

SPECIAL COUNCIL MEETING MINUTES

CITY OF GARFIELD HEIGHTS, OHIO

Tuesday, May 18, 2021

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

PRESIDENT NENADOVICH: Okay, ladies and gentlemen. I'm going to call to order the Special meeting on May 18, 2021. This meeting will be held for selecting a replacement for the Ward 4 vacancy. Barb, would you take a roll call please.

Members Present: Jason X. Blake, Council Ward 5
Chuck Donahue, Council Ward 2
Michael Dudley, Sr., Council Ward 1
Michael T. Nenadovich, Council President, Council Ward 3
Frank Tagliarini, Council Ward 6
Thomas Vaughn, Council Ward 7

Others Present: Mr. Avery Johnson
Mrs. Debra Sarnowski
Tim Riley, Law Director

PRESIDENT NENADOVICH: It looks like it's just Council and our two candidates and a lady named Barb Graves. Well the way it's going to work tonight is we're going to do the interviews in Executive Session, as we did, replacement of Ward 6 Council representative so that second person doesn't hear the first person's answers or questions. What we could do, we'll go alphabetically. We'll go with Mr. Johnson first and Mrs. Sarnowski second. These are the only two people that put letters of intent in before the deadline. So I'm going to leave it at that. Also present tonight from the city is our Law Director, Mr. Tim Riley. That seems to be about it from the city. We'll go from there. At this time, Mr. Riley, would it be appropriate for me to go and say we're going into Executive Session?

LAW DIRECTOR RILEY: Have somebody make a motion to go into Executive Session for the purpose of appointing a employee or public official.

PRESIDENT NENADOVICH: Tom, would you like to do that? I will be the second.

CLMN VAUGHN: I will do that. At this time, I would like to make a motion that we go into Executive Session to name a new Council representative for Ward 4.

LAW DIRECTOR RILEY: I would probably qualify that with discuss instead of name. It sounds like you might vote on it. A little bit of phonetics there but not really.

CLMN VAUGHN: We will discuss a Council representative for Ward 4. Is that better?

LAW DIRECTOR RILEY: Yeah, that's good.

PRESIDENT NENADOVICH: Barb, take a roll call.

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

PRESIDENT NENADOVICH: Six votes saying we're going into Executive Session. Jason, you're being the host, you have to take us into a breakout room for our Executive Session.

CLMN BLAKE: I'm going to stop recording right now. All ready. Wait.

CLMN TAGLIARINI: Barb has a question.

CLERK: You should state the exact time you're starting your Executive Session, please.

PRESIDENT NENADOVICH: Then I will. At 6:34 p.m. we will be going into Executive Session and I am inviting Mr. Riley to be in the Executive Session with Council and the one interviewee at a time.

CLMN BLAKE: And the way I'm going to do the breakout room is I'm going to remove Mrs. Sarnowski, Ms. Graves and put them in a waiting room. So we'll be in this room in Executive Session.

CLMN VAUGHN: And Barb Molin.

CLMN BLAKE: And Barb Molin.

PRESIDENT NENADOVICH: Barb can't be in there. I think what you have to do is put us in the breakout room.

CLMN BLAKE: Well you all stay in this room and everybody else is going to be removed.

PRESIDENT NENADOVICH: Okay, thank you, Jason.

CLMN BLAKE: Okay, I'm going to pause the recording right now.

PRESIDENT NENADOVICH: You got Barb Graves still in the room.

CLMN VAUGHN: We need Avery Johnson back.

PRESIDENT NENADOVICH: Well, yeah, we got to bring Avery Johnson back.

CLMN BLAKE: Okay, I'm going to pause the recording right now.

PRESIDENT NENADOVICH: Please.

(The Executive Session began at 6:34 p.m.)

(At 7:11 p.m., the participants left the Executive Session.)

PRESIDENT NENADOVICH: Okay, the meeting was turned back on at 7:11 p.m. on 5/18/2021. Council has come out of Executive Session for the interviews. We will proceed with the rest of the meeting.

LAW DIRECTOR RILEY: You need to make a motion for Executive Session to come out.

PRESIDENT NENADOVICH: We need a motion for Executive Session to come out.

CLMN VAUGHN: I'd like to make a motion to come out of Executive Session at 7:11 p.m. on May the 18th 2021 at 7:11 p.m. as stated.

PRESIDENT NENADOVICH: I will second that motion. Barb, take a roll call.

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

PRESIDENT NENADOVICH: That's 6 Yes votes to come out of Executive Session. Thank you again Mr. Riley. I appreciate your input as you always do. We are now out of Executive Session. This meeting is now being recorded.

And the procedure next will be, I will inform all who are listening, that we've conducted interviews with Mr. Avery Johnson and Mrs. Debra Sarnowski and we will be going into the vote. As it stands, the first person to receive four votes is the next Council representative for the term ending after the election in November. And it will commence upon the end of this meeting, they will get sworn in shortly here after it, which will be this week, hopefully, by Friday. I will discuss that with the Mayor. At this time, Mr. Riley, can I conduct a vote?

LAW DIRECTOR RILEY: Yes, you need to take nominations.

