

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 220: COUNCIL.

WHEREAS, Council has recommended amending Codified Ordinance Chapter 220;  
and

WHEREAS, Council, coming now to consider said recommendation, approves it in  
full.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Codified Ordinance Chapter 220 is hereby amended as follows:

CHAPTER 220: COUNCIL

§ 220.01 MEETINGS.

(a) Regular meetings.

(1) The regular meetings of Council shall be held at 7:00 p.m. on the second and fourth Mondays of each month, with the following exceptions:

- A. ~~of the months of July and August, when Council shall meet on the second Monday;~~ meeting shall be
- B. ~~of July and on the August meeting shall be on the fourth Monday of August; and~~
- C. ~~the month of December meetings shall be , when Council shall meet on the second and third Mondays;~~
- D. **Holidays:** ~~As a further exception, when a day fixed for any regular meeting falls upon a day designated by law as a legal, or national or locally observed holiday, or the day preceding a day designated by law as a legal, or national or locally observed holiday, such meeting shall be held at the same hour within the preceding or succeeding seven days, on a date to be rescheduled for the same time on a date selected by a majority vote of the members of Council that occurs within seven days or after the date the meeting would have been held but for such holiday. As a final exception, when a day fixed for any regular meeting falls upon a day observed by residents of the city as a holiday or the day preceding a day observed by residents of the city as a holiday, such meeting may be held at the same hour within the preceding or succeeding seven days on a date to be selected by a majority vote of Council.~~ If the regular meeting falls upon a day designated by law as a legal, or national or locally observed holiday, or the day preceding a day designated by law as a legal, or national or locally observed holiday, such meeting shall be held at the same hour within the preceding or succeeding seven days, on a date to be rescheduled for the same time on a date selected by a majority vote of the members of Council that occurs within seven days or after the date the meeting would have been held but for such holiday.

(2) A written record of the items covered and discussed at the meeting shall be kept by the Clerk of Council.

(b) Special meetings.

(1) Special meetings of the members of Council may be called convene in the following manner:

- A. A majority vote of members of Council shall constitute a quorum present at any regular or special meeting;
- B. A call of the Clerk of Council, upon written request of either the Mayor or the Council President; or
- C. A call of the Clerk of Council, upon written request of three members of Council, as provided by Section 8B of the City Charter.

(2) However, if the call for a special meeting is under the authority of division (b)(2)(1)B or (b)(3)(1)C of this section, then 24-hour notice, in writing, of such special meeting shall be given to member of Council and the Mayor by personal service or by leaving such written notice at their usual places of residence, except that such notice shall be held to have been waived by attendance at the special meeting.

(3) A written record of the items covered and discussed at the meeting shall be kept by the Clerk of Council.

(c) Collective committee meetings.

(1) For purposes of the exchange of information, to review Council committee items, and to formulate the regular meeting agenda, collective committee meetings will may be held on the Monday immediately prior to the regular Council meeting. ~~(if needed), in accordance with the collective committee meeting policy implemented on November 3, 1998. All r~~ Requests for legislation shall may be presented either at the collective committee meetings or to the appropriate committee of Council.

(2) Written notice of collective committee meetings shall be given by the Clerk of Council at least 72 hours prior to the date and time of the collective committee meeting.

~~(2 3)~~ A written record of the items covered and discussed at the collective committee meeting shall be kept by the Clerk of Council.

(d) Work sessions meeting.

(1) For purposes of providing detailed information on a topic of interest or importance to the residents of the city, members of Council or the Mayor may request a work session of the members of Council. ~~Written~~ Upon approval of the Council President or a majority of members of Council, notice of the same work session shall be given by the Clerk of Council at least 72 hours prior to the date and time of the work session.

(2) A written record of the items covered and discussed at the work session shall be kept by the Clerk of Council.

(e) Executive sessions.

(1) ~~Council,~~ **At** the request of the Mayor or any member of Council, and upon an affirmative majority roll call vote of at least four members, **members of Council** may meet in executive session immediately before, during or immediately following any regular meeting, special meeting or work session ~~meeting~~ of Council, with or without **the presence of** any party or parties deemed necessary, for any purpose permitted by the laws of the state as were enacted and as are in full force and effect on the date this section becomes effective.

(2) **Persons who are not members of Council may only attend if invited by a member of Council. Information discussed at executive sessions shall not be disclosed without consent of Council.**

(f) Quorum.

(1) A majority of **the members of** Council ~~members~~ shall constitute a quorum to do business, but a lesser number may adjourn from day to day and may compel the attendance of absent members in the manner and under such penalties as may be prescribed by ordinance.

