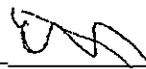


NOTICE OF SPECIAL COUNCIL MEETING

Pursuant to Section 7.09 of the Charter of the Village of Oakwood, notice is hereby given of the calling of a **Special Council Meeting** by Councilperson Hardin, Councilwoman Scruggs, Councilwoman Evans-Warren to be held on **February 20th 2026, at 6:00p.m.** in the Village Council Chambers, 24800 Broadway Avenue, Oakwood Village, Ohio 44146, to consider the following matter(s):

(See attached Agenda for further information)

In accordance with the provisions contained in the Village Charter no other matters will be considered by Village Council other than those listed herein.



Evan J. Garrett, Clerk of Council

**VILLAGE OF OAKWOOD
COUNCIL SPECIAL MEETING
February 20th 2026
6:00PM
AGENDA**

Pursuant to Section 7.09 of the Charter of the Village of Oakwood, Councilwoman Hardin, Councilwoman Scruggs, Councilwoman Evans-Warren are hereby calling a Special Meeting of Village Council to consider the following:

- 1. Call Meeting to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**

Council President	Eloise Hardin	Mayor	Erica Nikolic
Council-At-Large	Norman Bliss	Law	James Climer
Ward 1 Councilperson	Taunya Scruggs	Finance	Brian L. Thompson
Ward 2 Councilperson	Yvonne Evans- warren	Service	Tom Haba
Ward 3 Councilperson	Paggie Matlock	Fire	Dave Tapp
Ward 4 Councilperson	Mary Davis	Police	Mark Garratt
Ward 5 Councilperson	Joseph Lastery	Building	Roland Walker
		Engineer	Matt Jones
		Recreation	Karen Gaither

- 4. Reconsideration of Resolution No. 2026-14 pursuant to Charter Sec. 8.02**
- 5. Continued discussion of clerk positions**

6. Legislation

**2026-14 A RESOLUTION APPOINTING MALCOLM C. SIMS, JR. TO THE POSITION OF WARD 5
COUNCILPERSON FOR THE TERM COMMENCING JANUARY 1, 2026 AND EXPIRING
DECEMBER 31, 2029 AND DECLARING AN EMERGENCY.**

7. Adjournment

RESOLUTION NO. 2026- 14

INTRODUCED BY COUNCIL AS A WHOLE

A RESOLUTION APPOINTING MALCOLM C. SIMS, JR. TO THE POSITION OF WARD 5 COUNCILPERSON FOR THE TERM COMMENCING JANUARY 1, 2026 AND EXPIRING DECEMBER 31, 2029 AND DECLARING AN EMERGENCY

WHEREAS, Candace Williams was elected at the November 4, 2025 general election as Ward 5 Councilperson to a term commencing on January 1, 2026 and expiring on December 31, 2029; and,

WHEREAS, Ms. Williams has declined to take the oath of office to be seated in the position of Ward 5 Councilperson as required by Oakwood Charter Section 6.08; and,

WHEREAS, as a result of the aforementioned events, Council on January 19, 2026 by virtue of Ordinance No. 2026-08 declared a vacancy in the Ward 5 Council seat pursuant to Oakwood Charter Sec. 7.05 and Ohio RC Sec. 731.49; and,

WHEREAS, Section 7.07 of the Charter provides that vacancies on Council may be filled for the remainder of an unexpired term by majority vote of the members of Council within thirty (30) days of the date the vacancy occurred.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio:

SECTION 1. That Malcolm C. Sims, Jr. is hereby appointed to the position of Ward 5 Councilperson for the unexpired term commencing on January 1, 2026 and expiring on December 31, 2029.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that it is critical to have a full roster of members of Council in order to proceed in an orderly and expeditious manner with Village business, therefore, provided it receives two-thirds(½) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:.....

Eloise Hardin. President of Council

Evan Garrett Acting Clerk of Council

Presented to the
Mayor

Approved: _____

Mayor, Erica Nikolic

I, Evan Garrett, Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Resolution No. 2026 - 14 was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2026.

Evan Garrett, Acting Clerk of Council

POSTING CERTIFICATE

I, Evan Garrett Acting Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Resolution No. 2026 - 14 was duly posted on the ____ day of _____, 2026, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers in the locations and manner provided in the Village Charter.

Evan Garrett, Acting Clerk of Council

DATED:

2/14/26 Appointment

From Erica Nikolic <enikolic@oakwoodvillageoh.com>

Date Sun 2/15/2026 1:31 PM

To Evan Garrett <egarrett@oakwoodvillageoh.com>; jclimer@mrrlaw.com <jclimer@mrrlaw.com>

Evan,

This email shall serve as my veto to Resolution 2026-14 which would appoint Malcom Sims to the Ward 5 Council seat.

Mr Joseph Lastery was appointed following Councilperson Hill's resignation from the seat in November 2025 and has served successfully since that time. Switching Council members without due cause is not only a disruption in the midst of important decisions that have to be made (e.g. finalizing the budget, FOP negotiations, etc.) but a gross disregard for Village resources. Mr Lastery has sat in countless meetings and briefings to be able to make informed decisions and to remove him now is irresponsible. This is not a decision made in the best interest of the Village. We need a Council that will make decisions based on the greater good of the community not based on favors or political ties.

