

**COUNCIL OF THE
VILLAGE OF HIGHLAND HILLS**

ORDINANCE NO. 2024-27

For the April 10, 2024
Council Meeting

Introduced by: Councilman David Mills

Supported by: Council President Cassandra Pride
and Councilpersons Greene, McManus and
Wright

AN ORDINANCE AMENDING THE RULES OF COUNCIL.

WHEREAS, the Rules Committee of Council discussed changing the time for all Council regular meetings, and the Committee unanimously approved recommending changing the starting time for Council regular meetings to be 6:00 p.m., and in order to accomplish that change, the Rules of Council, Section 131.02(l) must be amended,

WHEREAS, Council desires to adopt the amended Section 13102(l) as set forth in Exhibit A attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND HILLS, OHIO:

Section 1: Council hereby amends the Rules of Council and hereby adopts the revised Sections 131.02(l) to change the starting time of Council regular meetings to 6:00 p.m., said Rule to be in substantially the same form as set forth in Exhibit A attached hereto and incorporated herein fully by reference:

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all 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 including Section 121.22 of the Revised Code.

Passed in Council this 10th day of April, 2024.

First Reading ✓ Second Reading _____ Third Reading _____

Vote: Pride ✓ yea ___ nay ___ Greene ✓ yea ___ nay ___ Mills ✓ yea ___ nay ___
McManus ✓ yea ___ nay ___ Wright ✓ yea ___ nay ___

Ordinance No. 2024-27
For April 10, 2024
Council Meeting
Page 2 of 2

Cassandra Pate 4/10/24
President of Council Date

Attest: Margaret Sikon 4/10/24
Margaret Sikon, Clerk of Council Date

Filed with the Mayor: ✓ 4/12/24
Date

Approved By: Michael L. Booker 4/12/24
Michael L. Booker, Mayor Date

2024-27

131.02 ORGANIZATION AND PROCEDURES OF COUNCIL.

(a) Addressing the Chair. Members, when about to speak to a question or make a motion, shall address the Chair as "President" or "Chairman/Chairwoman/Chairperson" who shall announce the name of the member of council entitled to the floor by addressing him as "Councilman/Councilwoman/Councilperson" followed by that person's last name.

(b) Debate. Members shall confine themselves to the questions under debate. No member shall be allowed to speak more than once upon any one subject until every member choosing to speak has spoken, no more than twice upon the same subject, nor for a time longer than three (3) minutes, except in case of emergency meetings, then debate shall be extended to six (6) minutes, without leave of Council, authorized by a majority vote of the members present. On demand of any member, a question under consideration, which covers two or more points, shall be divided where the question permits such division.

(c) Seating Arrangement. The President of Council shall decide the seating arrangement of all seats occupied at Council's table except that of the Mayor.

(d) Clerk of Council's Absence. In case of the absence of the Clerk, the President of Council shall select a member of Council to assume the Clerk's duties.

(e) Legal Advice. The Law Director shall be permitted to address Council at any time on any question or matter then pending or to be considered by Council regarding the legal consideration involved therein. This privilege shall not be subject to amendment except by the unanimous vote of all members elected to Council.

(f) Parliamentarian. The Clerk of Council or in his/her absence, his/her designated assistant shall serve as Parliamentarian of Council at all meetings of Council (including regular, special and committee) following Robert's Rules of Order.

(g) Legislation. All Ordinances or Resolutions to be considered by Council shall be in writing and referred to the Law Director for approval prior to placing same on an agenda of Council. Every Ordinance or Resolution, except as herein otherwise provided, shall be prepared, approved and reviewed by the Law Director. No legislation shall be prepared for presentation to Council unless ordered by a majority vote of Council, by the unanimous request of a Council committee, by the request in writing of the Mayor or by two (2) members of Council, or unless prepared by the Director of Law on his/her own initiative. The Finance Director, however, may prepare and present through the Mayor, legislation of a strictly financial nature, such as abatement Resolutions, budget Ordinances, and other appropriation Ordinances. All such legislation shall bear the name of the sponsoring members; otherwise, it shall not be considered or may be removed from the agenda upon the Clerk determining on the record that sponsorship has is sufficient.