(2) No member of Council or ~~ex-officio member~~ **the Mayor, the Law Director, the Finance Director, and/or the Public Works Director** thereof shall leave the Council Chamber or its immediate environs without the general consent of **the members of** Council as provided in § 220.20, subject to censure at ~~it's~~ **the members of Council's** discretion.

(3) When a quorum is not present, no member **of Council** shall be required to remain in the Council Chambers longer than one-half hour after the appointed time set for the meeting.

(g) Advance notification of time, place and agenda of regular and special meetings.

(1) Any person may be notified of the time and place of all regularly scheduled meetings, and the time, place and purpose of all special meetings, upon written request to the Clerk of Council, ~~which written request shall include delivery to the Clerk of a self-addressed, stamped envelope, to be provided by the person so requesting for the purpose of mailing notices to such person, and a list of the said meetings for which such reasonable advance notification is being sought.~~

(2) The Clerk of Council shall post the agenda of all regularly scheduled meetings, and the time, place and purpose of all special meetings, not later than ~~75~~ **72** hours immediately preceding such scheduled meetings, on **the City's website and** a public bulletin board located at the City Hall, whereby any person may opt to determine such information as is contained in such posted agenda, ~~in lieu of the means provided in division (f)(1) of this section, during the normal business hours set for the City Hall.~~

~~(3) Additionally, any person may, upon request and payment of the fee set forth in § 208.01(d)(5), obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed.~~

#### § 220.02 ATTENDANCE OF CERTAIN DEPARTMENT OFFICIALS.

The Mayor, the Law Director, the Public Works Director, the Finance Director and the Clerk of Council shall be seated at the Council ~~table~~ **dais** at designated positions and shall attend all meetings of Council unless excused. Their attendance shall be recorded in the initial roll call taken for attendance purposes, and they shall be entitled to speak on matters affecting their respective departments.

#### § 220.03 POWERS AND DUTIES.

The Mayor, **the** members of Council, the Law Director, the Finance Director, the Public Works Director, the Clerk of Council, and all other elected or appointed officers of the city shall exercise the powers and perform the functions, with respect to the proceedings of Council, that are vested in or enjoined upon them by either the City Charter, the ordinances of the city or the general laws of the state.

#### § 220.04 COUNCIL PRESIDENT.

(a) Not later than ~~30~~ **seven** days after the **certification of** general election **results by the Board of Elections** ~~in November~~, the **presiding** Council President shall ~~call~~ **convene** a meeting ~~with~~ **of** the Council-elect. ~~for~~ **The sole purpose of this meeting shall be to electing a the Council President and President Pro Tempore for the new upcoming term.**

(b) The Council President shall act as presiding officer at all regular meetings, special meetings, collective committee meetings and work sessions of Council and shall be responsible for the orderly function and coordination of all Council activities.

(c) (1) In the absence of the Council President, the President Pro Tempore shall ~~call~~ **convene** meetings to order and preside at said meetings. The President Pro Tempore shall be elected by the **members of** Council at its organizational meeting and shall continue to be the President Pro Tempore throughout the term of said Council.

(2) In the absence of the Council President and the President Pro Tempore, the ~~Secretary~~ **Clerk of Council** or any member of Council **present with the most seniority** should ~~call~~ **convene** the meeting to order and Council, by motion, should immediately elect a Chairperson to preside at said meeting.

#### § 220.05 STANDING COMMITTEES.

(a) Within ~~21~~ **19** days following the Council President's election, the Council-elect shall meet again to discuss committee assignments, with Chairpersons recommended by the Council President-elect. Such assignments shall be confirmed by a majority of **the members of** Council at ~~its~~ **their** organizational meeting.

(b) The following standing committees shall perform the duties prescribed in this section.

(1) ~~(g)~~ Building and Utilities Committee.

- A. All ordinances, resolutions and other matters relating to water, storm, sanitary, and combined sewers, additions, repairs, and improvements of storm, sanitary, and combined sewers, hydrants, electrical lines, gas lines, index of line breaks, installations of sewers to enclose open ditches, and sewage disposal, sewer assessments and such matters referred to the Building and Utilities Committee under the jurisdiction of the city and Avon Lake Regional Water, are the responsibility of the Building and Utilities Committee for study and report to Council.
- B. The Chair of the **Buildings and Utilities** Committee will attend Avon Lake Regional Water public meetings when possible.
- C. Reviews ~~of~~ the Building Department objectives and goals, public transportation, railroad crossings, issues pertaining to water, gas **and** shoreline protection. In addition, maintenance of ditches, catch basins, electrical light and power matters shall be considered and recommended.
- D. Reviews city utility contracts with power distribution, including streetlights.
- E. Works with other committees related to renewable energy.

