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Painesville City Law Director Joseph Gurley is asking a judge to dismiss a [lawsuit](#) accusing city officials of illegally closing discussions about a controversial immigration policy to the public.

Kirtland resident Arzella Melnyk and James Weber of Painesville [filed a complaint](#) Aug. 29 in Lake County Common Pleas Court accusing City Manager Monica Irelan and City Council President Paul Hach of holding meetings in June and July that violated Ohio Sunshine Laws.

Irelan announced at council's regular June 19 meeting that a community task force had been formed to review the recently enacted Painesville Police Policy 413, which detailed internal guidelines for officers after they arrest suspects for violent crimes, drug offenses or gang activity.

The policy, which was drafted in May, was deemed [offensive](#) by many residents and organizations.

It initially allowed officers to notify U.S. Immigration and Customs Enforcement when a suspected illegal immigrant is affiliated with any gang or criminal organization and/or receives any drug or violence charge. It also stated, "while a lack of English proficiency may be considered, it should not be the sole factor in establishing reasonable suspicion."

On Sept. 11, Irelan announced Policy 413 was being [revised](#) to remove the English proficiency criteria, as well as modify gang criteria to be more specific and improve officer training in identifying gangs.

Gurley is arguing that the task force — which included an immigration lawyer, the leader of a Latino advocacy organization, Painesville residents, a bilingual city officer and a local priest — was not a public body and thus not subject to open meetings requirements.

"The Task Force was created exclusively by the city manager," Gurley stated in his recent motion to dismiss. "It was neither a legislative authority nor a similar decision-making body of the city of Painesville. Its sole purpose ... was to provide recommendations to the city manager. Thus the public meetings mandate of (the Ohio Revised Code) do not apply to the Task Force."

Melnyk and Weber asked Judge John P. O'Donnell for an injunction to stop the task force from continuing to meet "in secret."

The task force met on four occasions for about two hours to explore options. The private meetings between the city manager and task force have concluded with the Policy 413 changes. However, the plaintiffs are still seeking unspecified monetary damages plus attorney fees and expenses.