

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – 01 – 22 – 01

A RESOLUTION AMENDING AND RE-ADOPTING RULES OF COUNCIL

WHEREAS, Council last revised its Rules of Council on January 16, 2003; and

WHEREAS, Council desires to revise and adopt the amended Rules of Council appended hereto as *Exhibit A*.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

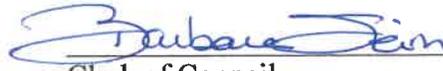
1. That the revised Rules of Council appended hereto as *Exhibit A* are hereby authorized and adopted.

ADOPTED BY COUNCIL ON JANUARY 6, 2022.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Brookville Star

Date of publication

January 19, 2022



CLERK

CITY OF CLAYTON RULES OF COUNCIL

EFFECTIVE - MAY 20, 1999
RE-ADOPTED – JANUARY 16, 2003
REVISED AND RE-ADOPTED – January 6, 2022

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I. POWERS, JURISDICTION, FUNCTIONS AND LIMITATIONS

All legislative powers of the City of Clayton (“City”) are vested in the Council. Council has the power to enact ordinances, resolutions, and other measures to carry out municipal functions, including but not limited to, the City's departments, divisions, offices, boards, commissions, officers, and employees.

Council will exercise its legislative power only during a public meeting when Council is in session. Councilmembers and the Council itself are not bound by any statement or action taken by individual members, City officials, or employees unless in accord with Council action. Individual Councilmembers shall not direct any City official or employee to perform services or take action related to City operations. Only as a body does Council have power to direct City operations and that direction is executed through the City Manager.

Specific Council functions include, but are not limited to, the following:

- 1) Making policy necessary for the operation of the City;
- 2) Appointing a City Manager and establishing a salary for that Manager;
- 3) Establishing salary ranges for Administrative Directors and employees within said Departments;
- 4) Appointing a Law Director and establishing rates of compensation for that position;
- 5) Obtaining reports from the City Manager concerning conditions, efficiencies, needs, and other related City matters;
- 6) Evaluating and approving the City budget, appropriations, and modifications thereto;
- 7) Evaluating the effectiveness of City programs and the performance of the City Manager and Law Director;
- 8) Informing the public of City activities and needs;
- 9) Regulating its own organization and membership.

II. MEETINGS

A. **Regular Meetings.** In accordance with Charter Section 3.06(A), Council shall hold at least one Regular Council meeting each month. Regular Council meetings will be held on the first and third Thursdays of each month. When a Regular Council meeting date falls on a holiday recognized by the City, Council may by simple majority vote, re-schedule said meeting to another date or cancel said meeting, provided at least one Regular Council Meeting occurs during the affected month. Meetings will begin at 7:30 P.M. and will be held in the City Administration Building. Council retains discretion to change the meeting date, time, and/or location. Should Council determine to change the meeting date, time and/or location, in addition to the notice required by Subsection (E) hereof, notice of said changes will be provided to the public via at least twenty-four (24) hour notice on the City's website and social media platforms.

The first Regular Council meeting in January of each year shall be the organizational meeting of Council. At such meeting, the newly elected members of Council shall take the Oath of Office; and Council shall vote to elect a Vice-Mayor and transact such other business as may come before it. The newly elected Council members will be provided with a current copy of these Rules of Council as soon as possible after the Board of Elections has officially certified the election results.

B. **Work Sessions.** Work Sessions may be called by the Mayor or as otherwise agreed by a simple majority vote of Council. Council work sessions are special meetings to be held at such dates and times as set by Council and will be held in the City Administration Building. In addition to the notice required by Subsection (E) hereof, at least twenty-four (24) hour notice will be provided to the public on the City's website and social media platforms of the date, time, general purpose, and location of Work Sessions. Work Sessions shall be considered informal meetings for purposes of Council discussion. No public comments will be taken at Work Sessions.