(2) ~~(d)~~ Communications, Environmental, and Recreational Programming Committee.

- A. ~~(1)~~ All ordinances, resolutions and other matters relating to natural resources and environmental protection shall be referred to the Communications, Environmental, and Recreational Programming Committee for investigation and recommendation to Council.
- B. ~~(2)~~ All ordinances, resolutions and other matters relating to the ~~Digital Media~~ **Communications and Technology** Department, ~~the municipally and the city-owned television station~~ **cable access channels and studio**, including telephones, computer hardware or software, social media, city website, marketing and community outreach **shall be referred to the Communications, Environmental, and Recreational Programming Committee for investigation and recommendation to Council.**
- C. ~~(3)~~ One member of the Communications, Environmental, and Recreational Programming Committee shall serve as an ex officio member of the Environmental Affairs Advisory Board.
- D. ~~(4)~~ One member of the Communications, Environmental, and Recreational Programming Committee shall serve as an ex officio member of the Avon Lake ~~Digital Media~~ **Communications and Technology** Commission.
- E. ~~(5)~~ **Reviews** City website and all forms of social media communications and community outreach and noted technology.

- F. ~~(6)~~ Reviews the Recreation Department objectives and goals along with recreational programming (includes youth and senior services and other recreational activities).
  - G. ~~(7)~~ Proposes green renewable energy and alternative energies.
  - H. ~~(8)~~ Oversees issues of information technology within Council Chamber and the city, including network security, radios and all other communications.
  - I. ~~(9)~~ Continues reviewing and lobbying to protect the shores of Lake Erie.
  - J. ~~(10)~~ Proposes arts and humanities programming.
- (3) Economic Development Committee.
- A. All ordinances, resolutions and other matters relating to economic development and involving the ~~office of Economic~~ Community Development Department, including, but not limited to, retaining existing businesses and attracting new businesses to Avon Lake shall be referred to the Economic Development Committee for study, investigation and recommendation to Council, except that such referral on a particular matter may be waived by the Council President upon the Mayor's request and ~~advise~~ advice that timely consideration of such matter by Council is necessary or appropriate.
  - B. Works with members of the Community Improvement Corporation ~~Board~~.
- (4) ~~(b)~~ Finance Committee.
- A. All ordinances, resolutions, and other matters relating to finances, indebtedness, appropriations, payment of moneys and taxation, and all matters involving the office of the Finance Director and insurance and pensions of employees, shall be referred to the Finance Committee for study, investigation, and reporting to members of Council.
  - B. As provided in Chapter ~~296~~ 270, members of the Finance Committee shall also serve as members of the Audit ~~Committee~~ Commission.
  - C. Oversees the ongoing review of city budget, annual appropriations, bond issues, levies, and possible legal issues affecting the city.
  - D. ~~The committee should~~ Reviews the goals and objectives of the Finance Department.
- (5) ~~(c)~~ Human Resources Committee.
- A. ~~(1)~~ All ordinances, resolutions and other matters relating to the hiring or promotion of new or existing employees, the grade and step increases of qualifying city employees, the determination of grades and steps for newly created positions, the writing or amending of job descriptions and other matters involving the office of Human Resources pertaining to Chapter 258 shall be referred to the Human Resources Committee for a recommendation to members of Council.

