



Rules of the Council
City of Cuyahoga Falls
Summit County, Ohio

Adopted by Ordinance No. 94-2010

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Amended through July 2012

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City of Cuyahoga Falls

Council Rules

Chapter 111 of the Codified Ordinances

111.01 Organization

(a) Scheduling

Within ten (10) days from the commencement of their term, Council shall hold an organizational meeting which shall be the first regularly scheduled meeting of the term or a special meeting called for organizational purposes. Said meeting shall be conducted in the manner, form and order as follows:

(b) Seating

Prior to calling the meeting to order, seating should be designated by name placard placement.

(c) Call to Order

The senior member of council shall call Council to order, and ensure the presence of a quorum.

(d) Election of Temporary Chair

The senior member of council will then open the floor for nominations for Temporary Chair. Nominations do not need a second. After each nomination, the senior member will ask, "Are there any more nominations?" After a sufficient pause of silence, the senior member will declare nominations closed. If only one nomination has been received, it can be confirmed by a voice vote. If more than one nomination is received, then the senior member will appoint two tellers and a ballot will be taken.

(e) Meeting Formalities

Once elected, the Temporary Chair will take over the meeting and perform the following:

- (1) Roll call of new council
- (2) Invocation
- (3) Pledge of Allegiance

(f) Election of President

The Temporary Chair will preside over the election of President. The Temporary Chair will call for nominations, which need not be seconded. After each nomination, the Chair will ask, "Are there any more nominations?" After a sufficient pause of silence, the Chair will declare nominations closed and a vote shall be taken by written ballot, the Chair appointing two tellers. Voting shall be by separate written ballot for each office; and a majority of all members of Council shall be required for an election. In case no election results from the first two ballots, the candidate receiving the fewest number of votes on the second ballot shall be dropped from the list of nominees; and similar procedure shall be followed with each subsequent ballot until an election results. If the foregoing proceedings have resolved down to two candidates and five ballots have been taken without an election resulting, then the Temporary Chair or President, where applicable, shall by a single flip of a coin being called by one of the two candidates determine the winner. All elections by the Council shall be conducted in the same manner. Once elected, the President shall be sworn in.

(g) Election of Clerk

The President shall preside over the election of the Clerk. Once elected, the Clerk shall be sworn in and immediately begin recording the proceedings.

(h) Election of President Pro Tem

The President shall preside over the election of President Pro Tem

(i) Committee Membership

The President shall next appoint a Committee of four (4) members of council at least one of whom must not be of the majority party, who, together with the President, shall constitute a Committee on Committees and Seating, on which Committee the President shall have power to vote.

(j) Committee Meeting

Immediately after the appointment of the four (4) members of the Committee on Committees and Seating, they shall convene and conduct a Committee meeting where they shall recommend Chair and Vice-Chair of the Standing Committees for the elective term and designated seats for Council.

(k) Committee Report and Council Approval

The Committee will report their selections, which shall, before going into effect, be approved by a majority of all members of Council.

(l) Other Appointments

The President may designate Council Representatives for Boards and Commissions as well as Sergeant at Arms and Chaplain. See Appendix A for Council's representation on Boards and Commissions.

(m) Other Business

If the organizational meeting is held during the first regularly scheduled council meeting, once council has organized pursuant to these rules it shall proceed with the normal order of business.

111.02 Officers

(a) Elective Officers

The elective officers of the Council shall be a President and President Pro-Tem and any others that Council deems necessary.

(b) Election of Officers

The officers of Council shall be elected by a majority vote of all Council members. The President of Council shall be elected for a term of one year. Other officers shall be elected at the Organizational Meeting of the new Council to be held prior to January 10 in even numbered years.

(c) Term of Office

The term of each elected officer, except the President of Council, shall commence at the Organizational Meeting and shall extend through December 31 of the next odd-numbered year.

(d) Removal of Officers

The officers of Council shall serve at the pleasure of Council. A vote of two-thirds of Council shall be required to remove an officer.

