

ORDINANCE NO. 22-

OFFERED BY: COUNCIL PRESIDENT FOSTER

AN ORDINANCE AMENDING SECTIONS 220.03, 220.031, 220.06, and 222.02 OF THE CODIFIED ORDINANCES TO ADD PROVISIONS GOVERNING THE INTRODUCTION OF ORDINANCES AND RESOLUTIONS ON REGULAR AND SPECIAL CITY COUNCIL AGENDAS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Hudson's residents want to know more about and understand their municipal government and consider a clearer and more transparent legislative process important (<https://www.lawinsider.com/dictionary/public-peace>); and,

WHEREAS, the Charter and the Codified Ordinances of the City of Hudson are currently silent on the process of establishing an agenda for City Council's regular and special council meetings; and,

WHEREAS, the establishment of a draft, advance agenda for City Council's regular and special council meetings is needed in order to bring transparency, structure, and order to the legislative process; and,

WHEREAS, the establishment of a draft, advance agenda promotes efficiency in the administration of City business; and,

WHEREAS, the establishment of a draft, advance agenda for City Council's regular and special council meetings will allow the public and Council members to prepare; and,

WHEREAS, the members of City Council have researched, considered and determined there are four (4) separate ways of adding ordinances and resolutions to a draft, advance agenda for regular and special council meetings; and,

WHEREAS, in order to clarify the process of the introduction of ordinances and resolutions that are placed on a regular or special City Council meeting agenda for action, the following amendments to City Council's rules in Sections 220.03, 220.031, 220.06, and 222.02 of the Codified Ordinances are determined to be necessary.

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

Section 1. Subsection (c) of Section 220.03, "Rules," of the Codified Ordinances of the City of Hudson is hereby amended and current subdivisions (4) through (17) of Section 220.03(c) are re-designated as follows:

SECTION 220.03 RULES.

(c) Order of Business. All meetings of Council shall be open to the public in accordance with the Charter and statutes of Ohio providing for open meetings. **A written agenda for each regular and special meeting of Council shall be drafted in advance of such meeting by the City Manager and Clerk of Council with the advice of the Council President.** All agenda items **on the proposed agenda** shall be identified by title or subject matter and item or ordinance/resolution number. **No ordinance or resolution shall be placed on the proposed agenda for a regular or special council meeting unless that item has been placed there in one of the following three (3) ways: referred from a Council Workshop; or, the City Manager's request after seeking the advice of the Council President; or, the Mayor's request.** An item which appears on a subsequent agenda shall be additionally identified by the month and agenda number when initially entered (e.g., 4-22) or, in the case of ordinances and resolutions, by the history of its previous readings, including dates of those readings. The minutes of the Council meeting shall identify matters by item number or ordinance/resolution number. The Mayor may declare a brief recess during the course of the meeting as appropriate. The order of business shall be as follows:

- (1) Call to Order;
- (2) Pledge of Allegiance to the Flag;
- (3) Roll Call;
- (4) **Adoption of the Agenda;**
- (45) Approval of minutes of previous meetings;
- (56) Honorary resolutions;
- (67) Proclamations by Mayor;
- (78) Holding of public hearings in order of agenda;
- (89) Public comment;
- (910) Reading of any correspondence including petitions and recommendations received by the Mayor or members of Council at their discretion; Council Comments;
- (1011) Reports of Council committees;
- (1112) Reports or presentations of City Council other committees, City officials, the City Manager, or community organizations;
- (1213) Nominations, appointments, and elections;
- (1314) Consent agenda - At the request of any member of Council, without cause, an item in this portion of the agenda can be removed and placed on the legislative portion of the agenda for regular action. The consent agenda may include reports from various departments, bid awards, items having had **no, one or** two previous readings, acceptance of property and dedications, easement agreements, and such other items as Council determines **as provided in these Council Rules.** Items which may not be included on the consent agenda are those which impose a tax or propose a levy or question for popular consideration on the ballot. Action on any item on the consent

portion of the agenda shall not eliminate the need for a greater majority vote if one is called for by the Charter or these Council Rules. The consent agenda requires two motions; one to suspend the rules and a second motion for approval;

- ~~(14) Consideration of any emergency items to be added to the agenda;~~
- (15) Legislation - All ordinances and resolutions that are not part of the consent agenda, including those that were removed from the consent agenda;
- (16) Adjournment/Recess: Unless the Council shall, by a two-thirds vote, agree to continue, no discussion or action on any item of business shall be initiated or continued after 11:00 p.m., and at that time, a regular meeting of the Council shall be recessed until the next meeting;
- (17) Adjournment.

