

**MINUTES OF THE STRONGSVILLE CITY COUNCIL SPECIAL MEETING HELD ON FRIDAY, SEPTEMBER 3, 2021 IN THE MIKE KALINICH SR. CITY COUNCIL CHAMBERS.**

**CALL TO ORDER:**

Council President Schonhut called the meeting to order at 7:31 a.m. All joined in the Pledge of Allegiance to the Flag.

**CERTIFICATION OF POSTING:**

The Clerk of Council certified that the meeting had been posted in accordance with Ordinance No. 2004-273.

**ROLL CALL:**

**Present: Council Members:** Matthew A. Schonhut, James A. Kaminski, Gordon C. Short, Joseph C. DeMio, Kelly A. Kosek and James E. Carbone. **Also Present:** Clerk of Council Aimee Pientka. **Administration:** Law Director Neal M. Jamison and Assistant Law Director Dan Kolick.

***Motion made by Mr. Short, second by Mr. DeMio, to excuse Councilwoman Annmarie P. Roff for just cause. All members present voted aye and the motion carried.***

**ORDINANCES AND RESOLUTIONS:**

Mr. Schonhut – We have two resolutions here this evening. Mr. Jamison, is there anything you'd like to say?

Mr. Jamison -Yes, first of all, I just have a certification of funding from Mr. Dubovec. "Based upon careful review of the September 3, 2121 special council meeting agenda, I hereby certify that funds will be made available for all ordinances and resolutions on such agenda requiring certification of funding."

***A copy of this memo is attached to the back of these minutes.***

Mr. Jamison – As it relates to the two resolutions we have before us today, we had previously received earlier last month two proposed amendments to the Charter. It's going to be the recommendation of the legal department that we vote to suspend, we go forward and suspend, but that we would vote against the adoption of both resolutions; mainly for two reasons. One, that the petitions failed to follow the legal requirements as to the form of the petitions; and two, that the petitions failed to follow the legal requirements as to the petitions containing the full title and text of the proposed charter amendments. For those reasons, council has the right in this regard for those failures to not place these on the ballot; so it is the recommendation of the law department to not send these down to the Board of Elections. When it would come to adoption, if you do not want it to go down you would vote no; but we should suspend, just to get to that vote on each resolution. That's all that I have.

Mr. Schonhut – Can you say that sentence one last time.

Mr. Jamison – So, we should suspend; but then if you want to send it down to the ballot, you would vote yes. If you don't want it to go to the ballot, you would vote no.

**ORDINANCES AND RESOLUTIONS:**

Mr. Schonhut – I just wanted to make sure that was clear because there was, I think, some confusion out there about that. Does anybody have comments, questions, concerns?

Mr. Short – Mr. President, I'd like to say that I'm all for letting the people decide on issues in this city, especially with us as Council, we always send rezoning issues when they have to the ballot for the people; but in this when it changes our Charter, our constitution, the backbone of our city, we all here took an Oath to uphold the laws and the Charter of the City of Strongsville. When something as our law director said in his memo to us, that this is fatally flawed. This isn't immaterial, this isn't trivial; this is a fatal flaw that could mislead and be misinterpreted by voters. It was not clearly spelled out to the voters what these amendments were. We have a duty as council to protect our citizens, to protect our Charter, our Constitution, from unambiguous and unclear changes that could have drastic effects to the city and its citizens going forward; especially how some of these were written could actually change the entire makeup of Council. They were so unambiguous and vague. I think we as a group have a duty and to uphold our Oath and to protect our citizens and to ensure that something like this going to the ballot is clear, precise, and clearly states the changes to our Charter. For those reasons, I will be voting no on this today; but if this group wants to try again and they do it right and they conform to the law and to Charter, then I will happily and... send it to our voters and to our citizens to say yea or nay; but in this form today, I cannot and will not accept something that is so clearly and blatantly disregarding of the rules and the procedures for our Charter, thank you.

