

NOTICE
SPECIAL MEETING OF COUNCIL

Clerk's Office, Brook Park, Ohio

_____ August 26, 2016

TO: COUNCIL MEMBERS TROYER, MENCINI, POWERS, SCOTT, BURGIO, McCORMICK, SALVATORE, COUNCIL PRESIDENT ASTORINO, MAYOR COYNE, LAW DIRECTOR HORVATH, FINANCE DIRECTOR CINGLE

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF COUNCIL
HAS BEEN CALLED FOR THE PURPOSE OF:

_____ COUNCIL MEETING

_____ **XXX** _____ CAUCUS MEETING

_____ EXECUTIVE SESSION

_____ OTHER (Specify)

Such special meeting will accordingly be held on TUESDAY, the 30th day of AUGUST, AT 7:00 P.M. at the place of holding regular meetings. (*Refer to Rules of Council, No. 4, if applicable.)

SUBJECT:

A. **ROLL CALL OF MEMBERS**

B. **PLEDGE OF ALLEGIANCE**

DISCUSSION:

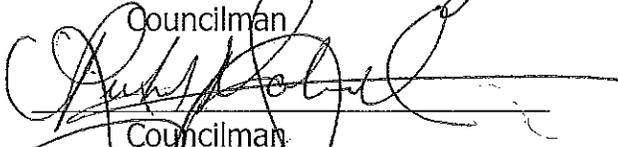
1. PROPOSED COUNCIL RULE CHANGES

- a) COUNCIL RULE NO. 5
- b) COUNCIL RULE NO. 7
- c) COUNCIL RULE NO. 11
- d) COUNCIL RULE NO. 12
- e) COUNCIL RULE NO. 27

P. **ADJOURNMENT**



Councilman



Councilman



Councilman



Clerk of Council

RULE 5: STANDING COMMITTEES

**REPRESENTATIVES IN
AIRPORT-RELATED MATTERS
AND AIRPORT NOISE CONTROL**

Council may elect a representative to represent the City of Brook Park and he/she shall serve at the pleasure of Council. He/She will present a Report to Council through the President of Council. (Amended/Adopted 1/4/16)

Persons desiring to be heard by any Standing Committee of the Whole, on any matter under consideration may, by consent of the Chairman and/or President of Council, be given an opportunity to be heard thereon.

Any legislation submitted to a Standing Committee must be placed on the agenda of the Committee of the Whole within a reasonable length of time. Any Council Member may request that legislation left in committee for ninety (90) days without official action or discussion be placed on the next regular caucus agenda.

Any legislation assigned to a Standing Committee shall be posted on the bulletin board in the Council Office and copies placed in the Committee Chairman's mailbox at City Hall within forty-eight (48) hours after assignment.

NOTE:

Representatives of the Hospital Board and Berea School Board, shall be appointed by the majority Members of Council. (Amended 6/7/11 -Verbal Approval)

PROPOSED AMENDMENT TO COUNCIL RULES (2016-2017)

RULE 5: STANDING COMMITTEES

**REPRESENTATIVES IN
AIRPORT-RELATED MATTERS
AND AIRPORT NOISE CONTROL**

Council may elect a representative to represent the City of Brook Park and he/she shall serve at the pleasure of Council. He/She will present a Report to Council through the President of Council. (Amended/Adopted 1/4/16)

Persons desiring to be heard by any Standing Committee of the Whole, on any matter under consideration may, by consent of the Chairman and/or President of Council, be given an opportunity to be heard thereon.

Any legislation submitted to a Standing Committee must be placed on the agenda of the Committee of the Whole within a reasonable length of time. Any Council Member may request that legislation left in committee for sixty (60) days without official action or discussion be placed on the next regular caucus agenda. **Under no circumstance shall legislation remain in committee for more than sixty (60) days.**

Any legislation assigned to a Standing Committee shall be posted on the bulletin board in the Council Office and copies placed in the Committee Chairman's mailbox at City Hall within forty-eight (48) hours after assignment.

NOTE:

Representatives of the Hospital Board and Berea School Board, shall be appointed by the majority Members of Council. (Amended 6/7/11 -Verbal Approval)

CURRENT COUNCIL RULES (2016—2017)

RULE 7: ORDER OF BUSINESS

The business of all regular meetings of the Council shall be transacted in the following order, unless the Council shall, by a majority vote (4), suspend the rule and change the order.