(e) Presiding Officer

The President is the presiding officer of Council. In the President's absence, the President Pro-Tem shall preside. In the absence of these officers, the Clerk of Council shall call Council to Order and Council shall then elect one of their members to act as President.

(f) Duties of the President

The President shall preside over the meetings of the Council and public hearings. The President shall preserve order and decorum at all times, confine debate to the question under discussion and shall decide all points of order.

The President shall sign all requisitions for the purchase of miscellaneous materials for Council and shall supervise the Clerk of Council.

(g) Clerk of Council

Per Article IV, Section 4 of the City Charter, the members of Council, by a majority vote, shall elect a Clerk of Council who shall serve for a period of two (2) years, and may be removed by a vote of the majority of all members of Council.

(h) Duties of the Clerk of Council

(1) The Clerk of Council shall attend meetings of Council and Council Committees, determine quorums, record the proceedings and votes, and keep the minutes. The Clerk shall deliver to each member as soon as possible after each meeting, a copy of these minutes. The Clerk shall provide and post notices as required by these Council Rules.

(2) The Clerk of Council, with the assistance of the City's Law Department, shall prepare a calendar to be entitled "Calendar" with the subheading "The following measures will be up for passage at the next meeting." Under this subheading, the Clerk shall arrange and have printed in consecutive order by number all ordinances and resolutions which, to the Clerk's knowledge, are on for passage at the next meeting of Council. The calendar will be circulated to the members of Council with the new legislation. In addition thereto, the Clerk shall keep a summary, which shall consist of a list of ordinances and resolutions, consecutively numbered, giving name of sponsor, title, date, Committee reference and final disposition of same.

(3) The Clerk shall furnish copies of all ordinances or resolutions to the news media and any other interested parties upon request.

(4) The Clerk of Council shall contact the Director of Law to ascertain that the necessary steps have been taken for publication and advertising of all ordinances and resolutions and other documents as required by law.

(5) The Clerk shall have at each meeting of Council for use by the President, a copy of these Rules, with all amendments thereto, a copy of Roberts Rules of Order Newly Revised and a copy of the City Charter.

(6) In the absence of the Clerk of Council, the President shall appoint a member of Council to serve in this capacity.

(7) The Clerk shall maintain a record of the date and manner, and time if pertinent under these Rules, of all actions taken with regard to notices required by these Rules, and shall retain copies of proof of publication of any notices published thereunder.

111.03 Meetings

(a) Council Meetings

The regular meetings of Council shall be held on the first, second, third and fourth Mondays of each month, except that Council shall not be in session during the month of August. At regular meetings held on the first and third Mondays of each month, the Order of Business for Regular Council Meetings shall be dispensed with when there is Standing Committee business. However, the Mayor, President of Council, or any three (3) members may require that the Order of Business for Regular Council Meetings be observed if any of them provide at least twenty-four (24) hours written notice of a request therefor to each member of Council, served personally or left at their usual place of residence. Notwithstanding the foregoing, at any meeting where the Order of Business has been dispensed with, upon a motion duly made and seconded followed by the affirmative vote of a two-thirds majority of all members of Council requesting that the Order of Business be observed, the Presiding Officer shall conduct the meeting in accordance with the Order of Business as provided herein. All meetings of Council shall be held at the place periodically designated as Council Chambers at 6:30 p.m. When the first, second, third, or fourth Monday of any month falls on a day the Municipal offices are closed for a holiday, the regular meeting of Council shall be held on the next day that the Municipal offices are open for regular business. By the vote of two-thirds (2/3) of the members, Council may cancel, reschedule, or designate another place and time for the holding of any regular meeting or meetings. Notice to the public of such actions shall be provided pursuant to subsection (f) of this Section. Except as provided in Paragraph (e) below, all meetings of Council are declared to be public meetings open to the public at all times. All resolutions, rules, regulations and/or formal actions shall be considered by Council at meetings open to the public.

