

AN ORDINANCE AMENDING SECTIONS 121.03, 123.01, AND 123.02 OF THE ADMINISTRATIVE CODE PERTAINING TO RULES AND REGULATIONS OF COUNCIL AND THE ORDINANCES AND RESOLUTIONS OF COUNCIL

WHEREAS, the Council has undertaken a review of the Rules of Council set forth in Section 121.03 of the Codified Ordinances and the Ordinances and Resolutions of Council, as set forth in Chapter 123 of the Codified Ordinances; and

WHEREAS, Council desires to make certain amendments to said provisions of the Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, County of Summit, State of Ohio that:

SECTION 1. Section 121.03, "Rules and Regulations" of Chapter 121, Council of the Administrative Code of the Codified Ordinances of the Village of Richfield is hereby amended as follows:

"121.03 RULES AND REGULATIONS.

(a) Agenda. The President of Council, **in consultation with the administration,** shall prepare ~~an agenda items~~ to be brought before Council. The agenda shall be received by the Clerk of Council by ~~4-5:00~~ 4:50 p.m. on Friday before the regular Tuesday Council meeting. The Clerk should have copies available prior to the Council meetings for the general public.

(b) Additional Matters. The affirmative vote of four or more of the members elected or appointed to Council is required for any matter not on the agenda **(i.e., walk-up legislation, etc.)** to be presented to or considered by Council.

(c) Ordinances and Resolutions. All requests for ordinances and resolutions to be offered at a Council meeting shall be first submitted to the President of Council and **Law Director and then forwarded to** the Clerk of Council **upon approval.** The deadline for submitting requests for ordinances and resolutions to the President of Council **and Law Director** is 9:00 a.m. on the Friday before the regular Tuesday meeting of Council. All ordinances and resolutions shall be available in final form (by e-mail and paper copies) by ~~12:00 noon~~ **1 p.m.** on the Saturday preceding the Tuesday meeting of Council. Copies of proposed legislation will be posted ~~in the Lobby of Town Hall~~ **on the Village website.**

(d) Correspondence. All communications and correspondence to Council shall be first submitted to the President of Council to determine whether it is germane to agenda items and should be placed on the agenda for reading. The President of Council's determination may be overridden by a majority vote of Council. Unless otherwise provided, the deadline for submitting correspondence to the President of Council is 9:00 a.m. on the Friday before the regular Tuesday meeting of Council. Unsigned letters will not be considered.

(e) Call to Order. The President of Council, or in his or her absence, the Vice President, shall take the chair at the appointed hour for the meeting of Council and shall immediately call the Council to order. If the President or Vice President are not present, the remaining members shall choose a Chairman until the President or Vice President is in attendance.

(f) Roll Call. The Clerk of Council shall call the roll of the members in alphabetical order, and the names of those present shall be entered in the minutes.

(g) Quorum. Four members of Council shall constitute a quorum to do business but a lesser number may adjourn. For purposes of clarity, when the total number of elected or appointed Councilmembers men is seven, two-thirds of Council is five, and three-fourths of Council is six. (Charter, Section 4.10)

(h) Order of Business. All meetings of Council shall be open to the public. Promptly at the hour set by ordinance on the day of each regular meeting, the members of Council, the Clerk and the Law Director shall take their regular stations in the Council chambers, and the business of Council shall be taken up for consideration and disposition in the following order:

- (1) Pledge of Allegiance
- (2) Roll Call
- (3) Approval of Minutes
- (4) Communications and petitions
- (5) Mayor's Report
- (6) Department Head Reports
- (7) Report of Committees
- (8) Caucus (Council's discussion of agenda items, including motions to modify agenda)
- (9) Comments from the public floor on agenda items only
- (10) Ordinances and Resolutions
 - A. Council will allow for a period of discussion from the floor on all legislation on which a motion has been made to adopt,
- (11) Unfinished Business
- (12) New Business
- (13) Comments from the public floor on any item
- (14) Work session (discussion topics and old and new business of Council)
- (15) Adjournment.

(i) Voting. A vote on any question shall be by a "yea" or "nay". The order of voting shall be alphabetical; however, the first member to vote shall be the person who voted second on the last vote, and such a rotating order of voting shall continue for the duration of the meeting.

(j) Reading of Minutes, Ordinances and Resolutions. The minutes (unapproved) of any meeting of Council shall be prepared by the Council Clerk and distributed to Council, the Mayor and Department Heads (121.03(i)(6) and Secretaries of Boards within ~~one week~~ ten calendar days of the meeting at which such minutes were taken; provided, however, that in the event there is less time than ~~one week~~ ten calendar days between the meetings of Council, the minutes of

the previous meeting shall be distributed to the persons named herein prior to any meeting of Council.

Unless a reading of the minutes of the Council meeting is requested by a majority of the members of Council, such minutes may be approved without a reading.

The approved minutes will be posted to the official postings, places (123.01(a) & (b)) and shall be posted on the Village website.