- A. ROLL CALL OF MEMBERS
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS
- D. REPORTS OF STANDING COMMITTEES
- E. REPORTS OF SPECIAL COMMITTEES
- F. REPORTS OF BOARDS AND COMMISSIONS
- G. INTRODUCTION OF RESOLUTIONS OF COMMENDATION
- H. REPORTS AND COMMUNICATIONS FROM THE MAYOR
- I. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS
- J. OTHER COMMUNICATIONS AND PETITIONS AND VERBAL APPROVAL (INTRODUCTION OF NEW LEGISLATION)
- K. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS
- L. REMARKS FROM THE AUDIENCE ON THE ORDINANCES AND/OR RESOLUTIONS THAT PERTAIN TO ITEMS ON THE AGENDA
- M. INTRODUCTION OF ORDINANCES AND RESOLUTIONS (FIRST READING)
- N. SECOND READING OF ORDINANCES AND RESOLUTIONS
- O. THIRD READING OF ORDINANCES AND RESOLUTIONS
- P. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER
- Q. ADJOURNMENT (Amended/Adopted 1/4/16)

PROPOSED AMENDMENT TO COUNCIL RULES (2016—2017)

RULE 7: ORDER OF BUSINESS

The business of all regular meetings of the Council shall be transacted in the following order, unless the Council shall, by a majority vote (4), suspend the rule and change the order.

- A. ROLL CALL OF MEMBERS
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF MINUTES OF PRECEDING MEETINGS
- D. REMARKS FROM THE AUDIENCE ON ANY SUBJECT MATTER
- E. REPORTS OF STANDING COMMITTEES
- F. REPORTS OF SPECIAL COMMITTEES

- G. REPORTS OF BOARDS AND COMMISSIONS
- H. INTRODUCTION OF RESOLUTIONS OF COMMENDATION
- I. REPORTS AND COMMUNICATIONS FROM THE MAYOR
- J. REPORTS AND COMMUNICATIONS FROM DEPARTMENTS, COMMISSIONS AND OTHER PUBLIC OFFICIALS
- K. OTHER COMMUNICATIONS AND PETITIONS AND VERBAL APPROVAL (MOTIONS BY COUNCIL).
- L. MOTION BY COUNCIL INVOLVING ANY TOPICS REQUIRING A MAJORITY VOTE OF COUNCIL MEMBERS INCLUDING RULE CHANGES
- M. MISCELLANEOUS BUSINESS, APPOINTMENTS, CONFIRMATIONS
- N. INTRODUCTION OF ORDINANCES AND RESOLUTIONS (FIRST READING)
- O. SECOND READING OF ORDINANCES AND RESOLUTIONS
- P. THIRD READING OF ORDINANCES AND RESOLUTIONS
- Q. ADJOURNMENT (BY MOTION AND SHALL REQUIRE A VOTE OF THE MAJORITY MEMBERS OF COUNCIL APPROVAL)

RULE 11: PROCEDURE OF MOTIONS

When a motion is before Council, no motion shall be entertained except the following: (Note: *Can be amended; the others cannot.)

1. Fix the time to which to adjourn (when privileged)*
2. Adjourn (when privileged)*
3. Take a recess (when privileged)*
4. Raise a question of privilege
5. Call for the Orders of the Day
6. Lay on the table
7. Remove from table
8. Previous Question 2/3 (5)
9. Postpone to a certain time*
10. Commit or refer*
11. Amend*
12. Postpone indefinitely
13. Main Motion

These motions shall have precedence in the order indicated. The ordinary motions rank the lowest at the bottom and highest at the top of the list. When any one of them is immediately pending, the motions above it are in order and those below it are out of order.

The first three motions are not always privilege. To "Fix the time to which to adjourn" is privileged only when another question is pending, and in an assembly that has made no provision for another meeting on the same or the next day. To "adjourn" loses its privilege character and is a main motion if, in any way qualified or if its effect if adopted, is to dissolve the assembly without any provision for its meeting again. "To take a recess" is privileged only when other business is pending.

PROPOSED AMENDMENT TO COUNCIL RULES (2016—2017)

RULE 11: PROCEDURE OF MOTIONS

When a motion is before Council, no motion shall be entertained except the following: (Note: *Can be amended; the others cannot.)

1. Fix the time to which to adjourn (when privileged)*
2. Adjourn (when privileged requires a vote of majority of Council)*
3. Take a recess (when privileged)*
4. Raise a question of privilege
5. Call for the Orders of the Day
6. Lay on the table

7. Remove from table
8. Previous Question 2/3 (5)
9. Postpone to a certain time*
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RULE 12: ORDINANCES AND RESOLUTIONS

