SPECIAL COUNCIL MEETING
WE THE PEOPLE DAY 2023
PUBLIC HEARING
MONDAY, APRIL 3, 2023 – 5:30 PM

CALL MEETING TO ORDER

President Christine Shoop called this Special Meeting, held in Courtroom #1, to order at 5:30 PM. She introduced herself as the President of Painesville City Council as well as other staff in attendance: City Manager Doug Lewis, Councilperson Jim Fodor, and Clerk of Council Samantha Danielson.

PLEDGE OF ALLEGIANCE was recited by Mrs. Shoop.

WELCOME AND PURPOSE OF THE MEETING

Mrs. Shoop stated on behalf of the Painesville City Council, she wanted to welcome all those in attendance this evening and explain the purpose of the meeting. Pursuant to Section 123.01, adopted by the electors of the City of Painesville at the November 2020 election, the City of Painesville is required to hold a public hearing for "We the People Day". The public hearing provides an opportunity for the residents of Painesville to provide public comment on the impact of political contributions of corporations, unions, PACS and Super-PACs on the City. Organizers and electors who voted for "We the People Day" are asking for an amendment to the U.S Constitution declaring that human beings, not corporations are legal persons with constitutional rights and that money is not the equivalent of speech, and establishing a biennial public hearing by the City of Painesville.

City Manager Doug Lewis stated as directed also by the ordinance, we have sent letters to our elected representatives about this public hearing and advertised it in the newspaper and on social media. We have not received any response to the notices to date.

Mrs. Shoop stated we are here to listen to you tonight. There is a list of requirements as provided for in the ordinance and she asked Mr. Lewis to review them prior to the public hearing.

City Manager Doug Lewis stated Section 123.01 specifies is that each speaker's comments will be limited to 5 minutes so that everyone who would like to speak has an opportunity. If you would like to speak, please print your name and address on the sign-up sheet. I will recognize you in the order you have signed up to speak. When called upon, please use the podium, clearly state your name and address into the microphone, and then limit your comments to five minutes. Please speak to the ordinance and not other city business. The purpose, again, is to examine the impact of political influence by corporate entities in the most recent election.

PUBLIC COMMENTS – "WE THE PEOPLE DAY"

Mr. Lewis acknowledged the residents to speak during this time. The following residents spoke on this issue: Ed Zivkovick, Kristin Zivkovich, Kathy Deane, and Brad Deane. See attachment for their submitted comments.

Mrs. Shoop thanked the participants for their comments and asked if anyone else would like to speak. No one else responded. She stated she is proud to be part of the community which has such passionate citizens.

ADJOURNMENT

This Special Meeting: Public Hearing was adjourned at 5:46 PM.

Samantha Danielson
Clerk of Council

Christine Shoop
President of Council

Progress

In November of 2020 the citizens of Painesville, by a vote of 78% to 22%, passed a resolution calling for a constitutional amendment to declare that corporations are not legal persons with a constitutionally guaranteed right to free speech, and that money is not speech. Since then, not much has changed. In the 2022 election, Ohioans were bombarded by over 300 million dollars in political ads. A good deal of them paid for by "dark money", the source of which is impossible to trace when all you know is that the ad was paid for by some group called "The Committee for Popular and Good Government". I don't know if there really is a 501 (c) (4) corporation called "The Committee for Popular and Good Government", I just made that up. But doesn't it look like something you may have seen in the fine print at the end of some political ad on TV? The point is, we don't know who's telling us what is being said.

If we had known that the line we were being told over and over about how bailing out the nuclear power industry in Ohio was so good for Ohioans was actually coming from the owner of those nuclear power plants, a corporation which would have lost hundreds of millions of dollars if House Bill 6 did not pass, would we have been likely to support that bailout? One of the reasons it took federal prosecutors so long to finally bring Larry Householder to trial was untangling the sources and movement of the dark money that supported the passage of this colossal boondoggle. It took over 2 years and the resources of the U.S. Justice Department to piece that puzzle together. How is the average citizen voter supposed to know what to believe. when they have no idea who it is that is telling them how they ought to decide on issues or candidates?

We need some progress here. Let's begin by doing whatever we can, whenever and wherever we can, to expose dark money to the light, and lessen the influence corporations and other artificial entities have over our self-governance.

Submitted by
Edward Zivkovich, 616 Hickory Lane, Painesville, Ohio
We The People Day, April 3rd, 2023

We the People Day Statement
Painesville City Council
April 3, 2023

I have discovered that I have had an ill-founded faith in groups that are known as non-profits or not-for-profits. My naive assumption was that the primary mission of such groups was to work for the common good and the social welfare of everyone and were free from the pressures of making a profit and satisfying shareholders. I've learned that there are important differences between a 501(c) (3) and a 501(c) (4). According to the Internal Revenue Code a 501(c) (4) "must not be organized for profit and must be operated exclusively to promote social welfare." (what I think of as the common good.) Most importantly, 501 (c) (4) organizations are generally not required to disclose the sources of donations. Thus the term "dark money."