(b) Council Committee Meetings

Council Committee Meetings are meetings of City Council wherein the business of the Standing Committees is conducted in the presence of the Council. Committee meetings may be held during any regular Council meetings held on the first and third Mondays of each month, or at other times when notice thereof is announced during a regular or special council meeting, or provided pursuant to subsections (d), (f), (g) and (h) of this Section.

(c) Special Council Meetings

The Mayor, President of Council, or any three (3) members may call a special meeting of Council with at least twenty-four (24) hours written notice to each member of Council, served personally or left at their usual place of residence and at least twenty-four (24) hours written notice to the news media that have requested notice, except in the event of an emergency requiring immediate official action, in which case the individual(s) calling the meeting shall orally notify each member and the news media requesting notice immediately of the time, place, and purpose of the meeting. The notice of the

special meeting required herein shall contain a statement of the business for the transaction of which such special meeting may be called. No business shall be transacted at any special meeting of Council except the particular business for which said meeting was called.

(d) Special Committee Meetings

The Chairman or any two (2) members may call a special meeting of a Committee with at least twenty-four (24) hours written notice to each member, served personally or left at their usual place of residence and at least twenty-four (24) hours written notice to the news media that have requested notice, except in the event of an emergency requiring immediate official action, in which case the individual(s) calling the meeting shall orally notify each member and the news media requesting notice immediately of the time, place, and purpose of the meeting. The notice of the special meeting required herein shall contain a statement of the business for the transaction of which such special meeting may be called. No business shall be transacted at any special meeting of a Committee except the particular business for which said meeting was called.

(e) Executive Sessions

The Council may hold an Executive Session, from which the public is excluded, for any of the following purposes:

(1) Personnel matters, including the appointment, employment, dismissal, discipline, promotion, demotion or compensation of one or more public employees or officials;

(2) Purchase, sale, or the development of real property where premature disclosure of information would give an unfair competitive or bargaining advantage to a person, or otherwise adversely affect the general public interest;

(3) Imminent or pending litigation;

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

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

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

(7) The employment of, or discussions with, legal counsel or concerning confidential reports or proposals submitted by such counsel.

An Executive Session may be held upon the determination by a majority of a quorum of the Council, by a roll call vote, to hold such a session, setting forth the general purpose or purposes for which such session will be held. All formal action of Council, such as the enactment of legislation or the adoption of rules or recommendations, shall be taken in an open meeting. All Executive sessions, and the reasons therefore, shall be noticed in the minutes of Council.

(f) Notice of Meetings

The Clerk shall post a copy of Section 111.03 and shall check periodically to ensure the Rule remains posted. The Clerk shall promptly post a statement of the time and place of any organizational meeting, special meeting, regular meeting scheduled at a time or place other than as provided herein, or any adjournment or recess of a regular or special meeting to another day. Notices of all meetings shall be posted on the City's website, as well as at City Hall and at the Natatorium Health & Wellness Center.

(g) Requested Advance Notice of Meetings by the Public

The Clerk shall provide to any person, upon written request, reasonable advance notice, as provided in section 107.05 of the Codified Ordinances, of all meetings at which any specific type of public business is to be discussed. Requests for such advance notification of meetings shall specify: 1) the name, address and phone number of the person making the request; and 2) the method in which notices can be delivered, whether via email, mail or fax. Any such requests shall be effective for one year from the date of filing with the Clerk or until the Clerk receives written notice from such person canceling or modifying such request, whichever is earlier.

(h) Meeting Information Made Available

Any person may visit or telephone the Law Department (330-971-8190) during the office's regular business hours to determine, based on information then available at that office: the time and place of regular meetings; the time, place and purposes of any then known special meetings; and whether the agenda of such future meeting(s) states that any specific type of public business, identified by such person, is to be discussed at such meeting.

(i) Order of Business for Regular Council Meetings

At all regular meetings the business of Council shall be transacted in the following order and, except as provided in subsection (a) hereof, no deviation shall be made without the approval of a two-thirds (2/3) majority vote of Council.