C. **Special Meetings.** Special Meetings may be called for any purpose by the Mayor or any two (2) Councilmembers upon at least twenty-four (24) hour notice, through the Clerk, to the Mayor and each member of Council and the City Manager. Councilmembers, the City Manager, and the Mayor may waive receipt of notice of a Special Meeting either prior or subsequent to the meeting. The member or members calling the meeting will, through the Clerk,

and pursuant to Subsection (E) hereof, notify the news media that have requested notification of the time, place, and purpose of the meeting.

An Emergency Meeting is a type of Special Meeting convened in rare instances in which immediate action by Council is required. In the event of an Emergency Meeting, when 24 hour notice is not feasible, the Clerk of Council shall immediately notify the news media that have requested notification of the time, place, and purpose of the Emergency Meeting. Notification of any Emergency Meeting shall be sent to those members of the public who have requested such notification pertaining to the topic of said meeting and will be posted on the City's website. If time does not allow mailing of this notification, such notice will be made by telephone. A reasonable attempt at notification shall constitute notification in compliance with these Rules.

D. Between Regularly Scheduled Council Meetings. Councilmembers are to be informed of incidents involving the City that, in the judgment of the City Manager, may require immediate consideration by Council. A Council meeting may be the means required to convey information regarding these incidents. In addition, Councilmembers are to be informed at the onset of incidents which may eventually require budgetary or policy decisions by Council.

E. Public Notification of Meetings. The public may obtain notice of the time, place and purpose of all Regular or Special Meetings of Council by calling the office of the Clerk. Notification of any Special Meeting shall be sent to those who have requested such notification pertaining to the topic of said meeting. If time does not allow mailing of this notification, such notice will be made by telephone. A reasonable attempt at notification shall constitute notification in compliance with these Rules.

The public may also obtain notice of the time and place of all Council Committee/Subcommittee meetings by calling the office of the Clerk. The news media will be provided at least twenty-four (24) hours notice of such meetings whenever possible. It is the responsibility of each Committee/Subcommittee Chairperson to notify the Clerk's office of each meeting as it is scheduled.

F. Executive Session Meetings. Meetings in Executive (closed/private/confidential) Session shall be held in accordance with Ohio Revised Code 121.22, the Ohio "Sunshine Law." These meetings are to be noted on the agenda of regular meetings, when practicable. Any individual Councilmember may make a motion that Council recess to Executive Session when appropriate. Said motion, shall include the general purpose of the Executive Session and must

be passed by a simple majority vote, to recess to Executive Session. Roll call shall be taken on the vote to recess into Executive Session.

A Council Committee/Subcommittee must comply with the requirements of Ohio Revised Code Section 121.22 as described above. Councilmembers who are not members of such a Committee/Subcommittee may attend a Council Committee's/Subcommittee's meeting regardless of the total number of Councilmembers present provided that they do not participate in the deliberations of the Committee/Subcommittee.

Minutes of Executive Session meetings shall not be kept. Neither shall any participant record the proceedings of any Executive Session by any electrical or mechanical device.

The minutes of the Regular and Special Meetings of Council, as well as Council Committees/Subcommittees, should reflect the general subject matter of discussions held in Executive Session authorized under Section 121.22 of the Ohio Revised Code. In addition, the aforementioned minutes should reflect the commencement and termination time of the Executive Session meeting.

Discussion in Executive Session is confidential. No participant shall compromise the confidentiality of an Executive Session.

G. Pre-Meeting Information. At least two (2) working days prior to scheduled Council meetings, Councilmembers are to be furnished with information germane to those meetings. Copies of ordinances and resolutions, minutes of the past meeting, an agenda for the next meeting, and additional relevant information are the minimum to be provided. The agenda will normally be finalized on the Tuesday immediately preceding each meeting; however, proposed agenda items must be provided to the Clerk one week prior to that Tuesday in order to allow review by the Law Director.

H. Recesses and Adjournments. Meetings of Council may be adjourned or recessed to another time, date, or place without giving the notice required herein. Short recesses (5-15 minutes) may be designated by the presiding officer during Regular or Special Meetings without vote of Council. Other recesses require a simple majority vote of Council.