Ordinances and resolutions shall be read by title only for the first, second and third readings, unless a majority of Council requests that they be read in full.

(k) Receiving Motion When Question is Before Council. When a question or a proposition is before Council or under debate, or when a motion has been made, no motions shall be received except the following:

- (1) To adjourn (not debatable)
- (2) To table the motion - lay it aside until later (not debatable)
- (3) To request that discussion end, and then any motion being considered be voted on (previous question, as it is usually called) (not debatable)
- (4) To postpone any action on a motion until some stated future time
- (5) To refer the proposal to a standing or special committee.
- (6) To amend the main motion
- (7) To postpone any action for an indefinite time

(l) Motion to Reconsider. A motion to reconsider a subject that may have been acted upon favorably must be made before adjournment of that session of Council. A motion to reconsider any other subject may be made no later than the next regular meeting after such action was taken. A motion to reconsider may be made only by any member who voted with the winning or prevailing side. A motion to reconsider shall be in order at any time except when a motion on some other subject is standing.

A motion to reconsider, being laid on the table, may be taken up and acted upon at any time when Council is engaged in the transaction of new or miscellaneous business.

No motion to reconsider shall be made more than once on any matter or subject, and the same number of votes shall be required to reconsider the action of Council, as was required to pass or adopt the same.

(m) Motion to Take From the Table. A motion to take from the table shall be in order when that order of business is being transacted in which such matter to be taken up was laid upon the table, or under the head of new or miscellaneous business and such motion shall be decided without debate, provided the mover may be permitted to state briefly his reasons for the motion.

(n) Motion to Postpone Indefinitely. If a motion to postpone indefinitely be carried, the principal question shall be declared lost.

(o) Motion for the Previous Question. The previous question shall be in the form, "Shall the main question now be put?" It shall be admitted only when demanded by two members, and until decided shall preclude further debate, and all amendments and motions if the previous question is demanded on an amendment. If the motion for the previous question is carried, the question shall be put without further debate.

However, if the motion for the previous question is carried, but before it is actually put in execution, the motion to which it is directed may be laid on the table.

The requirement that two members must be in favor of a motion for the previous question may be altered, as desired by Council.

(p) Motion to Amend. A motion to amend is susceptible of but one amendment thereof. An amendment once rejected may not be moved again in the same form.

(q) Motion on Question of Privilege. Question of privilege shall be first: those affecting the rights of Council collectively, its safety, dignity, and the integrity of its proceedings; second: the rights, reputation, and conduct of the members of Council individually, in their capacity as such members. A question of privilege shall have the precedence of all questions except a motion to adjourn.

(r) Special Committees. All special committees shall be appointed by the presiding officer, unless otherwise directed by Council.

(s) Standing Committees.

(1) The standing committees of Council shall be as follows:

A Finance

B. Public Works, Building and Grounds (Water, Sewers, Sidewalks, Electric, Gas and Telephone)

C. Streets and Highways

D. Public Safety (Police, Fire, Health, Emergency and Civil Defense)

E. Mundialization

F. Park Board Representative

G. Insurance

H. Richfield Township Liaison

I. RJRD Liaison

J. Information Technology

K. Revere Schools Liaison

(2) The President of Council shall appoint all Committees including the Chairperson thereof.

(3) Members of all Committees, shall be limited to a maximum of three members of Council.

(4) Robert's Rules of Order shall govern the conduct of business at all Committee meetings as far as the same may be applicable.

(5) A vote on a matter before a Committee shall not, necessarily, bind a member of the Committee if the matter is again considered by Council.

(6) Committees shall act in an advisory capacity only and shall have no power other than to report to Council with recommendations and advice.

(7) The Chairperson of each Committee shall run the Committee meetings and take minutes.

(8) The Chairperson of each Committee shall work with the Clerk of Council to make all notifications to the news media of each Committee meeting. ~~The Chairperson of the Committee~~ Clerk of Council shall post the agenda for the Committee meeting at least twenty-four hours in advance of the meeting. Posting is required ~~on the bulletin board in the Village Hall and website calendar only.~~ ~~A template of the proposed Committee agenda is attached to original Ordinance 66-1996.~~

(9) ~~The audience~~ public and noncommittee members of Council may attend any Committee meeting but may not participate in any deliberations.

(10) ~~Committee chair~~ Clerk of Council shall distribute all committee agendas to all members of Council ~~in their mailbox or~~ by email.

(t) Regular meetings shall be held on the first and third Tuesday of every month at 6:30 p.m. in the Council Chambers. If the first or third Tuesday falls on a holiday or on an election day, then on the following Wednesday. Emergency and/or special meetings shall be in accordance with Section 4.09 of the Charter of the Village.

(u) Absence and Vacancy. Section 3.04 of Article III of the Charter of the Village of Richfield.