- (1) Roll Call.
- (2) Invocation.
- (3) Pledge of Allegiance to the Flag.

(4) Additions, Corrections or Deletions in Council Minutes of the Previous Meeting.

(5) Reading of Petitions, Claims, Communications and Reports of City Officials, As Presented.

(6) Introduction of New Ordinances and Resolutions.

(7) Public Hearings, As Scheduled.

(8) Reports of Special Council Committees, As Scheduled.

(9) Reports of Council's Standing Committees.

(10) Announce Schedule of Council Committee Meetings.

(11) Miscellaneous Business.

(12) Adjournment.

111.04 Committees

(a) Committee Structure

All Standing Committees shall consist of an odd number of persons, but not less than three (3) members on each Committee. At least one member of each Committee must not be of the majority party. The President of Council shall be an ex-officio member of all Committees, but cannot take part in any vote of any Committee. The standing Committees shall be as follows:

(1) Finance and Appropriations

(2) Public and Industrial Improvements

(3) Public Affairs

(4) Planning and Zoning

(5) Community Development

(b) Rules of Committees

The rules of Council shall be observed by the Committee so far as they may be applicable, except that there shall be no limitation of debate or discussion.

(c) Special Committees

When a Special Committee is needed, the President of Council shall establish a Committee and appoint its members and chairman. The composition of a special Committee shall be as provided for a Standing Committee.

(d) Committee of the Whole

Whenever Council, at the discretion of the President, resolves itself into a Committee of the Whole, the President shall act as Chairman.

(e) Joint Committees

When it is desired that legislation shall be considered by two or more Committees jointly, a reference by the President of Council without objection, or upon motion to refer by any member and adopted by a majority vote of the members of Council to a joint Committee composed of the membership of said standing committees shall operate to constitute such Committees as a single Committee. A quorum of such joint Committees shall consist of a majority thereof. A majority vote, similarly counted, shall be required for action by such joint Committee. The President of Council shall designate one of the Committee Chairmen to officiate.

(f) Excused Membership

Any member may excuse himself from serving on any Committee with consent of the majority of all members of Council.

(g) Permitted Legislation Considered by a Council Committee

Legislation shall be introduced at a Council meeting prior to its being considered by a Council Committee. An ordinance or resolution shall be considered at a meeting of that Committee prior to approval by the Committee.

(h) All Reports of Committees During Council

All reports of Committees shall be in writing or given orally by the Chairman, or Vice Chairman, of the Committee and if in writing shall be signed by such members of the Committee as concur therein, and the report shall be read by the Clerk or by the Chairman or Vice-Chairman of the Committee without motion. After the Committee's majority report has been made by the Chairman or Vice-Chairman and a motion to adopt presented, seconded, and the question stated, dissenting members of the Committee may present their views or report. When the minority report is made, it is for information only and it cannot be acted upon to substitute it for the report of the Committee.

(i) Legislation held in Committee over 70 days

In the event that an ordinance or resolution has been pending in Committee for at least seventy (70) days since its introduction, then any member of Council may move to take it out of Committee.

(j) Legislation expires after six months in Committee

If any ordinance or resolution referred to a Committee has not been reported out, and if an extension of time has not been granted to report on said

ordinance, the ordinance will be removed from the calendar and become ineffective after six (6) months from its introduction.

(k) Recording of Committee Proceedings

The Council Clerk shall keep a record of the Committee proceedings

(l) Public Committee Meetings

All Committee meetings shall be open to the public. All minutes and records of the meetings shall be open to the public for inspection.

(m) Committee Quorum

A majority of the members of the Committee shall constitute a quorum for the transaction of business. A majority vote of the members present is necessary to take action.

(n) Scheduling of Committee Meetings

Each Committee shall hold its meetings at such time and place as fixed by the Chair. The date for all meetings shall be set and announced at regular or special meetings of Council unless deemed an emergency by the Chair.