PRESIDENT NENADOVICH: Okay. We're going to take nominations on the floor. I would like to make the first nomination. Both candidates must be nominated, correct? They're like, okay, okay. I will at this time nominate Mrs. Debra Sarnowski to replace the interim seat of Ward 4. All those in favor of? Yes. Mr. Donahue.

CLMN DONAHUE: No, I was going to do a nomination. Go ahead.

LAW DIRECTOR RILEY: Ask for any other nominations.

PRESIDENT NENADOVICH: Are there any other nominations? Mr. Donahue?

CLMN DONAHUE: I'd like to nominate Mr. Johnson. Okay. We have two nominations. One is Debra Sarnowski. One is Mr. Johnson.

PRESIDENT NENADOVICH: Barbara, would you take a roll call to accept those nominations please? Starting with me. Pardon?

LAW DIRECTOR RILEY: I would suggest a motion be to accept and close the nominations.

PRESIDENT NENADOVICH: Okay, thank you. At this time, I would like to make a motion to accept and close nominations. May I have a second?

CLMN DUDLEY: I second.

PRESIDENT NENADOVICH: Okay. Seconded by Mr. Dudley. Barb, take a roll call please.

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

PRESIDENT NENADOVICH: We have 6 votes to close nominations. Nominations are now closed. We will now go into the voting. And again, I believe I don't have to make a motion for

that because we already said we're going to do that. So we will start with the voting as I was stating, the first candidate to receive four votes is the next Council representative. And as per the alphabetical, we started with the interviews. We will start alphabetically with the candidates. We'll start off with Mr. Dudley and I will ask Mr. Dudley. How do you vote, Sir?

LAW DIRECTOR RILEY: No, you have to say on the nomination of each candidate and then vote.

PRESIDENT NENADOVICH: Okay, on the nomination of Mr. Avery Johnson. How do you vote?

CLMN DUDLEY: I vote yes, Mr. Chairman.

PRESIDENT NENADOVICH: Okay, one for Mr. Johnson. Mr. Donahue. How do you vote?

CLMN DONAHUE: Yes.

PRESIDENT NENADOVICH: For?

CLMN DONAHUE: For Mr. Avery.

PRESIDENT NENADOVICH: You got to state that. There's two candidates.

CLMN DUDLEY: Okay, Mr. Avery. I voted.

PRESIDENT NENADOVICH: There you go. And Mr. Avery for Mr. Donahue. Mr. Blake?

CLMN BLAKE: Avery Johnson. Yes.

PRESIDENT NENADOVICH: Mr. Tagliarini.

CLMN TAGLIARINI: Avery Johnson. Yes.

PRESIDENT NENADOVICH: We have our first four votes. Mr. Johnson. You got four votes. Therefore, by the rules we have set forth.

LAW DIRECTOR RILEY: Mike, you have to finish the vote.

PRESIDENT NENADOVICH: Okay, I thought the first one it says. I'm going by your note. The candidate has 4 votes. The process is over. Okay. Mr. Vaughn. How do you vote?

CLMN VAUGHN: Avery Johnson.

PRESIDENT NENADOVICH: That's five. And I would be the last vote. And I vote for Debra Sarnowski. So the votes go--right now--Mr. Johnson has five votes. Mrs. Sarnowski has one. And that's the roll. And I believe Tim, I'm correct in saying congratulations, Mr. Johnson.

(Everyone congratulated Mr. Johnson at this time.)

Mr. Johnson: Thank you.

PRESIDENT NENADOVICH: Mr. Johnson. Congratulations. Thank you for coming out there for this nomination. We had two great candidates. Mr. Johnson, you won the election and we'll start the process for getting you sworn in so you could hopefully get at Monday's meeting.

MR. JOHNSON: Yes, sir.

CLMN VAUGHN: Thank you, Debbie.

CLMN DUDLEY: Mr. Chairman.

PRESIDENT NENADOVICH: Thank you, Debbie. Let me get back to the meeting, guys. Mr. Dudley.

CLMN DUDLEY: I just want to make it because that Mr. Avery Johnson, you are allowed to choose who you want to swear you in. It's your choice who swears you in, Mr. Johnson.

MR. JOHNSON: Well, that is a honor and I would appreciate it, if the Council will allow me, to ask that Mr. Mike Dudley swear me in because here is the reason why. When I lived on 131st about 14 years ago. I have met him just by crossing paths with him at a store. And he told me he with City Council. And I asked him City Councilman where and he says in Garfield Heights. And he talked to me so kindly on that day and said maybe someday you will think about running for City Council? So out of respect. I will ask that he be allowed to swear me in.

CLMN DUDLEY: I'd be honored, Mr. Johnson, and I thank you for that.

MR. JOHNSON: You're welcome.

PRESIDENT NENADOVICH: At this time, I would like to go to Mr. Riley and ask Mr. Riley seeing as to how Mr. Dudley will be swearing Mr. Johnson in, how do we go about getting this set up for an appointment to get this done as soon as possible? Again, we've never done this before. So this is all new territory for us. This only happened one other time in Ward 6. So I mean, I don't think we'll ever see this again, hopefully. So what's the process? Mr. Riley?