Mr. Kaminski – I agree with Gordon's comments as well. One thing I do want to mention is the State of Ohio, and I do want to look into this a little bit more because I just found out about it late last night. The State of Ohio actually helps the residents of Ohio write the language so they avoid issues like this. The actually help do assistance. They have to approve the language; then they go out and get their signatures; so that way, there is no issues such as this. That's something I want to take a look at as well to avoid issues like this going forward. I'm going to do a little more research on that as well.

Mr. Carbone – I don't think I could add anything further from what Gordon said. I think that was well put and I have the same stance.

Mr. Jamison – Mr. Chairman, if I could just add at the end, this isn't addressing the substance of what was in the proposed amendments. This is to the form of what those petitions had. As Mr. Short said, if down the road, this committee or any other committee were to bring a proposal that conforms with the law, then Council would have a duty to send it to the voters for their determination. This is not a comment on the substance of what was in there; it's on the form as to what was in the petitions, thank you.

Mr. Schonhut – Thank you and thank you everybody.

**Resolution No. 2021-109** Introduced by Petition. A RESOLUTION PROVIDING FOR THE SUBMISSION OF AN INITIATIVE PETITION PROPOSING TO AMEND ARTICLE III, SECTION 8 OF THE CHARTER OF THE CITY OF STRONGSVILLE, ESTABLISHING AN ELECTION DATE THEREFOR, AND DECLARING AN EMERGENCY.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All Nays. Motion fails.**

**Resolution No. 2021-109 DEFEATED.**

**Resolution No. 2021-110** Introduced by Petition. A RESOLUTION PROVIDING FOR THE SUBMISSION OF AN INITIATIVE PETITION PROPOSING TO AMEND ARTICLE III, SECTIONS 1 AND 8, AND ARTICLE VII, SECTIONS 2, 3 AND 4 OF THE CHARTER OF THE CITY OF STRONGSVILLE, ESTABLISHING AN ELECTION DATE THEREFOR, AND DECLARING AN EMERGENCY.

Motion by Mr. Short to suspend the rules requiring every ordinance or resolution to be read on three different days, second by Mr. DeMio. All members present voted aye and the motion carried.

**Motion to adopt by Mr. Short, second by Mr. DeMio.**

**Roll Call: All Nays. Motion carries.**

**Resolution No. 2021-110 DEFEATED.**

**OTHER BUSINESS:**

(None)

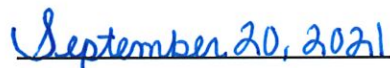
**ADJOURNMENT:**

There being no further business to come before this Council, President Schonhut adjourned the meeting at 7:39 a.m.



Aimee Pientka, MMC  
Clerk of Council

Date



CITY OF STRONGSVILLE, OHIO

FINANCE DEPARTMENT MEMORANDUM

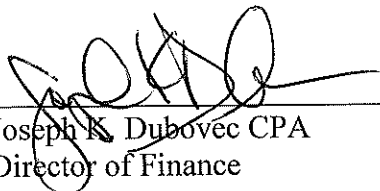
**Date:** September 3, 2021  
**To:** President and Members of Council  
**From:** Joseph K. Dubovec CPA, Director of Finance  
**CC:** Mayor Thomas P. Perciak  
Neal M. Jamison, Law Director  
**Subject:** Certification of Funding for September 3, 2021 Special Council Meeting

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Since I will not be present at the September 3, 2021 Special Council meeting, I respectfully request that the "Certification of Funding" listed below be read at the meeting in my absence in order to confirm and document the funding in accordance with law.

**CERTIFICATION OF FUNDING**

Based upon careful review of the September 3, 2021 Special Council Meeting Agenda, I hereby certify that Funds will be made available for all Ordinances and Resolutions on such Agenda requiring certification of funding.

  
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Joseph K. Dubovec CPA  
Director of Finance

Date: September 3, 2021