No Ordinance, except appropriation Ordinances, shall relate to more than one subject, which shall be clearly expressed in its title and no Ordinance, or section thereof, shall be amended or repealed unless the new Ordinance contains the title of the Ordinance repealed and it is introduced as an amendment to an existing Ordinance or section thereof.

Every Ordinance or Resolution of Council shall list the vote of each Council member and once approved by a majority vote of Council, shall be submitted by the Clerk to the President of Council and thereafter to the Mayor for signature. In the absence of the Clerk, two (2) members of Council shall sign the legislation. Thereafter, such legislation must be submitted to the Mayor for the Mayor's consideration before it goes into effect. If the Mayor approves of the legislation, the Mayor shall sign the legislation, which represents his approval of same, or fail to sign it, in which case it will be accepted as approved unless vetoed or disapproved of within ten (10) days after its passage by Council. In the event the Mayor disapproves of the whole of such legislation or any item in the legislation when such legislation pertains to finances only, as provided by the Charter, the Mayor shall file a written notice of disapproval with the Clerk within ten (10) days after passage of legislation by Council. After signature or the aforementioned passage of time during which the Mayor has the opportunity to sign said legislation, the Clerk shall provide a copy of the legislation as signed to the Mayor for signature. The original shall be filed with the Finance Director and posted. The date of posting shall be listed on each piece of approved legislation. Thereafter, the Finance Director shall maintain a copy of such records of each item of legislation as required by law.

Any Ordinance or Resolution may be referred to committee by a motion, duly adopted by a majority vote, and such reference shall indicate the date by which the committee shall report back to Council. Failure of the committee to report by such date shall be considered the same as if reported back without recommendation, unless the time for report is extended by approval of Council. If no such extension is granted, the Ordinance or Resolution shall take its appropriate place on the agenda. Any matter referred to a committee may, by a majority vote of Council at any time prior to report of such committee, be taken from the hands of such committee for consideration. After an Ordinance or Resolution has been on the agenda for a period of twelve (12) months, the legislation shall be placed on the agenda for a motion to defeat the proposed legislation. The vote required to defeat the proposed legislation shall be by a majority vote.

Where an Ordinance or Resolution is properly a subject for principal consideration by more than one committee, it shall be referred to such committees, as shall be determined by a majority vote of Council.

Council approves the attached forms for all Ordinances and Resolutions, which shall be presented to Council during the calendar year. Ordinances and Resolutions shall appear in the form as established by Exhibits A and B, respectively, which are attached hereto and incorporated herein by reference. In addition to the Ordinance and/or Resolution forms, each Ordinance or Resolution shall be accompanied by a specific form shown in Exhibit C, incorporated herein by reference, which specifies the vote tallies in relation to passage or defeat of such legislation. Finally, the written notice of disapproval of any legislation exhibiting the Mayor's veto or line item veto when it relates to finance legislation, shall appear in the form shown as Exhibit D-1 and/or D-2, incorporated herein by reference.

(h) Awards and Citations. Motions directed toward the preparation of Resolutions, Appreciation, or Congratulations, or any discussion in connection therewith, shall be advanced in a meeting of Council, resolved as a Committee of the Whole.

(i) Consent Agenda. The agenda at any regular meeting of Council shall include a Consent Agenda. Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any Consent Agenda item, or if discussion is requested by the public on any legislative item on the Consent Agenda, that item will be removed from the Consent Agenda by Council motion and considered in its normal sequence under the Regular Order of Business. The consent agenda shall list items including the following in the following format:

(1) Approval of minutes: _____.

(2) Legislation. Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).

Prior to calling for the roll call vote on the consent agenda, Council President shall ask if any Council member wishes to have any item on the consent agenda removed for discussion. Any person so requesting removal of any item shall have the effect of removing the item without motion or vote.