I. Presiding Officer. The Mayor presides over meetings of Council; however, in the absence of the Mayor, the Vice Mayor presides. In the absence of the Mayor and the Vice Mayor, Council may elect a member to serve as presiding officer for that meeting provided a

Council quorum is present. The Presiding Officer shall be responsible for the conduct and order of the meeting and shall preserve the decorum of the meeting.

The Mayor is the president of Council, and shall be entitled to vote as a member of Council on all matters. The Vice Mayor serves as a Councilmember with all voting and other rights accorded that position.

J. Clerk. The Clerk serves as Council secretary. The Clerk attends Council meetings, records proceedings and maintains such records, authenticates legislation and signatures, prepares correspondence and minutes, maintains a record of all ordinances and resolutions adopted by Council, and performs other duties as required by law, the Charter, and ordinances and resolutions promulgated under the Charter. The Clerk shall give notice of Regular and Special Meetings of Council as required by these Rules and the Charter. The Clerk may be required to serve as the secretary of one or more boards and commissions.

K. Quorum and Majority Votes.

1. Quorum. Five (5) members of Council shall constitute a quorum.

Confronted with a lack of a quorum, a smaller number of Councilmembers may adjourn and reconvene and may compel the attendance of absent members.

2. Majorities. In determining a simple, a two-thirds (2/3), or a three-fourths (3/4) majority vote of Council, the Mayor is counted. Majorities are based on the total number of Councilmembers holding office (not simply those present).

Therefore, majorities are calculated, in normal situations, using the number seven (7) as denominator. Thus, four (4) constitutes a simple majority, five (5) a two-thirds (2/3) majority, and six (6) a three-fourths (3/4) majority.

3. Motions. Simple motions on matters other than passage of Resolutions or Ordinances may be approved by a majority vote of the Council members present at the meeting when the action is taken.

L. Attendance, Absences, and Removals. Councilmembers are required and expected to attend all Regular and Special Meetings of Council. Absences may be excused for reasonable cause by simple majority vote of the Councilmembers present.

Absences for two (2) consecutive months may result in a declaration of a vacancy and the removal of a Councilmember. A two-thirds (2/3) majority of the Councilmembers then holding office, including the Councilmember being considered for removal, is required.

A Councilmember may be expelled from a Council meeting for disorderly conduct or violation of Council Rules by a vote of two-thirds (2/3) majority of Councilmembers. Expulsions are considered unexcused absences.

M. Agendas.

1. Preparation. The City Manager shall be initially responsible for preparing the agendas for all Council meetings.

2. Approval. The Presiding Officer shall be responsible for final preparation of the agendas for all Council meetings. Council will be previously apprised of all agenda items through Future Agenda items, work sessions, and reports from the City Manager, etc. except for emergency situations.

3. Format.

A. Regular meetings of Council will normally follow this format:

1. Call the Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Clerk's Report
5. Special Presentations *
6. Old Business
7. New Business
8. Future Agenda Items
9. City Officials' Reports
10. Visitor Comments
11. Council/Clerk and Mayor Comments
12. Executive Session
13. Adjournment

B. Work sessions of Council will normally follow this format:

1. Call the Meeting to Order
2. Roll Call
3. Work Session Topics

4. Future Agenda Items
5. Executive Session
6. Adjournment

* Usually reserved to accommodate non-profit or Citizen groups whose purpose is to make a short formal presentation.

N. **Public Participation at Meetings.** The Presiding Officer of the Council will recognize persons requesting to be heard. If the topic to be discussed is not on the agenda, it may be discussed under Visitors Comments. Citizens granted time to speak may do so following recognition by the presiding officer. Individuals wishing to speak are asked to abide by the following procedures:

1. Raise hand and wait until recognized by the presiding officer.
2. State your name and address.
3. Address remarks to the Council and its Presiding Officer.
4. Respond to Councilmembers' questions.
5. Limit comments to subject under discussion.
6. Limit comments to five (5) minutes.

