

MINUTES OF THE SPECIAL STRONGSVILLE COUNCIL MEETING

**HELD ON FRIDAY, JULY 27, 2018 IN THE MIKE KALINICH SR. CITY
COUNCIL CHAMBER, 18688 ROYALTON ROAD.**

The meeting was called to order at 8:18 a.m. by the President of City Council, Joseph C. DeMio.

CAUCUS:

Mr. DeMio advised Mr. Daymut and Mr. Short were unavailable today to make this meeting. Mr. DeMio advised he had a discussion with Mr. Jamison and Mayor Perciak regarding the legislation on the agenda. Mr. Jamison advised that after the last committee of the whole meeting regarding these proposed amendments, he took a couple days to update these ordinances based on council's recommendations. Regarding Ordinance No. 2018-123, Mr. Jamison reported Mayor Perciak and the Finance Director, Mr. Dubovec, liked the updated version of the legislation better than what was originally proposed. Mr. Jamison advised he spoke to Ms. Kosek yesterday and she had concerns where a special meeting could be called, council members could be absent, and legislation could be voted on knowing those particular members were unable to make that meeting. Ms. Kosek also wanted it to have a mandatory of six councilmembers voting to pass legislation without public bidding. Mr. Jamison was not able in the timeframe given to come up with a solution to that. Mr. DeMio advised that there was an incident many, many years ago on council regarding Ms. Kosek's concerns of councilmembers present to vote; however, that has not happened in a very long time. Ms. Kosek is not concerned about current members of council, she is looking forward to future councilmembers. After some discussion, the other council members advised they do not have a problem with the amended legislation.

Mr. DeMio then brought up Ordinance No. 2018-124. He advised the only councilmember he has spoken to regarding this legislation was Ms. Kosek. Mr. DeMio received a phone call from Mayor Perciak on Wednesday advising him that he liked Ordinance No. 2018-123, but had an issue with Ordinance No. 2018-124. Mayor Perciak feels the proposed legislation limits the power of the mayor. Mayor Perciak advised Mr. DeMio that if this legislation were to pass as proposed by Ms. Kosek, he would veto it. Therefore, Mr. Jamison prepared a proposed amended piece of legislation, from what Mr. DeMio recommended, that would have 9 members of the Charter Review Committee; 5 picked by the mayor and 4 picked by the council president. Mr. Jamison advised Mayor Perciak stated he would go along with this proposal. Mr. Jamison advised that some other minor changes were included to clean up the language in that section of the Charter. Mr. DeMio asked if Mayor Perciak is supposed to swear-in his appointees, and council supposed to swear-in theirs. Mr. Jamison advised

council would appoint them and the administration would swear them in. Ms. Roff had a concern for the council president to have the full ability to say on who gets appointed from the council. Mr. Jamison advised that in discussions with Mr. DeMio and Mayor Perciak, it was determined that the council president is the next person in the line of succession to become mayor, so it seemed appropriate that they would be the one to appoint the members from council. If council members wanted to make suggestions of who to appoint, they could discuss this with the council president. Mr. Jamison reaffirmed that ultimately, the council as a whole still has the final vote on whether proposed legislation by the Charter Review Committee goes to the ballot. Mr. Jamison also advised that if council chooses to change it to the council as a whole making their 4 appointments, he is not sure how the mayor would feel about that. Ms. Kosek asked Mr. Jamison to explain the veto process. Mr. Jamison explained how that would work. Mr. Schonhut advised he had no issue with the appointments being made by the council president. Ms. Kosek advised she felt that her initial proposal of appointing 11 members to the committee, 7 from council and 4 from the mayor, was the best option. She feels the negotiated option of leaving it at 9 with 5 members appointed by the mayor and 4 members appointed by council is an improvement over what the city currently has. Ms. Kosek advised she has no problem with the council president appointing the members. Mr. Schonhut felt this was a fair compromise. Mr. Carbone did not have an issue with the amended legislation.

Mr. DeMio asked Mr. Jamison about the legislation request to create a master plan ad hoc committee. Mr. Jamison advised he is working on it and when Mr. Carbone comes back from vacation, council could call another meeting to pass it.

CALL TO ORDER:

Mr. DeMio called the meeting to order at 8:53 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 according to the requirements of Ordinance No. 2004-273.

ROLL CALL:

Present were:	Council Members:	Joseph DeMio Matthew Schonhut Jim Carbone Kelly Kosek Annmarie Roff
	Law Director:	Neal Jamison
	Clerk of Council:	Aimee Pientka

Motion made by Mr. Carbone, second by Mr. Schonhut, to excuse Mr. Daymut and Mr. Short for just cause. All members present voted aye and the motion carried.

ORDINANCES AND RESOLUTIONS:

Mr. DeMio – Just to note, the rules do not require the mayor to be present. He is not here. The law director is here in his stead, as well as making sure everything is in order. I do want to thank everyone for coming extra early. I do want to note one thing; the reason it was set early is because of the ongoing events at the square (Homecoming). We discussed having it at our normal time; it would be impossible for us to do this. We had to make that decision and I really appreciate anyone that came in today. I just want to note that for the record so there is no confusion by the public. The certification and the posting were done timely and thank you very much for that Aimee. We really appreciate that.

