

SPECIAL COUNCIL MEETING MINUTES

CITY OF GARFIELD HEIGHTS, OHIO

Wednesday, March 24, 2021

(Note: This meeting was conducted via Zoom due to the current Covid-19 outbreak.)

PRESIDENT NENADOVICH: Ladies and gentlemen, it is now 6:30 p.m. We will open this Special Council meeting. Barb, would you take a roll call please?

Members Present: Jason X. Blake, Council Ward 5
Shayla L. Davis, Council Ward 4
Charles Donahue, Council Ward 2
Michael Dudley, Sr., Council Ward 1
Michael T. Nenadovich, Council Ward 3
Frank Tagliarini, Council Ward 6
Thomas Vaughn, Council Ward 7

Others Present: Tim Riley, Law Director

PRESIDENT NENADOVICH: That's 7 Council members present. Tonight's proceedings will be very, very short. There are some rules we have to follow. This is not an open discussion. This is just a comment by Council, myself being the President of Council, on what transpired as of Monday.

As of Monday, a document was presented to Council alleging that there's a violation by Clwn Shayla Davis to the Charter. We are not answering any allegations tonight. I'm just letting everyone know that Council will be pursuing this. The violations are on Section 9 and Section 11. And I'm going to read the sections. Then I have a statement after that.

Section 9 of our Garfield Heights Charter. Qualifications of Members of the Council. Members of Council shall be electors of the city, shall reside in their Ward during their term of office shall have resided in the city continuously for a period of at least three years immediately preceding their election, and shall have resided in their respective Wards for at least one year immediately preceding their election. Members of Council shall not hold any other public office or public employment except as otherwise provided in this Charter, and that of Notary Public or member of the State Militia or the Reserve Corps of the United States, and shall not be interested in the profits or emoluments of any contract job, work or service of the Municipality. Any member who shall cease to possess any of the qualifications herein required shall forthwith forfeit his or her office, and any such contract in which any member is or may become interested may be declared void by the Council. No member of the Council shall, except in so far as is necessary in the performance of the duties of his or her office, directly or indirectly interfere in the conduct of the administrative department, or directly or indirectly take any part in the appointment, promotion or dismissal of any officer, or employee in the service of the city other than the officers or employees of the Council.

Section 11. The Council shall determine its own rules and keep a journal of its proceedings. This journal shall at all reasonable times be open to public inspection. The Council shall be the judge of the election and qualifications of its own members. It may expel any member for gross misconduct, or malfeasance in or disqualification from office, or for conviction of a crime involving moral turpitude while in office, or violation

of this Charter, or persistent failure to abide by the rules of Council; provided, however, that such expulsion shall not take place without the concurrence of two-thirds of its members nor until the accused member shall have been notified in writing of the charge against him or her not less than 10 days in advance of a public hearing. If Council fails to review the election and to monitor the qualifications of its members, the Mayor shall authorize and direct the Law Director to take appropriate action regarding said election and qualifications.

That being said, this Council, myself writing a letter with Clerk Barb Molin, we will be writing a letter, we will address the issues that were brought forth, chronologically from the meeting yesterday to what has transpired now, we will state all the infractions to the Charter and to the Rules of Council to Councilwoman Shayla Davis in a letter and she will have not less than 10 days to respond to this.

I will schedule a meeting most likely 15 to 20 days out from now, because that'll give Shayla over the 10-day limit, where we cannot have a meeting before 10 days. So it'll be over the 10-day limit. And she should have received the letter and we will go from there.

Other than that, there is no discussion tonight from Council. There is no discussion tonight from the citizens. And I ask for our counsel, I believe, Mr. Jerome is on board, Mr. Jeff Jerome, our legal counsel. Have I missed anything, Mr. Jerome?

LAW DIRECTOR TIM RILEY: Mike, I'm here. This is Tim Riley.

PRESIDENT NENADOVICH: Oh, Tim. I saw Jeff. Tim, have I missed anything?

LAW DIRECTOR TIM RILEY: No, I don't believe so. I think you've laid out what the procedure is at this point.

PRESIDENT NENADOVICH: OK. So, again, there will be no discussion, because Ms. Davis has to have a chance to answer the allegations. We don't judge beforehand. So at this time, I will take a motion to adjourn this Special Council meeting.

Before I adjourn, I will set a Council date for the next meeting. So this is the 24th. Let's go to the fifth of April. I will schedule the next meeting. That will be a Special Council meeting where allegations can be answered and this could be discussed by Council.

I don't need a motion for the meeting. I'm scheduling the meeting for April 5th. At this time, I would entertain a motion to adjourn.

LAW DIRECTOR TIM RILEY: That's only 13 days. I think you might want to give yourself a couple more days there, OK?

PRESIDENT NENADOVICH: OK. Let's schedule it for the 12th is the Council meeting. Let's schedule it for the 13th of April. That would meet our time requirements. So the meeting will be scheduled for the 13th of April at 6:30 p.m. It will be Zoom.

And like I says again, I will entertain a motion to adjourn this Special Council meeting.

CLMN VAUGHN: Mr. Chairman.

PRESIDENT NENADOVICH: Yes, Mr. Vaughn.

CLMN VAUGHN: I make a motion to adjourn.

PRESIDENT NENADOVICH: Do I have a second? Mike Dudley seconds it. Barb, would you take a roll call please?

AYES: Vaughn, Dudley, Donahue, Nenadovich, Davis, Blake, Tagliarini

That's 7 Yes votes to adjourn the Special Council meeting at 6:39 p.m. on 3/24/2021 and this meeting is over.

Approved,

Respectfully submitted,

Michael T. Nenadovich
President of Council

Barbara Molin
Clerk of Council