- B. ~~(2)~~ All ordinances, resolutions and other matters relating to negotiations of wage and salary increases for ~~municipal~~ **city** employees, and the provision of fringe benefits for such employees and special programs, shall be considered and recommended by the Human Resources Committee to **members of Council**.
  - C. ~~(3)~~ The Committee shall Include among its members the Chairpersons of the Finance and **Public Safety and Health** Committees. A member of the Board of Municipal Utilities and a member of the Civil Service Commission shall serve as ex officio members, without a vote.
  - D. ~~The Committee should~~ **Reviews** the goals and objectives of the Human Resources Department.
- (6) ~~(f)~~ **Public Safety and Health Committee.**
- A. All ordinances, resolutions and other matters relating to the Police Department **and** the Fire Department including, but not limited to, inspections, traffic regulations, pedestrian safety, nuisances and safety in the city shall be referred to the Public Safety and Health Committee for investigation. In addition, **a** review of the noted departments' objectives and goals.
  - B. Includes Homeland Security, emergency community preparedness, school safety, bike safety, and works with the County Board of Health on services and health-related issues in the community.
  - C. **Reviews and studies** all emergency vehicles, emergency communication matters, emergency response apparatus, and special task forces ~~will be reviewed and studied through this Committee.~~
- (7) ~~(e)~~ **Public Service Committee.**
- A. ~~(1)~~ **Referrals to Committee.** All ordinances, resolutions and other matters relating to the construction, maintenance and acquisition of facilities, buildings, infrastructure, lands, shoreline, trees, and other vegetation owned by the city or proposed to be acquired by ~~it~~ **the city**, the lease or sale of facilities, buildings, infrastructure and lands not needed for municipal purposes, and matters relating to streets, bike paths, sidewalks, planning, zoning and city buildings and lands including parks shall be referred to the Public Service Committee for study, investigation and report to **members of Council**.
  - B. ~~(2)~~ **Oversight of Right-of-Way Infrastructure.** The Committee ~~is in charge of~~ **shall oversee** all matters pertaining to the construction, repair, maintenance and inspection of streets, bike paths and sidewalks, ~~together with~~ street cleaning, waste collection and disposal, street and highway improvements, ~~grades~~ **ing**, assessments, and other matters ~~relating to that area~~ within the right-of-way.
  - C. ~~(3)~~ **Oversight of Public Services and Facilities.** The Committee ~~is in charge of~~ **shall oversee** operations relating to public services, including, **but not limited to:**

- i. ~~Maintaining~~ an inventory of ~~B~~brownfields, historic properties, ~~and~~ historic districts. ~~, and it shall~~
  - ii. ~~Recommending the obtaining and replacing~~ **acquisition and replacement** of equipment, vehicles and materials used by the Public Works Department, Recreation Department, ~~Municipal~~ **City** Engineer, ~~Code Administrator~~ **Community Development Department** and Building Department.
  - iii. ~~The Committee is responsible~~ **Responsibility** for the maintenance of public parks, playgrounds, and beaches.
- D. ~~(4) Review Planning, Zoning, Department Review. The Committee shall review and monitor the objectives and goals of the Community Development Department, Engineering Department, and Public Works Department regarding objectives and goals.~~
  - E. ~~(5) Housing Property Review. The Committee shall oversee matters relating to property inspection and enforcement of building and maintenance codes.~~
  - F. ~~(6) Arts and Humanities (infrastructure/facilities). The Committee shall be responsible for matters related to the arts and humanities as they pertain to infrastructure and city facilities.~~

#### § 220.06 SPECIAL COMMITTEES.

Special committees of Council shall be appointed by the Council President, by general consent.

#### § 220.07 COMMITTEE MEETINGS.

(a) A majority of the committee members shall constitute a quorum for the transaction of business. Each committee shall hold its meetings at such ~~a~~ time and place as fixed by the Chairperson of the respective committee.

(b) Each committee or Chairperson may require the attendance at its meeting of such department heads and city officials as, in its judgment, are needed to properly study the matters under consideration.

~~(c) Each committee Chairperson shall prepare minutes of each~~ **A written record of the topics discussed at the** committee meeting **shall be**. ~~A copy of the minutes shall be forwarded to the Clerk of Council and maintained by said the Clerk of Council. Such minutes shall be available for the inspection of all interested persons.~~

#### § 220.08 REFERENCE TO MORE THAN ONE COMMITTEE.

Whenever a matter is referred to more than one committee, each may meet separately or upon consent of both Chairpersons, they may meet jointly. Each member of the joint committee shall have one vote.



## § 220.09 COMMITTEE REPORTS.

Committee reports may be made orally or in writing to Council for its consideration, discussion, amendment and final action.

## § 220.10 AGENDA.

(a) Not later than the Friday immediately preceding each scheduled meeting of Council, the Clerk ~~of Council~~ shall prepare and distribute to members and ~~ex-officio members of Council~~ the ~~Administration~~ a copy of the agenda for the next subsequent meeting of Council and, to the extent possible, copies of proposed new legislation and communications referred to on such agenda.

(b) Legislation not appearing on the agenda may be added to the agenda by a two-thirds vote of ~~the members of~~ Council.

(c) Legislation appearing on the agenda may be removed from the agenda by a two-thirds vote of ~~the members of~~ Council.

§ 220.11 ORDER OF BUSINESS ~~AT A COUNCIL MEETING~~.

When ~~the members of~~ Council ~~is~~ ~~are~~ duly organized for the transaction of business, the following order shall be observed:

(a) Pledge of Allegiance.

(b) Roll call of members ~~of Council~~ to determine the presence of a quorum.