Public statements will be accepted during Public Hearings, Visitors Comments agenda time, and at other times as allowed by the Presiding Officer; however, the total statements on any one topic may be limited by Council unless another procedure has been established prior to the meeting and publicized. Courtesy shall be extended to all speakers on the issue and no person shall obstruct or interfere with the due conduct of the meeting.

Public Hearing procedures shall be as follows. The Presiding Officer shall conduct all public hearings and, prior to the start of the Public Hearing, shall set forth the rules of procedure and conduct for the Public Hearing.

Notwithstanding the foregoing, the following general rules shall govern Public Hearings:

1. The purpose of a Public Hearing is to hear both sides of an issue. Therefore, unruly outbursts which obstruct or interfere with the due conduct of the Public Hearing will not be tolerated. Courtesy shall be extended to all speakers on the issue.
2. In order to insure as many views as possible are heard, speakers shall limit their remarks to the question at hand.
3. All questions and comments shall be addressed to the Presiding Officer.

4. No more than 5 minutes shall be given to any one speaker, unless waived by the Presiding Officer. The 5-minute limitation does not apply to the person or organization which filed the subject application, request or other matter being heard by Council. The 5-minute limitation does not apply to City staff members who are presenting the matter or issue to Council. Council may ask pertinent questions of City staff and/or the person or organization which filed the subject application.
5. Customarily, proponents will be recognized first, followed by opponents.

O. Minutes. The Minutes shall record actions taken at the meeting and shall not be a verbatim transcript of what is said at the meeting. Council may, by majority vote, direct that detailed minutes be kept for all or part of a meeting.

P. Proclamations. Upon the request of a member of Council or in response to a request from a Clayton resident or organization, the Mayor may issue honorary proclamations to memorialize designated individuals, organizations, dates and/or events of importance to the City of Clayton. No additional readings or publication is required.

III. LEGISLATION

A. The Legislative Process. Actions of the Council are by ordinance, resolution, or motion. Motion is used to conduct the business of Council in procedural matters, to conduct elections required by Council, and for other similar matters. All motions require seconds. Votes shall be made by voice vote with a roll call being required only if the vote is not unanimous or a roll call is requested by a Council member. Record of the ayes and nays on each item voted are to be kept by the Clerk.

Any member of Council may introduce any ordinance or resolution at a regular or special meeting. The ordinance or resolution introduced must be in writing (printed or typed) and may contain the name of the sponsoring Councilmember/s listed in the subtitle. The Mayor may sponsor ordinances and resolutions. The Law Director must review proposed legislation to confirm that it fulfills legal requirements.

Step 1. The proposed legislation is placed on the agenda of a regular Council meeting for a first reading. A copy of all proposed legislation will be posted on the bulletin board in the Council meeting room. The Clerk will endeavor to have legislation made available as soon as it has been prepared, but not later than 7:00 P.M. the day of the first reading. Each ordinance must

be read on two separate Council meeting days, unless this requirement is waived by an affirmative vote of at least five (5) members of Council. A Resolution need only be read at one meeting which can be the meeting at which it is adopted. All readings of legislation are made by title only unless a Councilmember requests a full text reading. No discussion by Councilmembers will occur until after a motion is on the floor.

Step 2. A first reading is held and, if determined appropriate, the Presiding Officer or a majority of Council may refer the matter to a Committee to review the proposed legislation and report to Council its findings and recommendations. A specific date for reporting back to Council may be set. The Presiding Officer may also refer the matter to a Committee to review proposed legislation after the second reading.

Step 3. A second reading is held. Approval or rejection of the proposed legislation usually takes place immediately after this reading.

Step 4. When approved, the legislation is assigned an index number from the legislation journal and typed in final form by the Clerk. An annual indexing system is used. Ordinances are coded "O" and Resolution "R"; for example, O-1-99-___ and R-1-99-____. The legislation is then authenticated by the Clerk and the Presiding Officer.