LAW DIRECTOR RILEY: I think Mr. Dudley and Mr. Johnson just have to make an appointment to go ahead and swear in. Mike, I believe the best bet would be able to get the oath from Jennifer at City Hall, the Mayor's secretary. And then you know, you swear him in and he signs the oath. And then you get a copy of that. You give that back to Jennifer and she'll make sure to get right copies get everywhere because Barbara would need to send a copy down to the Board of Elections too. Mr. Johnson, you're going to have to file an ethics form within like the first I think it's the first 15 days. So once they start they'll hit you with paperwork right off the bat. Okay.

MR. JOHNSON: No problem. None whatsoever.

LAW DIRECTOR RILEY: I know that. But yeah, you guys can do it at your leisure. You know what I mean? Whenever you feel you know.

MR. JOHNSON: That'd be fine.

CLMN DUDLEY: Mr. Johnson.

PRESIDENT NENADOVICH: Let's have only one person talk at a time, please. Mr. Johnson, the floor is yours.

MR. JOHNSON: I have seen where they have swearing in of police officers and other civic individuals in the Mayor's office. I wonder if Mayor Burke will allow Mr. Dudley to do that swearing in there so that my wife and I would be present and would be honored to have it done there at the Civic Center.

PRESIDENT NENADOVICH: Okay, we will.

LAW DIRECTOR RILEY: The financial issues we rent that out for about \$250 an hour. I'm just kidding. I think if you call the Mayor's office tomorrow, they'll set something up for you right away. No problem.

PRESIDENT NENADOVICH: Well, Mr. Dudley, I'm going to set that up for you. I will contact the Mayor tomorrow. Is there any time that would be convenient for both you gentlemen? Because I want to be there when you swear him in.

MR. JOHNSON: Thank you. Thank you.

CLMN DUDLEY: Excuse me, Mr. Chairman. It would be nice as I know, some of the members have to work but the ones that don't work would be nice as they come there when he is sworn in.

PRESIDENT NENADOVICH: About what time would that be, Sir?

MR. JOHNSON: I'm retired. So my availability is open since you guys are telling me that it's a 24-hour job. You know?

PRESIDENT NENADOVICH: When would you like Mr. Dudley to make an appointment?

CLMN DUDLEY: I don't go back to work for about three weeks.

LAW DIRECTOR RILEY: I would check with the Mayor before you set a time.

PRESIDENT NENADOVICH: Okay, I will contact Matt and soon as the days open, I will set a time for them with the Mayor and Jennifer, and we will move from there and I will inform Council by email. Mr. Vaughn, you had your hand up.

CLMN VAUGHN: I just want to remind everybody, we're still under COVID restrictions. So the number of people allowed to be at an event is, I would check again, you've got office people and stuff to consider. You see what the Mayor is comfortable with? Definitely your wife. But as far as I would love to be there, but I don't want to step on anybody's toes. You understand what I'm trying to say, Mr. Johnson?

MR. JOHNSON: Yes, and I agree.

CLMN BLAKE: Clmn, do you have a question?

CLMN TAGLIARINI: Yes. Just want to make a suggestion about swearing in. We did use chambers, which was very nice, also. There is nice pictures on there.

MR. JOHNSON: That would be great. I'm willing to accept it anywhere in the city center. But I thought it'd be nice for at least my wife to bring my wife.

PRESIDENT NENADOVICH: We will get something set up to your liking, Mr. Johnson, because you are the new candidate. We'll work with the Mayor and see what he can do for you. I will get back to you tomorrow.

MR. JOHNSON: Thank you very much. I appreciate it.

PRESIDENT NENADOVICH: Okay. I would like to thank everybody. Tim, thank you for your input. I really appreciate it.

LAW DIRECTOR RILEY: No problem.

PRESIDENT NENADOVICH: You keep us on the straight and narrow and like I says, I think you're doing a damn good job always. You've never said no to me, unless it was money. So, again, Mr. Johnson, congratulations on your appointment. I hope this goes through all the way and even through your election.

MR. JOHNSON: Thank you again.

PRESIDENT NENADOVICH: I liked your answers. Okay. With that, if we have nothing else, I will go to my motion man. Mr. Vaughn.

CLMN VAUGHN: I will make a motion that we adjourn this meeting at 7:24 p.m.

CLMN DONAHUE: I'll second that.

PRESIDENT NENADOVICH: On?

CLMN VAUGHN: On May 18, 2021.

PRESIDENT NENADOVICH: Okay, that was seconded by Mr. Donahue. Okay. On a motion by Mr. Vaughn, to call the meeting closed. Barb, would you take a vote?

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

PRESIDENT NENADOVICH: Let the record show at 7:24 p.m. 5/18/2021, as mentioned by Mr. Vaughn in the second, the meeting is now adjourned. Jason, it's up to you to end the meeting.

CLMN BLAKE: All right, have a good night, everyone.

Approved,

Respectfully submitted,

Michael T. Nenadovich
President of Council

Barbara Molin
Clerk of Council