(c) Excusal of Absences: ~~by~~

(1) The presiding officer ~~may~~, by general consent, ~~excuse~~ ~~of all~~ members ~~of Council~~ absent for good cause.

(2) ~~If any member of Council objects to the excusal, the matter, provided that if there is an objection, the motion excusing such absent member or members shall be decided by a voted upon by~~ ~~of the majority of members of Council present.~~

(d) Dispensation ~~of Reading and Approval of Minutes.~~ ~~by~~ ~~The~~ presiding officer ~~may dispense with~~, ~~of the reading and approval of the minutes of the last meeting,~~ provided ~~that~~:

(1) ~~All there is no objection, when all~~ members ~~of Council~~ present have received a copy of such minutes ~~in advance of the meeting.~~

(2) No present member of Council objects to dispensing with the reading. ~~And~~

(3) ~~provided that~~ No changes ~~can~~ shall be made ~~to the minutes therein~~ except by:

A. A vote of the majority of the members ~~of Council~~ present at ~~the~~ such preceding meeting ~~for which the minutes were kept,~~ or

B. ~~by~~ A vote of three-fourths of the total membership of Council.

(e) Presentation of official communications and reading and disposal of the same. There being no objections, all correspondence received by Council shall be considered filed.

(f) Legislation required for the appointment to office, administration of the oaths of office, and issuance of ceremonial proclamations to be enacted.

(g) Public Input:

(1) Each member of the audience wishing to speak shall be permitted to speak only once for up to five minutes on any topic.

(2) Additional time, not to exceed five additional minutes, may be granted by a two-thirds vote of the members of Council present.

(3) Every speaker shall address the presiding officer and refrain from personal attacks, indecorous language and becoming boisterous.

(h) ~~(f)~~ Reports from the Mayor, the Council President, the Public Works Director, the Law Director, the Finance Director and any other public official.

(i) ~~(g)~~ Reports of standing committees, in the order set forth in § 220.05, and commission liaison reports.

(j) ~~(h)~~ Reports of special committees, followed by board and commission liaison reports.

~~(k)-(i) Audience participation on agenda items only, provided that such participation is in conformity with § 220.01; Motions.~~

(l) Unfinished Business:

(1) ~~(j)~~ Third reading and disposition of ordinances and resolutions and disposition thereof.

(2) ~~(k)~~ Second reading of ordinances and resolutions.

(m) ~~(l)~~ New business as follows:

~~(1) Ordinances and resolutions which require immediate action as emergency measures, under a suspension of rules; and~~

~~—(2) Introduction and First reading of ordinances and resolutions not of an emergency character.~~

(n) ~~(m)~~ Miscellaneous business and announcements; and

~~—(n) Public input as follows: each member of the audience wishing to speak shall speak for not longer than five minutes, unless Council, by a two-thirds vote, extends the time. Every audience member desiring to speak shall address the Chair, avoiding all personalities and indecorous language; and~~

(o) Adjournment.

~~Such~~ **No change shall be made to this** order of business ~~shall not be changed~~, nor shall any part hereof be omitted, except by a vote of three-fourths of the members **of Council** present at ~~any~~ **the** meeting.

#### § 220.12 RULES OF THE FLOOR AND DEBATE.

(a) **Recognition and Decorum.** Every member **of Council** desiring to speak shall address the ~~Chair presiding officer. and, u~~ Upon recognition by the presiding officer, **the member of Council** shall confine ~~himself or herself~~ **their remarks** to the question under debate, ~~avoiding all personalities and~~ **shall refrain from** indecorous language.

~~(b) A Council member shall speak only from his or her seat and for not longer than five minutes on each question, unless Council, by a two-thirds vote, extends the time. No member shall speak more than once on the same motion until every member desiring to speak on that motion has had an opportunity to do so.~~

~~(c) A member, Interruption and Points of Order.~~ Once recognized, **a member of Council** shall not be interrupted while speaking, **except when a call** ~~If a member, while speaking, is called to order, or a point of order is raised. In such cases, the member of Council, he or she shall immediately cease speaking and may resume only when shall be permitted to do by proceed only upon direction from the Chair presiding officer.~~

~~(d) (c) Privilege of the Sponsor.~~ The **member of Council member** moving **for** the adoption of an ordinance or resolution shall have the privilege of opening and closing the debate, ~~provided he or she does not speak longer than his or her allotted time.~~

~~(e) (d) Record of Debate.~~ The Clerk of Council shall ~~enter record~~ in the **official** minutes a synopsis of the discussion of any **matter that is formally presented** ~~question coming regularly before Council. If any member of Council requests that unless a complete written statement be included in the minutes, and the is requested to be entered by a Council requesting member provides the full and such written text of the statement, is provided for the minutes by the Council member so requesting the Clerk of Council shall include that statement in its entirety in the official minutes.~~

#### § 220.13 MOTIONS.

When a motion is made, the Council President shall call for discussion on the question. Before the vote, any motion may be withdrawn by its maker, provided a majority present gives consent.