Step 5. Legislation is published and posted in accordance with the Charter-either in complete text when required by the Charter or summary form.

Step 6. The Clerk certifies in the legislative journal and on the ordinance or resolution the date(s) that publication occurred.

B. Effective Date of Legislation. Unless a Resolution specifies a later date, it shall have immediate effect. Unless an Ordinance specifies a later date, or unless the Charter or the Ohio Constitution specifies an earlier or later date, it shall be effective thirty (30) days after its second reading and adoption. An Emergency Ordinance shall take effect immediately upon its adoption.

C. Emergency Legislation. Emergency ordinances are those necessary for the immediate preservation of the public peace, health, safety or welfare, or an emergency in the operation of the City. Emergency ordinances must contain a statement describing the necessity for the emergency. A vote of five (5) Councilmembers holding office is required to approve emergency ordinances.

D. Copies of Ordinances and Resolutions. The Clerk shall provide copies of ordinances and resolutions adopted by Council to persons requesting such copies. The Clerk shall charge for copies as specified in the City's most current public records request policy.

IV. MOTIONS

Unless they conflict with these Rules or the City Charter, Roberts Rules of Order shall be followed during Council meetings. A motion shall be used to conduct the business of Council in procedural matters and in the transaction of business. The following specific procedures shall be followed during Council meetings:

1. To Amend Motions. An amendment to an amendment cannot be amended. A rejected amendment may not be moved again in the same form.
2. To Amend Ordinances or Resolutions. Ordinances and resolutions may be amended at any time. Whenever Council determines that an amendment requires additional time for consideration, it will adopt a Motion To Defer Action.
3. Motion on Question of Privilege. Questions of privilege have precedence over all other questions except adjournment. Questions of privilege are:
 - a. Those affecting the rights of the Council collectively, its safety, dignity, and the integrity of its proceedings; and
 - b. Those rights, reputations, and conduct of Councilmembers in their capacity as members.
4. Motions to Take Matter From Committee. When ordinances, resolutions, or other matters have been referred to a committee and said committee fails within a reasonable or specified time to report or offer a valid reason for failure to report, any member of Council has a right to move that the ordinance, resolution, or matter of concern be taken from that committee and placed before Council for action. Such motions are decided without debate, but the member should state brief reasons for the motion.
5. Motions When Question Is Before Council. When a question or proposition is before or under debate by Council or when a motion has been made, only the following motions can be accepted:
 - a. To adjourn;
 - b. To table;

- c. To request that discussion end and that the motion being considered be voted on (usually called Previous Question);
- d. To postpone action until some stated future time;
- e. To refer the proposal to a committee or special meeting of Council;
- f. To amend; and
- g. To postpone any action for an indefinite time. These motions have precedence in the order given. Motions listed as a, b, and c are decided without debate.

6. Motions for Reference to Committee. When motions to refer a subject to a committee are made and it is then moved to substitute another committee, the question of reference to the initial committee is to be decided first.

7. Motions to Reconsider. Motions to reconsider an approved item must be made before adjournment of that session of Council for those items of legislation that are effective immediately (see III.B of these Rules); motions to reconsider other legislation must be made prior to the close of the next following regular meeting of Council. A motion to reconsider may be made only by a member who voted with the prevailing side. A motion to reconsider, being laid on the table, may be taken up and acted upon at any time when the Council is engaged in the transaction of other business. No motion to reconsider may be made more than once on any matter and the same number of votes is required to reconsider the action of Council as was required to pass or adopt the matter.

8. Motions to Take From the Table. A motion to take from the table is in order when the order of business that tabled the motion reoccurs or under new or miscellaneous business. Such motion is to be decided without debate except that the individual member making the motion is permitted to state brief reasons for the motion.

9. Motions to Postpone Indefinitely. When motions to postpone indefinitely are passed, the principle question is declared lost.