- a. **INTRODUCTION:** Ordinances and Resolutions shall be introduced in the Council only in printed form, with the name of the Committee introducing the same endorsed thereon, or by the Mayor, except if legislation is introduced by a Councilman on the floor of Council, then it shall carry his name. All ordinances and resolutions shall be read by title only on the day introduced and shall be referred to Committee by the Presiding Officer. (Addition/Adopted 1/4/16)
- b. **DELIVERY TO COUNCIL:** All copies of Ordinances and Resolutions to be considered at any Council meeting shall be in the hands of, or delivered to, the regular place of delivery (mailbox) for each Member of Council, seventy-two (72) hours prior to the time the meeting commences.
- c. **DELIVERY TO LAW DIRECTOR:** In order that adequate time may be given to the preparation of legislation, Members of Council shall present requests, in writing, for legislation to the Law Director not later than 5:00 p.m. on the Tuesday preceding the meeting at which such legislation is to be introduced. Legislation to be introduced under suspension of the rules must be presented to the Law Director at least one (1) week preceding introduction to Council. (Addition/Adopted 11/4/16).
- d. **PREPARATION BY LAW DIRECTOR:** All proposed Ordinances shall be certified by the City Law Director that they are in correct form. The Mayor shall attach to each Ordinance proposed by him a brief digest of the provisions thereof, and where it is proposed to amend an existing Ordinance, such digest shall indicate the change sought to be made.
- e. **APPROVAL BY FINANCE DIRECTOR ON APPROPRIATION ORDINANCE:** The Law Director shall not prepare any Ordinances nor shall the Mayor approve any Ordinances providing for the appropriation of money, unless the same shall show fully the purpose of the appropriation and fund to which it is to be charged. (Amended 2/3/98- Verbal Approval.)
- f. The procedures for enacting Ordinances or Resolutions shall follow the laws of the State of Ohio, any additional stipulations as may be found elsewhere in this Charter, and any provisions adopted by a majority vote of Council, provided, however, that each Ordinance or Resolution shall be read by title only three (3) different days unless six (6) of the Members of Council eligible to vote, vote to dispense with the rules to read Ordinances or Resolutions on three (3) different days, and no other provisions of this

Charter nor the general laws of Ohio shall impair or limit this rule. It shall be the expressed intent of this Section that all Ordinances and Resolutions shall be read by title only, unless there is necessity to read an Ordinance or Resolution fully and distinctly at least once at any time before passage, as determined by a majority of Members elected to Council. (Amended per City Charter 11/7/95.)

Nothing in this Section shall preclude any Member of Council, the President of Council, or the Mayor of the City from introducing emergency legislation on the floor of the Council meeting. In addition nothing shall preclude such an ordinance or resolution from being passed at said Council meeting; provided however that it shall be fully and distinctly read once and the rule of three readings shall have been dispensed with by a vote of six (6) of the Members of Council eligible to vote. (Amended per City Charter 11/7/95.)

- g. A motion to suspend the statutory rule requiring three readings on separate days shall be debatable.

PROPOSED AMENDMENT TO COUNCIL RULES (2016-2017)

RULE 12: ORDINANCES AND RESOLUTIONS

- a. **INTRODUCTION:** Ordinances and Resolutions shall be introduced in the Council only in printed form, with the name of the Committee introducing the same endorsed thereon, or by the Mayor, except if legislation is introduced by a Councilman on the floor of Council, then it shall carry his name. All ordinances and resolutions shall be read by title only on the day introduced and **Council may refer to committee any legislation or place on any Caucus or Council meeting agenda legislation for further reading by a majority vote.**
- b. **DELIVERY TO COUNCIL:** All copies of Ordinances and Resolutions to be considered at any Council meeting shall be in the hands of, or delivered to, the regular place of delivery (mailbox) for each Member of Council, seventy-two (72) hours prior to the time the meeting commences.
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g. A motion to suspend the statutory rule requiring three readings on separate days shall be debatable.

RULE 27:OFFICE ADMINISTRATOR

The Council President shall be the administrator of the Office of Council with the responsibility of directing the day-to-day operations of the office, in accordance with the policies established by the majority members of Council, in addition, the Council President shall follow the personnel policies and procedures adopted by Council on November 26, 1991. All rules and regulations can be amendable or nullified by a majority of Council. All expenditures in excess of five hundred dollars (\$500.00) must be approved by Council. The administrator shall serve at the pleasure of Council. (Amended 2/3/98 – Verbal Approval.)

PROPOSED AMENDMENT TO COUNCIL RULES (2016-2017)

RULE 27:OFFICE ADMINISTRATOR

The Council President **Pro-Tempore** shall be the administrator of the Office of Council with the responsibility of directing the day-to-day operations of the office, in accordance with the policies established by the majority members of Council, in addition, the Council President **Pro-Tempore** shall follow the personnel policies and procedures adopted by Council on November 26, 1991. All rules and regulations can be amendable or nullified by a majority of Council. All expenditures in excess of five hundred dollars (\$500.00) must be approved by Council. The administrator shall serve at the pleasure of Council. (Amended 2/3/98 – Verbal Approval.)