#### § 220.14 SECONDS.

No second shall be required for any motion. ~~It is the expressed being the sense of members of Council that the practice of seconding of motions is unnecessary and a superfluous proceeding formality.~~

## § 220.15 ORDER OF PRECEDENCE OF MOTIONS.

Whenever a question is before **members of** Council or under debate, the following motions shall be ranked in the following order.

## (a) To Adjourn.

- (1) The motion to adjourn shall always be in order, except when **members of** Council ~~is~~ **are** engaged in voting.
- (2) It shall be decided by a majority vote **of the members of Council** without debate.

## (b) To Recess.

- (1) A recess may be called at any time by the presiding officer, by general consent, or by motion by any member of Council.
- (2) This motion is not debatable and can have no other motion applied to it except to amend as to the length of the recess.
- (3) This motion shall require a majority vote of **members of** Council.

## (c) To Lay on the Table.

- (1) A motion to lay on the table is not debatable or amendable and requires a majority vote **of members of Council** to adopt.
- (2) This motion shall only be used to lay a question aside temporarily at the same meeting.

## (d) To Close Debate.

- (1) A motion to close debate is also known as a motion to move the previous question.
- (2) When any member **of Council** moves to close debate and the motion is carried by **the greater of** a two-thirds vote, there shall be no further amendment or debate.
- (3) Pending amendments shall be voted in reverse order before voting on the main question.
- (4) If less than two-thirds vote to close debate, the main question and any amendments are open for further discussion.

## (e) To Limit or Extend Debate.

(1) ~~Council debate time is limited by § 220.12(b). To extend such time requires a motion and a two-thirds vote.~~

—(2) **A motion to limit or extend** the total debate time on a **specific** question requires a motion and **approval by** a two-thirds vote **of members of Council present**.

(3) ~~Both procedures are amendable with~~ **Motions to limited or extend debate are subject to subsequent amendment.**

(f) To Postpone to a Certain Time or Meeting. This motion shall be used to postpone legislative action until the next or a subsequent meeting, or until after a certain report or event (which items may be amended). The postponement shall require a majority vote.

(g) To Refer to a Committee.

(1) ~~The object of this~~ Council may by motion ~~is to~~ refer a matter to either a standing committee or a special committee of Council to enable the question to be more carefully studied and investigated and thereby rendered more clarified for members of Council to consider.

(2) This motion is debatable and amendable and ~~it~~ requires a majority vote of members of Council to adopt. It may be reconsidered unless the committee has begun consideration of the question referred to it.

(3) A motion to refer may be made by any member of Council, or the presiding officer may, by general consent, refer any question to committee.

(h) To amend.

(1) It shall be in order to amend an ordinance at any time, but if substantially amended upon the third reading, the reading shall be postponed to the next meeting or referred to a committee for further study and members of Council's final action.

(2) An amendment to any question may be in any of the following forms:

- A. To insert or add at the end;
- B. To strike out; or
- C. To substitute.

#### § 220.16 INTRODUCTION OF ORDINANCES AND RESOLUTIONS.

Ordinances and resolutions shall be presented and moved for adoption ~~in Council~~, by any member of Council, who shall be at liberty to make a brief statement of the object and purposes.

#### § 220.17 THREE READINGS.

(a) No ordinance or resolution shall be passed until it has been read on three different ~~days~~ meetings of Council, unless this rule is suspended by a two-thirds vote of members of Council.

(b) All ordinances and resolutions shall be read by title only, unless, by general consent or a majority vote of members of Council decides to have any ordinance or resolution read in its entirety.

(c) Any proposed legislation which is pending final passage at the end of any Council's term, and upon which no action has been taken for the previous six months, shall be rendered null and void on the last day of any Council's term.

## § 220.18 PASSAGE OR ADOPTION.

All ordinances and resolutions shall require a majority vote of **members of** Council for adoption, unless a greater vote is required by law or this chapter.

## § 220.19 VOTING.

(a) During collective committee meetings and work sessions, any member of Council may request an informal poll (voice vote) of Council on any subject being discussed. No vote taken at a collective committee meeting or work session shall be considered official or binding.

