

AN ORDINANCE AMENDING SECTION 220.05(b), “EXECUTIVE SESSION, REASON,” AND SECTION 206.02, “MEETINGS TO BE PUBLIC: EXCEPTIONS,” OF THE CODIFIED ORDINANCES TO INCLUDE THE MOST CURRENT AND RELEVANT LIST OF TOPICS PERMITTED TO BE DISCUSSED BY A PUBLIC BODY DURING AN EXECUTIVE SESSION.

WHEREAS, the Ohio State Legislature, through RC § 121.22(G), has carved out certain limited topics that members of a public body may consider in an executive session; and

WHEREAS, from time-to-time the Ohio State Legislature revises RC § 121.22(G); and

WHEREAS, City staff proposes to amend the current Codified Ordinances to be current with the most recent revisions to RC § 121.22(G).

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

Section 1. Subsection 220.05(b), “Executive Session, Reason,” of the Codified Ordinances is amended only at subsection (b) to read as follows:

(b) Reason. The valid reasons for Council to adjourn into executive session are summarized below:

(1) Personnel. Council may adjourn into executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or to consider the investigation of charges or complaints against a public employee, official, licensee or regulated individual, unless the employee, official, licensee or regulated individual requests a public hearing.

(2) Property. Council may adjourn into executive session to consider the purchase of property (real property and personal property, whether it is tangible or intangible). Council may also adjourn into executive session to consider the sale of property by competitive bid (real or personal property) if disclosure of the information would result in a competitive advantage to the other side.

(3) Court Action. Council may adjourn into executive session with the City Solicitor to discuss pending or imminent court action. Court

action is pending if a lawsuit has been commenced. Court action is imminent if it is on the point of happening or is impending.

(4) Collective Bargaining. Council may adjourn into executive session to prepare for, conduct or review collective bargaining strategy.

(5) Confidential Matters. Council may adjourn into executive session to discuss matters required to be kept confidential by Federal law, Federal rules or State statutes.

(6) Security Arrangements. Council may adjourn into executive session to discuss details of security arrangements and emergency response protocols where disclosure could be expected to jeopardize the security of the public body or public office.

(7) Confidential Business Information of an Applicant for Economic Development. Council may adjourn into executive session to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to consider negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Ohio Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the Council determines, by roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Section 2. Section 206.02, "Meetings to be public; exceptions," of the Codified Ordinances is amended to read as follows:

All meetings of any public body of the Municipality are hereby declared to be open to the public unless the regular or special meeting is for the sole purpose of considering any of the following matters:

(a) The appointment, employment, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee or

regulated individual, unless the public employee, official, licensee or regulated individual requests a public hearing;

(b) The purchase of property for public purposes, or the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal private interest is adverse to the general public interest;

(c) Conferences with an attorney for the public body, concerning disputes involving the public body that are the subject of pending or imminent court action;

(d) Preparing for, conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;

(e) Matters required to be kept confidential by Federal law or rules or State statutes; ~~or~~

(f) Specialized details of security arrangements where disclosure of the matters discussed might reveal information that would be used for the purpose of committing, or avoiding prosecution for, a violation of the law; ~~or~~

(g) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to consider negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Ohio Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the Council determines, by roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Section 3. Subsection 220.05(b) and Section 206.02 as it existed prior to the effective date of this Ordinance is hereby repealed.

Section 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

David A. Basil, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance No. 17-116 was duly passed by the Council of said Municipality on _____, 2017.

Elizabeth Slagle, Clerk of Council