Malcom Sims is not only the son of former Councilperson Hill but he also lives in the same household with her. We have nepotism restrictions in our employee handbook to keep this from happening in our workplace. Council should not be any different.

This appointment proves Council is working to ensure their endorsed Mayoral candidate who lost the Mayoral race continues to have an influence over the policy and workings of our Village, effectively attempting to block the progress of the people's elected Mayor.

Without question this appointment is not for the people of Ward 5, but a political move to support their endorsed candidate's potential THIRD attempt at running for Mayor in 2027. This type of behavior must be stopped and the voices of the people protected.

The people have spoken. Ward 5 resident, Melinda Harp, made a comment at the general Council meeting on February 10, 2026, expressing her concerns that Council would be selecting not only the least experienced candidate and someone who did not make it past the 2025 primary when he ran, but someone who held a party at his residence that resulted in 15 police units being dispatched to deal with the chaos. Her comments went on to state that Ward 5 does not want him as a representative and implored Council to reconsider and/or at least allow all candidates who applied be allowed equal opportunity to interview for the seat.

These requests and concerns were ignored, proving this was not a decision based on what the residents of Ward 5 want but a ploy to advance their political interests.

Accordingly, by the power vested in me pursuant to Section 8.02 of the Village charter and for the aforementioned reasons, accept this email as my return and veto of Resolution 2026-14, appointing Malcom Sims to the Ward 5 Council seat.

Warm Regards,

Mayor Nikolic

Sec. 8.02. Powers of the Mayor.

- A. *Judicial powers.* The Mayor shall have all the judicial powers granted to mayors of municipalities by the laws of Ohio.
- B. *Mayor's right in Council.* The Mayor, his directors, and department heads shall attend all meetings of the Council. The Mayor may introduce ordinances and resolutions in the Council and take part in the discussion of all matters coming before it. He shall make such recommendations to the Council for the welfare of the Municipality as he deems wise.
- C. *Veto.* Every ordinance or resolution passed by Council shall be signed by the President and Clerk of Council and shall be presented to the Mayor by the Clerk of Council. If the Mayor approves such ordinance or resolution, he shall sign it and file it with the Clerk of Council. If the Mayor disapproves any emergency ordinance or resolution, he shall return it to the Clerk of Council within twenty-four (24) hours after its passage, and in case the Mayor disapproves any other ordinance or resolution, he shall return it to the Clerk of Council within ten (10) days after its passage, together in each instance with his objections in writing. His objections shall be entered in full on the journal of Council. The Mayor shall have no power to veto an ordinance submitting to the electors an amendment to this Charter. The Mayor may approve or disapprove the whole or any part of any ordinance appropriating money, but otherwise his approval or disapproval shall be addressed to the entire ordinance or resolution.

If the Mayor, within the time specified after its passage, does not sign or disapprove an ordinance or resolution so presented to him, such ordinance or resolution shall take effect in the same manner as if he had signed it within the time specified. When the Mayor has disapproved an ordinance or resolution, or an item of it as herein provided, the Council may, but not later than its next regular meeting, reconsider the ordinance or resolution or part thereof disapproved by the Mayor and if, upon such reconsideration, the ordinance, resolution or item is approved by an affirmative vote of two-thirds (2/3), or more, of the members of Council, such ordinance, resolution or item shall take effect, notwithstanding the disapproval of the Mayor.

- D. *General powers and duties.* The Mayor shall exercise supervision and control of all the executive departments and divisions of the Municipality. He or she shall be the chief conservator of the peace within the Municipality and see that all laws, ordinances and resolutions are faithfully obeyed and enforced. He or she shall have the power to appoint, promote, transfer, reduce, or remove any officer, not elected, or employee of the Municipality, but such power shall be subject to the other provisions of this Charter, or to the laws of Ohio where it is beyond the competence of this Charter to provide; and such power of removal shall be exercised over a member of a board or commission, after complaint and hearing, only for neglect of duty, incapacity, incompetency, or malfeasance in office.

The Mayor shall submit to the Council an annual estimate of revenues and expenditures, and he or she shall advise the Council as to the financial condition and needs of the Municipality, including necessary appropriation measures. He or she shall see that the terms and conditions of any franchise or contract to which the Municipality is a party are faithfully kept and performed. Unless otherwise provided by ordinance, he or she shall execute all contracts to which the Municipality is a party. Together with the Director of Finance, he or she shall execute on behalf of the Municipality all conveyances and evidences of indebtedness. At the first regular meeting in March of each year, and at such other times as the Council shall direct, he or she shall report to the Council concerning the affairs of the Municipality and present a three year capital improvement plan for the Municipality.

- E. *Official and ceremonial head.* The Mayor shall be the official and ceremonial head of the Municipality and shall be recognized by the Governor of Ohio for military and other public purposes and by the courts for the purpose of serving civil process in any action wherein the Municipality is a party.

F. *Custodian of seal.* The Mayor shall have custody of the seal of the Municipality and may affix it to all contracts, conveyances, evidences of indebtedness and all other instruments, but the absence of the seal shall not affect the validity of any instrument.

(Amended 11-2-2010)