCH IN EACH ODD-NUMBERED YEAR AS “MOVE TO AMEND DAY” IN THE VILLAGE OF CHAGRIN FALLS, AND DECLARING AN EMERGENCY.

WHEREAS, an ordinance was adopted by the electorate on November 4, 2014, requiring the Mayor and Village Council to designate one day every two years as “Move to Amend Day” and to sponsor a public hearing to study the impact on the Village of political influence by corporate entities, including unions and Political Action Committees, in connection with the most recent election; and

WHEREAS, in order to provide sufficient notice to the community regarding the event Council has determined that March 21, 2015, and the third Saturday in March in each odd-numbered year should be designated as “Move to Amend Day;” and

WHEREAS, this Council desires to set forth the manner in which the required public hearing shall be conducted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. March 21, 2015, and the third Saturday in March in each odd-numbered year shall be designated “Move to Amend Day” in the Village of Chagrin Falls.

SECTION 2. On each “Move to Amend Day,” the Mayor and Council shall hold a public hearing at Village Hall at 1:00 p.m. to study the impact on the Village of political influence by corporate entities, including unions and Political Action Committees.

SECTION 3. The public hearing required in Section 2 of this Ordinance shall be conducted in the following manner:

- a. Members of the general public in attendance shall be afforded the opportunity to speak on the matters listed in Section 2 of this Ordinance for up to five (5) minutes per person.
- b. The Village shall record minutes of the hearing and make them available to the public by posting them on the Village’s website.
- c. Within one (1) week following the public hearing, the Clerk of Council shall send a letter to the leaders of the Ohio House and Senate, the Village’s U.S. Congressional Representatives, and to both Ohio Senators which shall include a brief summary of the public hearing and state that the citizens of the Village of Chagrin Falls on November 4, 2014 voted in support of a Citizens’ Initiative calling for an amendment to the United States Constitution declaring: (1) only human beings, not corporations, are legal persons with Constitutional rights; and, (2) money is not equivalent to speech, and, therefore, regulating political contributions and spending does not equate to limiting political speech.

SECTION 4. That all ordinances or parts thereof inconsistent herewith, including but not limited to the Ordinance enacted by referendum on November 4, 2014, are hereby repealed.

SECTION 5. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 6. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Resolution shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 7. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Chagrin Falls and, further, to comply with the requirements of Sections 171.01 through 171.03 of the Codified Ordinances adopted by the electorate on November 4, 2014; wherefore, this Ordinance shall be in full force and effect from and after its adoption.

PUBLIC HEARING

Becky Thomas, 124 Ridgewood Road, stated that last Fall she was very lucky to hear David Cobb, who is a national spokesperson for “Move to Amend”. His words inspired her to borrow some of his ideas and she hopes they will help you understand why the national “Move to Amend” movement is so important. She focused on the word “corporation”, Corp. meaning to give body. She talked about the Roman Republic, the King of England who issued Charters which were called companies, and the constitution. She said the main reason corporations are in power is to make a profit and to raise the stock prices. This “Move to Amend” movement is advocating a constitutional amendment to remove the Citizens United Movement and because we can not make laws to bring about the strength of “we the people” without amending the constitution municipalities like ours throughout the country are taking a stand. In Ohio alone, ordinances have been passed in six cities, Brecksville, Cleveland Heights, Defiance, Newburg Heights, Mentor, and Chagrin Falls. Many more will have this ordinance on their ballots in November. More than six hundred resolutions and ballot initiatives have been passed nationally. It is up to us, the citizens of this country, to take back our democracy.

Diana Nazelli, 40 Hastings Lane, said every village, township, city, and town is influenced including Chagrin Falls whether or not large amounts of money are infused into elections. We are affected and it starts at the state level. From 2007-2012 the nations two hundred most politically active corporations received seven hundred and sixty dollars for every one dollar they donated to influence politics. All bets are off now with the emergence of Citizens United in 2010. The two hundred corporations are responsible for 26% of the total amount spent on lobbying expenditures. This chunk of change, currently around 5.2 billion, has gone towards establishing relationships and influencing the legislatures that write the laws that could either favor or oppose their interest. Prior to Citizens United in 2010 typically somebody running for state rep or state senate would raise almost equal amounts of money and not all candidates who raised the most amount of money won. That changed very dramatically in January, 2010 when Citizens United was put into effect and

starting with the 2010 election the state rep that won had never run for state rep before and was able to raise \$436,000, \$306,000 of which was outside influence money outside of Ohio that came from a national party, national influence. Removing that \$306,000 additional gave the candidates almost parity in terms of what they had raised except for the candidate who won and raised \$306,000 more. You take a look at page after page of influence that corporations, the lobbyists that invested into the state reps campaign including elected officials local and otherwise and then you take a look at the way the state rep voted, which is really in almost direct opposition to the health and welfare of the villagers of Chagrin Falls. In terms of loss of operating money, the village has lost. The state reps that raised the most money, won, and voted really against the health and welfare of the citizens that they serve in support of the larger agenda. In terms of our ordinance, the Village of Chagrin Falls is affected not perhaps by the flow of money in and out for its own elections but certainly by the people who directly affect the outcome of state elections.