(b) At regular **Council** meetings, every member shall vote by roll call, either “yes” or “no” on all questions before **members of** Council. However, when a member shows a conflict of interest, he or she may be excused on motion and vote ~~of~~ **from members of** Council. A “yes” vote shall be considered a “yea” vote and a “no” vote shall be considered a “nay” vote, pursuant to Section 9 of the Municipal Charter.

(c) All voting shall be done by consecutive alphabetical rotation. An alphabetical list of Council members shall be kept by the Clerk of Council, and the first vote of the first Council meeting of the year shall be cast by the **member of** Council ~~member~~ whose name is first on the list. The rest of the votes shall then be cast in alphabetical order. All votes for the meeting shall be cast in such order. The voting at all subsequent Council meetings shall continue in rotating alphabetical order until the **member of** Council ~~member~~ whose name is last on the list has cast the first vote on all issues at the meeting, at which time the rotation shall begin again. Refusal to vote shall be deemed contempt of Council, and the member so refusing to vote shall be censured or suspended at the discretion of Council in separate proceedings or charges in contempt.

## § 220.20 GENERAL CONSENT.

(a) When there is evidently no opposition to ~~certain~~ **a particular** questions, the formality of ~~voting can~~ **a vote may** be avoided **waived**. ~~In such cases, by the presiding officer may stating:~~ **state: “If there is no objection,” then stating followed by a clear statement of** the proposed action. ~~If there is no objection by any member of Council voices an objection, the action is done~~ **shall be considered approved** by general consent, **and no formal** ~~without a vote will be required.~~

(b) If one member of Council objects to such action or parliamentary procedure, the presiding officer shall take a majority vote **of members of Council** on the question.

## § 220.21 AUDIENCE PARTICIPATION AND PUBLIC INPUT.

(a) Regular Council meeting.

(1) Any person may address **members of** Council only once during the ~~audience-participation~~ **public input** portion of the meeting **on any topic**, ~~and such participation shall be limited to agenda items only and shall appear prior to Council’s action on motions and legislation. He or she~~ **The speaker** shall be allowed ~~three~~ **five** minutes, unless the time is extended by the presiding officer or **the consent of whichever is greater of two-thirds votes of**

**members of Council. Members of Council** shall be allowed to direct questions to the speaker, through the presiding officer.

~~—(2) A time for public input shall be provided at the end of the regular Council meeting. Each member of the audience wishing to speak on any topic shall speak for not longer than five minutes and only once.~~

**(32)** All remarks shall be addressed to ~~Council as a body~~ **the presiding officer** and not to any **individual member of Council**. No person, other than **members of Council and/or the administration** and the person having the floor, shall be permitted to enter any discussion, either directly or through a member of Council, without the permission of the presiding officer. No question shall be asked ~~to a member of Council member~~ except through the presiding officer.

**(3) All persons wishing to address members of Council shall state their name and city where they reside.**

**(4) No question shall be asked a Council member except through the presiding officer. An elected official cannot step down from the dais as a resident to address members of Council**

**(5) No person shall disrupt the meeting of Council.**

**(6) Speakers cannot donate their time to others.**

**(7) Consultants to Council and invited guests may present information and may be called upon to respond to questions from members of Council, the administration, or city staff at any point during a meeting, at the discretion of the presiding officer.**

**(b) Collective committee meeting.**

**(1) ~~During a collective committee meeting, the presiding officer may allow audience participation during the course of a collective committee meeting. Such participation shall be limited to the issue then and there at hand and be limited to three minutes per person and 20 minutes per topic or issue.~~ At the beginning of the meeting, there shall be public input during which time any person may address members of Council on any topic. Each speaker shall address members of Council only once. They shall be allowed five minutes, unless the time is extended by the presiding officer or the consent of whichever is greater of two-thirds votes of members of Council. Members of Council shall be allowed to direct questions to the speaker only through the presiding officer.**

~~(2) A time for public input shall be provided at the end of the collective committee meeting. Each member of the audience wishing to speak on any topic shall speak for not longer than five minutes and only once.~~

**(32)** All remarks shall be addressed to ~~Council as a body and not to any member~~ **the presiding officer**. No person, other than **members of Council and/or the administration** and the person having the floor, shall be permitted to enter any discussion, either directly or through a

member of Council, without the permission of the presiding officer. No question shall be asked to a member of Council member except through the presiding officer.