10. Motions to Close Debate. Motions to close debate and vote immediately on the question before Council shall be stated in the form "I move the Previous Question". Such motions take

precedence over all debatable motions. They cannot be amended or debated. Their passage requires a vote of two-thirds (2/3) of the Councilmembers present and voting.

V. COMMITTEES

A. **Standing Committees.** The business of the Council shall be divided into six (6) committee areas. Each committee shall consist of three (3) Councilmembers (one of whom shall be appointed as Chairperson) who shall be appointed by the Mayor and approved by Council. All proposed legislation developed by a Councilmember shall be presented to the Presiding Officer for possible inclusion in a scheduled work session. Committee members shall be appointed by the Presiding Officer and approved by Council for the following work areas:

1. Planning and Zoning
2. Public Works, Buildings and Utilities
3. Finance and Personnel
4. Safety
5. Parks, Recreation and Social
6. Economic Development and Community Relations

All Committee/Subcommittee meetings shall comply with the requirements of Ohio Revised Code Section 121.22, Ohio's Open Meeting Act. It shall be the responsibility of each such Chairperson to advise the Clerk's office of all scheduled meetings so that public notice can be given. It shall also be the responsibility of each such Chairperson to prepare written minutes of all such meetings and to provide a copy to the Clerk's office for filing.

B. **Special Committees.** The presiding officer may appoint temporary Committees, with the approval of Council, as may be appropriate to gather information, conduct surveys, make findings and recommendations on proposed legislation or perform other tasks. The work of Special Committees shall be confined to specific assignments and these Committees shall have only the authority granted by Council. These Special Committees shall be temporary and terminate upon presentation of their final reports to the Council. All Special Committees appointed by the Presiding Officer shall be advisory only. The Mayor shall be an ex-officio member of all Special Committees. Chairpersons of Special Committees shall advise the Mayor of all Committee meetings at the same time that members are notified of such meetings.

All Committee/Subcommittee meetings shall comply with the requirements of Ohio Revised Code Section 121.22, Ohio's Open Meeting Act. It shall be the responsibility of each such Chairperson to advise the Clerk's office of all scheduled meetings so that public notice can be given. It shall also be the responsibility of each such Chairperson to prepare written minutes of all such meetings and to provide a copy to the Clerk's office for filing.

C. **Outside Committees.** For those members selected to serve as individual representatives of City Council on outside committees, a brief report shall be provided to City Council in a timely manner.

VI. COMPENSATION AND EXPENSES

Councilmembers shall be reimbursed their actual expenses incurred in the performance of authorized travel on official business of the City for approved training seminars, conferences, etc. The mode of travel, types of expenses covered (meals, tips, lodgings, fees, books,) and the like must first be approved by the Mayor before such expenses are reimbursable. Those who use their own vehicles during the authorized travel will be reimbursed at the same rate as that authorized for City employees. Travel vouchers requesting reimbursement for approved travel expenses shall be submitted on or before the sixth day of the month following the month in which the expenses were incurred.

VII. IN-SERVICE TRAINING

With prior approval of the Council or Mayor, members may avail themselves of educational opportunities by attendance at professional meetings, educational institutions, and purchases of information that enhance a Councilmember's ability to perform Council duties. Councilmembers shall be reimbursed for these expenses.

VIII. LAW DIRECTOR AND OTHER LEGAL COUNSEL

The Law Director shall coordinate with the Mayor for administrative purposes. The Law Director shall attend such City Council meetings, including Executive Sessions, as requested by the Presiding Officer or a majority of the members of Council or when in his or her judgment such attendance is necessary and appropriate. He or she shall attend meetings of other City bodies when, in his or her judgment, the subject matter at those meetings is such that his or her

presence is required or appropriate. The Chairpersons of Boards, Committees, and Commissions generally should request, through the Mayor, the attendance of the Law Director at their meetings.

Legislation requests should be submitted to the Law Director prior to implementing the process established in Section III of Council Rules. The Law Director will draft legislation at the direction of the Mayor or a member of Council and shall review all legislation for legal form and propriety.