For the past 2 years since the HB 6 scandal broke and during the recent trial, the public has learned about the non-profit Generation Now, a 501 (c) (4), and how it was used by First Energy, Householder and others to cover up the millions of dollars, $59 million was reported, of dark money involved in the scandal. The source of that money did not have to be disclosed and it was used in part to lie to the public through media campaigns and intimidation." If ever there was a textbook case of why an amendment to the US Constitution must be passed to overturn the Supreme Court's 2010 decision Citizens United the HB6 scandal is it. By deciding that corporations equate to people and free speech equals money, Citizens United unleashed a deluge of dark money into not only candidates' campaigns for public office but also ballot issues.

Truth and transparency are what Americans should expect and demand from their government and of all corporations who conduct business in the US. Citizens United has done real damage to our democracy and to the trust Americans have in our democracy. Currently the citizens of East Palestine don't trust what Norfolk Southern or the state and federal government are doing following the derailment in their town in February. Why? Because truth and transparency have been so badly damaged.

Thank you for the opportunity to speak on this "We the People" Day. Our democracy is being tested and for it to continue truth and transparency must be restored at every level of government.

Submitted by Krista Zivkovich
616 Hickory Lane, Painesville

Kathy Deane 344 Bank Street Painesville

Perhaps you remember when the House voted last year to end August elections.
The reasons sighted were cost - $20 million, low voter turn out and extra work for election officials which sounds reasonable.
But, currently the Ohio House, is debating whether or not to have a special election this August. Why?? To pass an amendment that would make it harder to amend the Ohio constitution.

Senate Joint Resolution 2 focuses on 3 points
1. to pass an amendment a 60% supermajority at the ballot box would be needed
2. petition organizers would be required to get signatures from all 88 counties in the state instead of the current 44
3. the cure period would be eliminated A cure period for a ballot initiative is a time period for candidates or ballot measure proponents to collect additional signatures if they fell short of the required number with the initial submission.

The decision to have the Special Election must be made by May and is far from being decided. One proponent of the Senate Joint Resolution is Senate President Matt Huffman. He is being very transparent about his intentions. He told reporters "that making it harder for the abortion-rights amendment to pass is among the factors he's considering along with other ballot issues he does not support."

To me, the Senate president is just plain wrong. This is just another way that our democracy is being tested. Elected officials are not in office to push personnel agendas or any other agendas. Democracy is a way of governing which depends on the will of the people.
We elect officials to represent us, but it is also in the history of our Nation that we as individuals can voice our concerns collectively for all to consider and have vote.
This is silencing that voice.

Jen Miller, executive director of the League of Women Voters of Ohio, said "this bill is not just about gun or abortion rights but other issues too. This is about roads, schools, and economics development.
This is the right of Ohios to grab their clipboards and pass ballot initiatives when politicians aren't respecting our interests or needs
-a right we have had for over a century."

We the People Day

April 3, 2023

John Brad Deane

Thank you for your time on this We the People/Democracy Day event.

Democrat or Republican alike, how many of us feel as though we are mere spectators in a theater? How many feels powerless in the face of billion-dollar negative ad campaigns with the hopes of spreading enough dirt and alienating enough voters to depress turn out? Or make us believe China seeks to take over our utility? Or of unknown forces threating your children? One TV commercial after the other, for months on end. How many of us have succumb to the strategy of forced apathy and stopped paying attention to the show altogether?

Democracy Day is important as we need to call attention to the **solution** to the problem of powerful and unaccountable interests, dominating our politics and public discourse. Unlimited funds pollute our politics and airwaves with destructive disinformation designed to divide and confuse our citizens on some of the most import questions of the day.

Self-rule depends on an informed populace, not disinformation from utility, heath, rail, or finance companies protecting profits and dangerous products, conspiracy mongering by clicks-for-profit algorithms, or politicians corrupted by the carrots and sticks of enormously wealthy institutions.

The power of the corporate special interest is fueled by unchecked, unlimited and unknown donations to an increasingly disconnected political class. The shield of corporate special interest is their designation as a "person" under the constitution.

We will only overcome this oppressive and unelected force by declaring corporations are not people and money is not speech under the constitution.

I call on all elected officials to state which side they are on. Are you with the already wealthy, the already connected or will you stand for We the People. I encourage everyone listening to call on their elected officials to Move to Amend the Constitution.