A. Same as in Charter.

B. Same as in Charter.

C. If the office of the President of Council becomes vacant, the Vice President of Council shall automatically become President for the unexpired term and Council shall proceed to elect a Vice President for the unexpired term in the manner provided in Section 4.05 of Article IV of the Charter of the Village of Richfield. If the Vice President declines to serve as President of Council, he shall not thereby cease to be Vice President of Council; Council shall then proceed to elect a President of Council in the manner provided in Section 4.05 of Article IV of the Charter of the Village of Richfield. If the office of Vice President of Council becomes vacant, Council shall proceed to elect a Vice President for the unexpired term in the manner provided in Section 4.05 of Article IV of the Charter of the Village of Richfield.

(v) Except as otherwise provided, Roberts Rules of Order, as they may be revised, shall govern the deliberations of Council.

(w) Active and Inactive Ordinances. Ordinances and resolutions are placed on the active agenda for first reading when they are first introduced. If an ordinance or resolution is referred to a committee or board for further study, or placed on hold for legal review or some other action, the item will remain on the active agenda for a second reading. An ordinance or resolution which is not ready for final Council action after its second reading may be placed on the inactive agenda by motion and vote. The inactive agenda will list tabled ordinances and resolutions. The inactive agenda will be placed at the end of the agenda for each Council meeting.

(x) Expiration of Ordinances. If an ordinance or resolution is not finally acted upon within one year of introduction, it shall automatically expire and be removed from the inactive agenda. Council may extend the time of a particular ordinance or resolution to continue it on the agenda despite the expiration of one year from its date of introduction. The Clerk of Council shall notify Council at least two weeks before an ordinance or resolution is due to expire as a result of no action being taken within one year from the date of introduction.”

SECTION 2. That any ordinances or resolutions in conflict with the foregoing are hereby repealed.

SECTION 3. Section 123.01, “Official Posting Places; Regulations” of Chapter 123, Ordinances and Resolutions, of the Administrative Code of the Codified Ordinances of the Village of Richfield is hereby amended as follows:

“123.01 OFFICIAL POSTING PLACES; REGULATIONS.

(a) The following ~~six~~ places are hereby determined to be ~~six of the most~~ public places of the Village:

(1) Richfield ~~Town~~ Village Hall (~~corridor~~) (lobby), 4410 West Streetsboro Road;

(2) ~~Richfield Police Department, 4410 West Streetsboro Road~~ United States Post Office, 3900 Broadview Road;

~~(4) Giant Eagle, 4428 Broadview Road;~~

~~(5) Richfield Senior Center, 4400 West Streetsboro Road; and~~

~~(6) Richfield Library, 3761 S. Grant Street.~~

(b) Additionally, the Clerk of Council shall post the agenda and pending legislation on the Village website.

(c) All ordinances and resolutions, unless otherwise required by law or by the Charter, shall be published by placing one copy thereof at each of the ~~six most~~ public places determined in subsection (a) hereof. Ordinances and resolutions shall be posted by the Clerk of Council immediately upon passage thereof by Council and the signing by the Mayor, or upon expiration of the time allowed for the Mayor’s disapproval of ordinances or resolutions.

(d) The agenda for all Council meetings shall be posted by the Clerk of Council at the ~~six most public~~ places determined in subsection (a) and (b) hereof

by 1:00 p.m., Saturday of the week preceding each regular meeting of Council. Council may cause such statements, orders, proclamations, notices and reports to be published at the posting places as Council deems necessary or in the public interest.”

SECTION 4. That any ordinances or resolutions in conflict with the foregoing are hereby repealed.

SECTION 5. Section 123.02, “Publishing of Enactments of Council” of Chapter 123, Ordinances and Resolutions, of the Administrative Code of the Codified Ordinances of the Village of Richfield is hereby amended as follows:

“123.02 PUBLISHING OF ENACTMENTS OF COUNCIL.


Council finds that in the Village of Richfield no newspaper is printed, as defined in Ohio R.C. 7.12, and it determines that all ordinances, resolutions, statements, orders, proclamations, notices and reports required by law or ordinance to be published shall be published by posting copies thereof in not less than ~~six~~two of the most public places in the Village, as defined in Section 123.01, for a period of not less than fifteen days, as well as on the village website.”

SECTION 6. That any ordinances or resolutions in conflict with the foregoing are hereby repealed.

SECTION 7. 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 deliberations of this Council and of any of its committees or subcommittees 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 Ohio Revised Code.

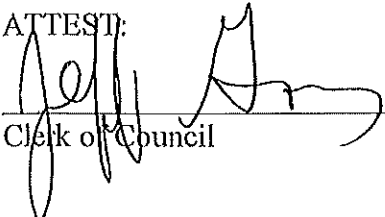
SECTION 8. This Resolution shall be in full force and effect after the earliest period allowed by law.

PASSED: 3-7-23


President of Council


Mayor

Dated: 3/7/2023

ATTEST:

Clerk of Council