Section 2. Subsections (a) and (b) of Section 220.031, "Workshop Meetings," of the Codified Ordinances of the City of Hudson are hereby amended as follows:

220.031 WORKSHOP MEETINGS.

(a) In General. Workshop meetings of City Council shall generally take place on Tuesdays on the weeks following the first and third Tuesday regular Council meetings and shall be held at 7:30 p.m. The meetings will be held in the Meeting Room of the Town Hall, 27 East Main Street, or other location as decided by the President of Council. Workshop meetings are informal meetings of Council to discuss matters to be considered by Council at regular Council meetings or other matters concerning the City. All workshop meetings shall be open to the public in accordance with the Charter and statutes of Ohio providing for open meetings. Council shall take no legislative action at workshop meetings. **Provided, however, Council may as a procedural determination, upon the concurrence of at least three (3) of its members, refer a proposed ordinance or resolution for placement on the draft agenda of the next regular or a special meeting of the Council for action thereon, pursuant to the requirements of the Charter for legislative action.** Minutes of workshop meetings will be full and accurate minutes, which will enable the public to understand and appreciate City Council's discussion. The official minutes of workshop meetings shall be in the form as set forth in Section 220.03, except that it shall be within the discretion of City Council to determine that a workshop meeting will not be audio recorded and/or video recorded, in which case the Clerk of Council shall be responsible for preparing full and accurate written meeting minutes which will enable the public to understand and appreciate City Council's discussion and such written meeting minutes shall serve as the official minutes of such workshop meeting. It shall be the duty of the Clerk of Council, or the Clerk's designee, to provide for and to produce the official minutes for workshop meetings. Citizen comments will generally not be solicited at workshop meetings.

(b) Agenda. The written agenda for workshop meetings of Council shall be administratively coordinated by the City Manager with the assistance of the Council President. Any member of Council, the Mayor or the City Manager may place an item on the workshop meeting agenda. **Any individual member of Council may place a**

proposed ordinance or resolution on a workshop agenda, but the ordinance or resolution shall be in the format regularly used by the Clerk of Council for such measures. All workshop meeting agenda items, **including proposed legislation,** shall be due to the Clerk of Council by 5:00 p.m. two Fridays prior to the **workshop** meeting.

Section 3. Section 220.06, "Legislation," of the Codified Ordinances of the City of Hudson is hereby amended as follows:

220.06 LEGISLATION.

Ordinances and Resolutions Generally. Ordinances and resolutions shall be introduced in the Council only in printed or written form in a format approved by the City Solicitor. Ordinances and resolutions may be originated by the **City Manager,** Mayor or any member of Council, but must be presented to Council through the Clerk of Council at a regular or special meeting **after such item has been duly placed on the agenda.**

Section 4. Section 222.02, "Passage," of the Codified Ordinances of the City of Hudson is hereby amended and current subdivisions (a) through (d) of Section 222.02 are re-designated as follows:

222.02 PASSAGE.

The following procedures shall apply to the passage of ordinances and resolutions:

- (a) No ordinance or resolution shall be passed unless that item was first placed on the agenda of a regular or special council meeting in one of the following four (4) ways: referral from a Council Workshop; or, the City Manager so long as he/she and the Council President conferred when preparing the agenda; or, the Mayor requested that the item be placed on such agenda; or, a majority of Council voted to amend the proposed agenda and add the item.**
- (ab)** Each ordinance and resolution shall be read by title only, provided that Council may require any reading to be in full by a majority vote of its members.
- (bc)** The vote on the passage of each ordinance or resolution shall be taken by yeas and nays and entered upon the journal.
- (ed)** Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of Council.
- (de)** Action by Council that is not required by law to be by ordinance or resolution may be taken by motion approved by at least a majority vote of the members present at the meeting when the action is taken.

Section 5. Those provisions of current Sections 220.03, 220.031, 220.06, and 222.02 of the Codified Ordinances which are in conflict with the amendments set forth in Sections 1, 2, 3 and 4 of this Ordinance, if any, are hereby repealed.

Section 6. The aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and all deliberations of this Council and 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 Ohio Revised Code.

Section 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City, which ends are met hereby because the legislative process has for too long gone without order and transparency and the immediate implantation of these rules will hereupon begin to restore the public's faith in city government and provide the residents of Hudson information and the details of the City's legislative process that they want to know, need to know, and would consider important, and shall therefore take effect and be in force from and immediately after its passage.

PASSED: _____

Jeffrey T. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on _____, 2022.

Aparna Wheeler, Clerk of Council