Mr. Jamison – Mr. DeMio, if I could jump in, I would just say for the record that Ordinance Nos. 2018-123 and 2018-124, as we are going to amend them, will be in proper legal form...just for the record.

Mr. DeMio – As a good lawyer does, he stops his client from talking, so I appreciate that. So, let's do the ordinances.

Ordinance No. 2018-123 by Ms. Kosek and Ms. Roff. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE V OF THE CHARTER OF THE CITY ENTITLED "FINANCE" IN SECTION 5(b), TO PROVIDE THAT COUNCIL MAY AUTHORIZE CERTAIN EXPENDITURES, IN EMERGENCIES OR OTHER LIMITED CIRCUMSTANCES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY. *First reading 07-16-18.*

Motion by Mr. Carbone, second by Mr. Schonhut to amend the legislation.

ORDINANCES AND RESOLUTIONS (cont'd):

Ordinance No. 2018-123 (cont'd):

Mr. Jamison – Just for the record, just so it's clear what that motion is, on Ordinance No. 2018-123 we're going to amend the first sentence to delete the words, "an affirmative vote of not less than 6 of its members;" and in its place insert, "the unanimous vote of members of council in attendance and voting at that meeting." In addition, we are going to delete the last sentence as the ordinance was introduced. Those are the amendments that I had recommended and submitted to council a couple of days ago. Just so it's clear on the record what we are doing.

All members present voted aye and the motion carried.

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

Motion to adopt by Mr. Carbone, second by Schonhut.

Roll Call: All ayes. Motion carries.

Ordinance No. 2018-123 ADOPTED AS AMENDED.

Ordinance No. 2018-124 by Ms. Kosek and Ms. Roff. AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF STRONGSVILLE AT THE NEXT REGULAR NOVEMBER ELECTION CERTAIN AMENDMENTS TO ARTICLE X OF THE CHARTER OF THE CITY ENTITLED "CHARTER REVIEW COMMITTEE" IN SECTION 1, IN ORDER TO INCREASE THE NUMBER OF QUALIFIED ELECTORS TO BE APPOINTED BY THE MAYOR AND CITY COUNCIL TO SERVE ON A CHARTER REVIEW COMMITTEE, AND DECLARING AN EMERGENCY. *First reading 07-16-18.*

Motion by Mr. Carbone, second by Mr. Schonhut to amend the legislation.

Mr. Jamison – Again Mr. Chairman, if I could just to highlight the amendments that we're making. So, essentially after meeting with council on Monday at the council of the whole meeting, we've inserted the words...we basically deleted the first 3 lines and after the word "committee", we inserted, "After January 1, 2019, the mayor shall call for the creation of a Charter Review Committee at least once every five years." It will go on to read, "...consisting of nine qualified electors of the municipality. The mayor shall appoint to the committee five qualified electors of the municipality. The council president shall appoint to the committee four qualified electors of the municipality." The other change that we've added in is it provides, "No employee, elected official, or appointed official of the city, including and member of any board or commission of the city shall be eligible to serve on the Charter Review Committee.

ORDINANCES AND RESOLUTIONS (cont'd):

Mr. Jamison (cont'd) - Down below, we deleted the word “seem” after the word “judgement”, three lines down; inserted the words, “it deems”. Then in the next sentence, deleted the word “shall” and inserted the word “may”. Those are the extent of the changes that we’re making in light of the original ordinance introduced for Ordinance No. 2018-124, thank you.

Ms. Roff – And the other correction.

Mr. Jamison – Yes, in the ballot language, we’re deleting-down below in Section 3, thank you Ann for pointing that out, we’re deleting in the 4th line after the word “Municipality”, “...from each of the city’s wards.”

Ms. Pientka took a moment to converse with Mr. Jamison.

Mr. Jamison – Yes, so Aimee pointed out that in the rush to do this we will clean up the title too when we clean this up so that in the title, if you look at it, it says, “...to increase the number”; so the other amendment we would delete the words, “...increase the number of qualified electors to...” So it would read, “...in order to be appointed by the mayor and city council to serve on a Charter Review Committee.” I’ll do a cleaner version and give that to the council clerk after we do it.

Mr. Jamison read how the title of the ordinance would read.

Ms. Roff – Should we clean it up just a little more too and put city council president or no?

Mr. Jamison – We could do that, by the mayor and council president, so that’s a good suggestion. The other change will be instead of the words “city council” in the 3rd last line, we would insert, “council president”. That amendment will include those changes.

Mr. Jamison read again how the title of the ordinance would read.

All members present voted aye and the motion carried.

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

Motion to adopt by Mr. Carbone, second by Schonhut.

Roll Call: All ayes. Motion carries.


**Ordinance No. 2018-124 ADOPTED AS
AMENDED.**

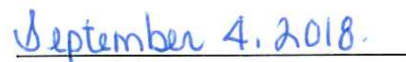
OTHER BUSINESS:

None.

ADJOURNMENT:

There being no further business to come before this Council, the meeting was declared adjourned by Council President Dooner at 9:04 a.m.


Aimee Pientka, MMC, Clerk of Council


Date of Approval