Kathy Kolcaba, 84 Hall Street, spoke about the effect of money on public education in Chagrin Falls. She said Governor Kasich has taken campaign contributions from charter school lobbyists. These same lobbyists created a narrative that spoke to freedom of choice as a solution to the educational problems that face our schools. Such a mantra appealed to those who felt government was too big, too much, and too late. However, data shows that charter schools have cherry picked students, they dumped failing students and kept the funds, and took tax payer money without fiscal accountability. In many cases these charter schools have failed to meet state testing standards and performed much worse on these tests than public school children do. In spite of these failing grades, the governor is desperate to keep the narrative and the funding from his contributors alive. And to appease his contributors, he has diverted money from public schools to charter schools in the state budget. He has done this in three successive budgets. Now, Chagrin Schools are facing another severe shortfall in their projected money from the state.

Steve Lampman, 18895 Thorpe Road Auburn Township, said a remarkable 67% of village residents voted for this resolution. He thinks the point of the Citizens United decision did stimulate a lot of civic concern regarding the supreme court decision and principally one of the poor aspects of that is the notion that corporate money is equated with the speech of citizens, which seems to upset a balance, a level playing field, and balance of power, which money really is not so much speech but it is power of speech and power of other things as well. That probably is just kind of a basic instinctual aspect of this regarding everyday citizens. We are also aware that a village resolution and amending the constitution are two widely separated things. Whether the fact this would lead to an amendment of the constitution is maybe naive but at least it brings awareness to the underlining issue. The Hatch Act prohibits federal employees from contributing to campaigns. A similar statute can be evoked to have whereby anybody who does business, contractor or business with the federal government, is not allowed to contribute to the campaign of officials much like federal employees are restricted in campaigns as well.

Judy Kramer, 162 Vincent Street, said this is not a new problem. She quoted: "In 1931 politics has gotten so expensive that it takes a lot of money to even get beat with nowadays." "In order to get elected one must have friends with money and friends with friends with more money." While it is

not true in Chagrin Falls there are other things that could affect us here and have affected other small communities such as one right now that has the energy companies who are going against the home rule of that community won their case. This could happen here at any time where it is the big money that beats out the little people or the small communities. The 2012 election cost 6.3 billion dollars and the 2016 election is going to take a lot more money than that. House Bill 278 is a campaign finance disclosure sponsored by representative Jim Smith. It probably won't get anywhere but it is an effort. House Bill 241 is called the revolving door bill, which says that you must have a two-year cooling off period before former legislators can become lobbyists. This was introduced by Representative Jim Dines and so far it has been tabled in the Senate. Representative Dines paid his own money from the inception of this campaign to the present and he got elected. Very few people can run and get elected in that way. When you stop to think of how much money you need to go beyond just the local, you can't do it unless you are really, really rich. Some communities and some states have what they call clean elections where you can run as a clean candidate. It is a matter of going out and getting money from many people, whatever the state or the community sets as the limit, whether it be \$50 or \$100 and then those people sign your petition. As soon as you have the required amount of signatures you qualify for money from the community or from the state and then you can become a candidate and you can say you are a clean candidate; you are not accepting a big donation.

Ray Kolcaba, 84 Hall Street, spoke about corruption in politics and buying a politician by accepting money for votes. He said public officials are supposed to serve the public good rather than their private interests. If a politician who is supposed to serve the public good ends up being self-interested, namely getting rich on the job or passing on favors to their own private interests at the expense of the public, then that is corruption. The Citizens United decision by opening up the flood gates opens up the possibility of much greater corruption of that kind. Right now 79% of the people believe that there is corruption in Washington and only 12% of the public believes that Congress is doing an effective job. "Move to Amend" is a very desirable effort at least for the public to speak out and say we perceive that there is corruption and if there isn't, show us.

Lynne Rustad, 442 Solon, also spoke about money, politics, and the education system. She mentioned that there is a website called Innovation Ohio and they have an interactive chart where you put in your own town and they will tell you how much money went to private instruction and they compare the amounts spent on schools.

Greg Coleridge, 3016 Somerton Road Cleveland Heights, said he is the Director of the Northeast Ohio American Friends Service Committee, which is a Quaker organization devoted to service, development, and peace programs throughout the world. He congratulated the people of Chagrin Falls who are a part of this effort and said that Chagrin Falls is now one of six communities to pass citizen initiative efforts. He said your leadership, understanding, and advocacy is really what democracy is all about. This whole effort to abolish corporate personhood is money and speech is actually a very conservative undertaking. Congress, state legislators, village councils, and city councils never voted to give corporations personhood. That was done by activist courts and by doing

so what that did is it transferred decision making of how we are going to control money in our society and how we are going to try to control this corporate form. It shifted that from the political round to constitutional round. What Move to Amend is trying to do is to go back to what it once was. To move those questions and to make those decisions regarding how many privileges should corporations have and how much money should be in elections to move that back into the political arena where it once was and where it was intended to be. This is not a democratic or republican issue, it is a transpartisan issue, it is self-governance, self-determination, whatever you want to call it. That is what the issue is all about.

Hellen Pointer, 36 Bellview Street, spoke about big money, big corporations, and buying elections. She said if we think having big money and big corporations have the ability to buy an election describes a democracy we are fooling ourselves. If these billions of dollars going into elections in a country and a world that have so many deep problems is to me immoral.

The meeting adjourned at 1:45 p.m.