

Received Mayor's veto 2/22/16
Veto overridden at the 3/1/16 Council meeting with a vote of 5-2

CITY OF BROOK PARK, OHIO

P/C _____
CA _____
1st R 2/16/16
2nd R _____
3rd R _____
B/C _____

RESOLUTION NO : 2-2016

INTRODUCED BY: COUNCILWOMAN MCCORMICK

A RESOLUTION THAT BROOK PARK CITY COUNCIL ENCOURAGES RESIDENTS TO PARTICIPATE IN THE DEMOCRATIC PROCESS, SUPPORTS COMMUNITY DEBATE, WELCOMES RESIDENTS TO EXPRESS THEIR OPINIONS AND ENCOURAGES RESIDENTS TO VOTE. BROOK PARK CITY COUNCIL PLEDGES TO THE RESIDENTS THAT THEIR VOICE WILL BE HEARD AND RESPECTED BY THE LEGISLATIVE BODY OF BROOK PARK'S MUNICIPAL GOVERNMENT AND EXECUTES THIS RESOLUTION TO A STATE OF EMERGENCY.

WHEREAS, the City Council members of Brook Park serving council term 2016-2017 support and encourage taxpayers/residents to express their political views and that the majority votes dictate the outcome of an election.

WHEREAS, Brook Park City Council believes in "we the people."

WHEREAS, Brook Park City Council understand we were elected to serve the will of people.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, Ohio, that:

SECTION 1: That City Council urges the community to have civil debate and participation by all Brook Park residents on all issues impacting the City of Brook Park, and to exercise their right to vote. Council pledge that they serve at the will of people.

SECTION 2: That Council welcomes all Brook Park Residents to attended Council meetings and invite them to participate in the audience comment section of the agenda so their voice will be heard.

SECTION 3: The Clerk of Council is hereby authorized and instructed to post a certified copy of this Resolution on the Council website.

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberation of this Council and any of its committees that resulted in in such formal action, were in meetings open to the public, in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

SECTION 5: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City and to support our form of government; therefore, provided this resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor: otherwise, from and after the earliest period afforded by law.

PASSED: February 16, 2016

Jim Astorino
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
CLERK OF COUNCIL

APPROVED: ~~Mayor's veto received 2/22/16~~
~~Veto overridden at the 3/1/16~~
MAYOR Council

DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS

DIRECTOR OF LAW

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 5161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6185 Engle Road, for a period of fifteen days.

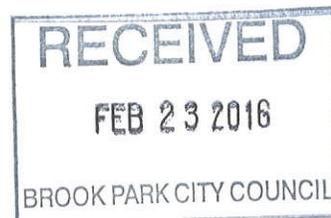
commencing March 8, 2016
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

CERTIFICATE
Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 2-2016 passed on the 16th day of February 20 16 by said council.
Michelle Blazak
Clerk of Council



memo

To: Council President James Astorino
From: Mayor Thomas J. Coyne, Jr.
CC: All Council Members, Finance Director
Greg Cingle and Law Director Carol
Horvath
Date: February 22, 2016
Re: Veto of Resolution 2-2016



Please be advised that I hereby veto Resolution #2-2016 for the following reasons:

1. It implies that City Council has failed to encourage residents to participate in the Democratic process. This is not true. City Council has always encouraged our citizens to vote.
2. This resolution suggests that City Council has denied citizens their voice at City Council meetings. This narrative is also false. Audience participation in Council meetings has existed in various forms since we have been a City.
3. City Council meetings have always been conducted to do the City's business. Residents voicing their concerns are an important component in the conduct of that business. Council meetings should not be conducted as a political forum.
4. This resolution does not define "We the People". "We the People" (W.T.P. Foundation) is a national movement that promotes the view that no law requires most Americans to pay income tax or most companies to withhold taxes from employees paychecks (see attached). Additionally, they are strong advocates of Direct Democracy Initiative (see attached). They also have sought the truth of alien visits by E Petition. Without definition Council should not proclaim their belief.
5. Members of City Council are elected to serve to the best of their ability to faithfully, honestly and impartially discharge their duties in accordance with the Constitution of the United States, Constitution of the State of Ohio and Charter and all of the laws of the City of Brook Park. Our form of government is a Democratic Republic. Elected officials serve at the will of the people by the election process. Elected officials are bound to serve the best interests of the people, sometimes that may conflict with the majority opinion.
6. This resolution has no meaning and is apparently unenforceable. The sponsoring member of Council (Julie McCormick) encourages residents to express their opinions and be heard. When citizens appear at the podium to do just that she stomps out of the meeting and hides in the restroom refusing to hear their concerns.

7. Finally, this resolution is not an emergency and it is not necessary. Resolutions should show support for or an opposition to an issue affecting our community. This exercise is clearly a self-serving proclamation of verification of a false narrative.

Thank You!

