



CITY OF EAST CLEVELAND

"REBUILDING EAST CLEVELAND TOGETHER"

Brandon L. King
Mayor

April 1, 2024

Eric J. Brewer, Clerk
East Cleveland City Council
14340 Euclid Ave.,
East Cleveland, Ohio 44112

Twon Billings, President
East Cleveland City Council
14340 Euclid Ave.,
East Cleveland, Ohio 44112

RE: Line-Item Veto of Ordinance 02-24:

AN ORDINANCE APPROPRIATING FUNDS TO THE GENERAL FUNDS OF THE CITY FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2024. EMERGENCY.

Dear City Council Clerk Brewer and Council President Billings;

On March 29, 2024, I learned that Ordinance 02-24 was approved as an Emergency by City Council. And, Pursuant to Section 113 (E) of the East Cleveland City Charter, I am writing this letter to hereby enter my Line-Item Veto of the specific items listed in said Ordinance (see attached). The following elaborates upon my aforesaid objections.

Section § 113 **POWERS OF THE MAYOR**; Charter of the City of East Cleveland, provides critical insights:

A. General Powers and Duties: The Mayor shall be the chief executive officer of the city, responsible for carrying out and fulfilling the intent and purpose of any and all legislation duly passed by the Council. The Mayor shall supervise the administration of all the affairs of the city and the conduct and administration of all departments and divisions thereof, except the Council and as otherwise provided by this Charter, and the Mayor shall have all such powers as are conferred upon Mayors by the laws of the State of Ohio.

E. Mayor's Veto Powers: Every ordinance and resolution passed by the Council shall be signed by its President or Vice President and shall be presented forthwith to the Mayor by the Clerk. If the Mayor approves such ordinance or resolution, he or she shall sign and return it. But if the Mayor does not approve it, he or she shall return it with a statement of his or her objections to the Council who shall enter the Mayor's objections in its journal. The Council may then reconsider the vote on the passage of such legislation not later than at its next regular meeting. If upon reconsideration, it is approved by four-fifths (4/5) of the members of Council, it shall become effective. If any ordinance or resolution shall not be returned by the Mayor within seven days after it was presented to him or her, it shall become effective in the same manner as if the Mayor had signed it on the last day of the seven-day period. The Mayor may approve or disapprove the whole of any item or part of any ordinance or resolution appropriating money, and the whole item or part so disapproved shall be void unless repassed by the Council in the manner herein prescribed. Highlighting added.

(Amended 11-7-00)

Ordinance 02-24, created by the Council Vice-President Patricia Blochowiak, is filled with errors, errors that (in my opinion) render the Resolution Illegal;

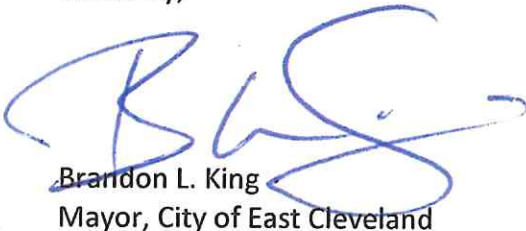
- Ordinance 02-24, has changed significantly from its preparation by the Law Department until its passage on March 29, 2024 in violation of Rule 8

- Ordinance 02-24, as presented to City Council on January 9, 2024, IS THE LEGAL DOCUMENT (Attachment indicated in the Line Item Veto)
- Ordinance 02-24 as presented and voted upon on March 29, 2024
 - Has numerous financial changes (line-item amounts) from the Attachment with inconsistent line items for benefits with no commiserate personnel salaries
 - Many department totals, of all line items do not accurately add-up
 - City Department Heads provided City Council with completed budget related worksheets that were completely ignored in order to effect personality vengeance

In summary, the zeroing out, eradication and reduction of funds in the affected line items found in Council's unlawfully revised ORD 02-24, abolishes the ability of the Mayor to perform the duties outlined in the City Charter. Such diminution of the Mayor's powers not only violates the Charter, but also the Citizens' of East Cleveland rights to such fundamental City services as fuel for police, fire/ems, and service vehicles; street lighting and repair; debris removal; auditing reviews; human resource management; government administration, financial supervision; legal support; as well as a host of other services that residents deserve from their City.

Finally, in light of the need to apprise outside county, state and federal fiscal agencies with the requisite financial information, I am immediately providing this line-item veto to you, Council, in order that you may take any action you desire pursuant to the Charter at the next Regular Council meeting which is April 2, 2024 pursuant to the Charter Section 113(E) as set forth above.

Sincerely,



Brandon L. King
Mayor, City of East Cleveland

CC: Barbara Mattei-Smith – Chair, Fiscal Commission (East Cleveland)
Tisha Turner – Asst. Chief Project Manager
Steven Moomaw - Asst. Chief Project Manager
ALL CITY DEPT. HEADS

14340 EUCLID AVENUE * EAST CLEVELAND, OHIO 44112 * PHONE: 216 – 681-2208 * FAX: 216 – 681-2650
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ORDINANCE NO. 02-24

AN ORDINANCE TO MAKE APPROPRIATIONS IN VARIOUS FUNDS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EAST CLEVELAND, FOR THE PERIOD BETWEEN JANUARY 1, 2024 AND DECEMBER 31, 2024 TO TIMELY APPROPRIATE FUNDING FOR CONTINUED CITY SERVICES.

Requested By: Mayor Brandon King
Sponsored By: Dr. Patricia Blochowiak

WHEREAS, it is necessary to make appropriations from taxes levied and from other sources of revenue for various funds for current expenses and for other expenditures of the City of East Cleveland for the period between January 1, 2024 and December 31, 2024.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of East Cleveland, Ohio, three-fifths (3/5) of all members concurring, that:

SECTION 1. That to establish the monies appropriated in various funds and to provide for the current expenses and other expenditures of the City of East Cleveland during and for the period between January 1, 2024 and ending December 31, 2024, the following appropriations from taxes levied and from other sources of revenue be, and the same are hereby set aside and appropriated from funds now in the treasury or estimated to come into the treasury during said period, for the purpose and in the form hereinafter enumerated, to wit:

2024 Appropriations

SECTION 2. That there shall be appropriated for 2024, the sums set forth in the column designated 2024 "Appropriations Amount" as follows: See attached Exhibit "A."

SECTION 3. That the Director of Finance or Interim Director of Finance shall draw warrants on the City Depository for any portion of the amounts designated within the above named appropriations whenever claims are presented, and signed and approved by the Mayor.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council

and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

Patricia Blochowiak, Vice President
Twon Billings
PRESIDENT OF COUNCIL

ATTEST:

[Signature]
Eric J. Brewer
CLERK OF COUNCIL

APPROVED:

[Signature]
BRANDON L. KING
MAYOR

VETO: YES ☒ NO ☐

APPROVED AS TO FORM:

(Vacated by Res. No. 10-23)

Asst.

[Signature]
DIRECTOR OF LAW

	<u>Yea</u>	<u>Nay</u>
Councilor Twon Billings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilor Patricia Blochowiak	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilor Lateek Shabazz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilor Timothy Austin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilor Terrie Richardson	<input checked="" type="checkbox"/>	<input type="checkbox"/>