- (3) All persons wishing to address members of Council shall state their name and city where they reside.
- (4) No question shall be asked a Council member except through the presiding officer. An elected official cannot step down from the dais as a resident to address members of Council.
- (5) No person shall disrupt the meeting.
- (6) Speakers cannot donate their time to others.
- (7) Consultants to Council and invited guests may present information and may be called upon to respond to questions from members of Council, the administration, or city staff at any point during a meeting, at the discretion of the presiding officer.

(c) Work session.

(1) Any person may address members of Council only once during the time for audience participation portion of the meeting and only on matters specifically related to the shall be provided at the end of the work session topics. Each member of the audience wishing to speak shall speak for not longer than The speaker shall be allowed five minutes, per person or 20 minutes per topic unless the time is extended by the presiding officer or members of Council. Council shall be allowed to direct questions to the speaker through the presiding officer.

(2) All remarks shall be addressed to Council as a body and not to any member. No person, other than members of Council and/or the administration, and the person having the floor, shall be permitted to enter any discussion, either directly or through a member of Council, without the permission of the presiding officer. No question shall be asked a Council member except through the presiding officer.

- (3) All persons wishing to address members of Council shall state their name and city where they reside.
- (4) No question shall be asked a Council member except through the presiding officer. An elected official cannot step down from the dais as a resident to address members of Council.
- (5) No person shall disrupt the meeting.
- (6) Speakers cannot donate their time to others.
- (7) Consultants to Council and invited guests may present information and may be called upon to respond to questions from members of Council, the administration, or city staff at any point during a meeting, at the discretion of the presiding officer.



## § 220.22 RESIGNATION.

The resignation of a member of Council shall not take effect until accepted by a majority vote of the members of Council, exclusive of the person tendering the resignation. Vacancies shall be filled according to Chapter II, Section 6, of the City Charter.

## § 220.23 PARLIAMENTARY AUTHORITY.

(a) Technicalities of parliamentary procedure ~~shall~~ **may** not be invoked, except when necessary to avoid or prevent an interruption of the orderly procedure of business before **members of** Council.

(b) Robert's Rules of Order Newly Revised ~~shall~~ **may** govern the proceedings of Council, ~~in all cases not provided for by this chapter or~~ **except where** the Charter **or Council's adopted, written policies and rules clearly render them inapplicable**, ~~and in any case where they are not inconsistent with this chapter.~~

(c) The presiding officer shall adhere to ~~and enforce the parliamentary authority, together with the rules contained in this chapter~~ **and other policies and rules formally adopted by Council prior to the meeting of the public body.**

## § 220.24 SUSPENSION OF THE RULES.

The rules contained in this chapter, or any one of them, when not precluded by statute or the Charter of the city, may be temporarily suspended at any meeting of Council by a two-thirds **majority** vote of the members **of Council present**, except when a greater vote is required by law.

## § 220.25 AMENDMENT OF THE RULES.

(a) The rules contained in this chapter may be amended or new rules adopted by a two-thirds **majority** vote of **members of** Council at any regular or special meeting.

(b) All amendments or new rules adopted by Council shall be attached to this chapter, together with the effective date of the same.

## § 220.26 SUBPOENAS.

Subject to the limitations imposed by § 268.02 of the code of ordinances, **members of** Council shall have the power to subpoena witnesses and books, documents, records or other evidence at the request of any member of Council for the purpose of investigating charges against an officer or employee. Upon motion adopted by **members of** Council, the Council President or, in his or her absence or unavailability, the President Pro Tempore shall sign any subpoena to be issued pursuant to this section, and such subpoena shall be served and executed by any person authorized to serve subpoenas, and in the manner required, by Rule 45 of the Ohio Rules of Civil Procedure. The return of such subpoena shall be filed with the Clerk of Council. The Law Director, the Assistant Law Director, or in their absence or unavailability, any member of Council may administer the requisite oaths to witnesses, and **members of** Council shall have the same power to compel the giving of testimony by the attending witnesses as is conferred upon courts

of justice. In all such cases, witnesses shall be entitled to the same privileges, immunities and compensation as are allowed witnesses in civil cases, and the cost shall be paid from the General Fund of the city. Any person who refuses to obey a subpoena issued pursuant to this section or to testify in response to such subpoena shall be guilty of contempt of Council, a misdemeanor of the third degree.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1<sup>st</sup> reading: 6/09/2025

2<sup>nd</sup> reading: 6/23/2025

3<sup>rd</sup> reading:

PASSED: 7/14/2025

/s/Jennifer G. Fenderbosch  
Council President

POSTED: 7/18/2025

APPROVED: 7/15/2025

ATTEST: /s/Valerie E. Rosmarin  
Clerk of Council

/s/Mark A. Spatzel  
Mayor