The Law Director will provide Council and the City Manager with copies of each significant legal document issued or summaries thereof upon request.

The Law Director will provide Council with a written monthly activities report, including a verbal update on all significant active legal actions (such as civil suits, etc.). Between monthly reports, the Law Director will advise the Mayor and the City Manager of any matters warranting immediate attention.

The Council may employ additional legal counsel to provide supplemental legal services and to represent the City.

IX. COUNCIL/ADMINISTRATION COMMUNICATIONS

Official communications between Council or its individual members and City officers and employees are to be conducted solely through the City Manager. Requests to the City Manager for routine information, which involve minimal extra work by the staff, can be handled without approval of Council as a whole (i.e., a copy of existing information, brief project status reports, opinions).

The City Manager may determine that a request for information is not routine or will require more than minimal effort, in which case the requesting Councilmember will be informed and has the option of taking the matter before the entire Council for consideration. Similarly, routine complaints received by the City Manager from elected officials will be handled promptly without Council approval.

On matters pending before Council, any new information that is developed by the staff will be shared by the City Manager with all Councilmembers. Additionally, Councilmember's inquiries to the Law Director for non-routine requests (greater than one hour of work) must be approved by a majority of Council before the work begins.

If a request for new information on matters not presently before Council is received that would suggest the issue would be a policy matter for the entire Council to consider, the City Manager shall inform all members of Council and seek approval for the staff work necessary to respond to the request (majority approval necessary). Requests for information or reports which will interrupt the established day-to-day utilization of staff time must be approved and authorized by Council. If the request is approved, all information compiled will be shared with all Councilmembers.

In order to assure that the City Manager's time is directed to implementing a common agenda reflecting the wishes of Council, an annual goal setting session shall be held.

X. INVESTIGATIONS

Council may make investigations in coordination with the Mayor into the affairs of the City and the conduct of any City office, Department, Division, Board or Commission. Councilmembers who request such investigations shall bring their request and the reasons for such requests to Council in Executive Session. Such investigations shall be carried out within parameters established by State and Federal law and in consultation with the Law Director.

XI. BOARDS AND COMMISSIONS

Council is empowered to create Boards and Commissions, in addition to those established by the Charter. Council also approves the appointment of members to Boards and Commissions. A simple majority vote of Councilmembers holding office at the time of appointment is required to approve appointment.

XII. CONFLICTS OF INTEREST AND ETHICS

Councilmembers are subject to the Charter and resolutions and ordinances promulgated under the Charter, applicable Ohio statutes, and Federal and State case law regarding conflicts of interest, criminal misbehavior, ethics, and financial disclosure by municipal officials. Members of this Council shall abstain from voting on and the formal discussion of any motion or issue wherein the member might have a conflict of interest. Members having conflicts are expected to notify other members of the conflict as soon as such conflict becomes evident.

XIII. COMPLAINTS

Complaints against employees are to be made to the City Manager. Complaints against Councilmembers or members of Boards or Commissions appointed by Council are to be made to the Mayor. Complaints are required to be in writing.

The City Manager or Mayor will complete a response as soon as possible advising the initiator of the disposition. In those cases where resolution requires longer than a week, an interim response and target date for completion will be provided.

Oral complaints against individual employees by the public or Councilmembers at Council meetings are out of order. The Presiding Officer shall rule the complaint out of order and explain the proper procedure for filing complaints.

The above are not to be construed to deny the rights of the public to criticize, state dissatisfaction, or complain about Council or City services, but to protect individuals from public censure without the chance to answer specific complaints.

XIV. EVALUATION OF APPOINTED OFFICIALS

It shall be the responsibility of the Mayor to initiate an evaluation of the performance of those City officers appointed by Council. There shall be an annual session to review these evaluations.

XV. APPLICATION OF CHARTER

If any of these Council Rules is deemed to conflict with a Charter provision, the Charter shall prevail.