(j) Voting. All votes of Council on any motion shall be pursuant to a roll call vote. The Clerk of Council may call the roll of Council members in a random order. The only votes permitted shall be "yea" or "nay" and "abstain". Members of Council that have a need for or reason for recusal shall, prior to the vote, request recognition of the President and a determination from the Law Director regarding recusal from voting on a particular issue. If the Law Director opines that such request would require recusal, then Council shall put the question on the floor: "Shall Council member ____ be recused from voting on this issue?" A simple majority vote of Council affirms the Council Members recusal from voting. In general, recusal should be granted to prevent conflicts of interest or ethical violations.

(k) Appointments. The President of Council shall have the power and authority to make all appointments reserved to Council.

(l) Meetings of Council. Regular meetings of Council shall be held at Highland Hills Governmental Office Building at 3700 Northfield Road on the second Wednesday of each month, except August, during the calendar year and shall begin promptly at ~~7:00~~ **6:00 p.m.** Whenever the date of a regular meeting falls on a legal holiday or conflict, such meeting shall automatically be rescheduled at the convenience of Council. Council shall review the annual calendar for the upcoming year in December of each year and shall make every effort to approve any changes at that time.

Special Meetings. Council shall hold such special meetings in the Highland Hills Governmental Office Building as may be found necessary. Special meetings may be called by the Mayor or President of Council and any three (3) members of Council upon at least twelve (12) hours written or oral notice to each member of Council, whether such notice is served personally or left at the Council member's usual place of residence, all pursuant to O.R.C. Section 731.46.

The Mayor, Law Director, and Finance Director shall be similarly served such notice. Whenever a member of Council who has not properly been served with notice, is present at any special meeting, the presence of such Council member shall be deemed a waiver of notice of such member. Notice of the meeting shall state, in addition to the date, time and place, the purpose of the special meeting. No other business shall be acted upon at such special meeting except that which has been stated in the purpose for such meeting. All meetings of Council shall be open to the public except where provided by law.

(m) Quorum Defined. Lesser Number Defined. A majority of the members of Council shall constitute a quorum for regular or special meetings of Council. As defined, three (3) members of Council shall constitute a quorum. The lesser number of members of Council as discussed in Article II, Section 5 of the Charter of the Village of Highland Hills, shall be defined as three (3) members of Council.

(n) Suspension of Rules. When considering adoption of any legislation on first or second reading or any motion, Council shall consider the following motion: "Motion to waive the rules requiring three reading and referral to committee." A three-fourths (3/4) majority or four (4) affirmative votes is necessary to suspend the rules and waive the three reading rule. Legislation that specifies it as an emergency does not need a separate or special motion to adopt as an emergency. Rather, adoption of the legislation as drafted or amended with appropriate emergency language contained therein is sufficient to adopt the legislation as an emergency as provided by Ohio law. A two-thirds (2/3) majority is necessary to adopt legislation as an emergency. A two-third (2/3) majority of all members of Council is three (3) affirmative votes. Failure to obtain a two-third (2/3) majority will defeat the emergency measure.

(o) Meeting Agenda. The agenda shall be prepared and typed by the Clerk and delivered to Council members at least 48 hours in advance of the regular or special meeting. Critical legislation submitted after 48 hours before the meeting must receive approval of the President of Council to be placed on the agenda. Minutes of all committee meetings should be transcribed and distributed no later than three (3) business days prior to said meeting. Notification of the cancellation of any regular or special meeting of Council is the responsibility of the Clerk. Minutes of all committee meetings should be transcribed and distributed to the Chair no later than three (3) business days prior to said meeting. The minutes shall be approved by majority vote of the committee and signed by the Chair.

(p) Other Rules. Except as herein otherwise provided, the proceedings of the Council shall be governed by the Village Charter, the Codified Ordinances of the Village of Highland Hills, and Robert's Rules of Order, and it shall be the duty of the presiding officer to adhere to and enforce such rules.