111.05 Legislation

(a) Request for Legislation and Delivery to Council

(1) Unless a request for the Regular Order of Business is made pursuant to Section 111.03(a), new legislation shall be accepted for introduction only at Council meetings regularly scheduled for the second or fourth Monday of any month, except August, or at a Special Meeting of Council. All material for legislation shall be in the hands of the Director of Law by noon on the Wednesday preceding such meetings. The Director of Law or assistant shall review all proposed legislation prior to submission to the Clerk of Council for placement on the agenda to be in the manner prescribed by law.

(2) The Department of Law shall cause to have delivered to all Council members all legislation to be introduced at the regularly scheduled Council meetings by the Friday before the regularly scheduled Monday meetings. Council shall not consider any ordinance or resolution that has been in the hands of the Council members less than forty-eight (48) hours preceding a Council meeting. This rule may be suspended by a vote of two-thirds (2/3) of all Council members, provided, however, that the legislation to be considered must be read by the Clerk in its entirety.

(b) Presenting Ordinances and Resolutions to Council

Proposed ordinances and resolutions shall be introduced in written or printed form. Each one shall contain only one subject, which shall be clearly

stated in the title. The exception is a general appropriation ordinance, which may contain the various subjects and accounts for which money is to be appropriated.

(c) Legislation numbering, sponsorship and title

All ordinances and resolutions shall be known by their temporary number, sponsor and title. Ordinances and resolutions adopted by Council shall be numbered consecutively, beginning with the number one (1) each year and the number shall be followed by the year of passage.

(d) Emergency Measures

When an emergency measure is presented to Council, the nature of the emergency shall be stated and defined. Ordinances appropriating money may be passed as emergency measures. Emergency ordinances and resolutions must receive a two-thirds (2/3) majority vote of all members of Council in order to retain emergency status.

(e) Reading of Legislation

All ordinances and resolutions shall, before adoption, be read once by title only, any law of the State of Ohio to the contrary notwithstanding. Provided, however, that upon a motion duly made and seconded followed by the affirmative vote of a majority of all members of Council requesting that any ordinance or resolution be read in full prior to being submitted to a vote on adoption, the Clerk shall read said ordinance or resolution one time in full.

(f) Legislation Assignment to Committee

On the day the ordinance or resolution is introduced, the measure shall be referred by the President to the appropriate Committee. Once the measure is referred to a Committee, the Committee shall report as soon as the Committee has had an opportunity to study the measure and make a recommendation, unless at that time a motion to table to the next regular meeting is supported by a majority of those members present and voting.

111.06 Voting

(a) Voting Procedures

The vote on the passage of each ordinance, resolution or other matter requiring a vote by Council shall be taken by collective voice vote and entered upon the journal of Council. The vote shall be taken by yes and no and the Council Clerk shall record the result in the Council journal. Any member of Council, or the Clerk of Council, may require a roll call vote on any vote. In calling the roll upon any vote, the Clerk of Council shall call the names of the members in the order designated by the President. Before the announcement of the vote by the President, the Clerk shall read the vote so taken.

(b) Vote Needed to Adopt

Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all members of Council.

(c) Conduct During Voting

No member or other person shall remain at the Clerk's desk while any voting procedure is in progress or ballots are being counted.

(d) Duty to Vote

Every member present when the question is put shall vote, unless the Council shall excuse him. A request to be excused from voting shall not be in order unless made before the collective voice vote or before the roll call of yes or no is commenced, and any member requesting to be excused from voting may make a brief verbal statement of his or her reasons for making such request and the question shall then be taken up without further debate.

(e) Calling the Question

Any member may call for a statement of the question.

(f) Reconsideration

A motion to reconsider shall take precedence over all other motions except a motion to adjourn or to table. Only a member who was absent and excused or who voted with the prevailing side may move a reconsideration of any action of the Council, and provided that the motion to reconsider shall be made not later than the next regular meeting after such action is taken. No motion to reconsider shall be made more than once on any one matter or subject and the same number of votes shall be required to reconsider any action of the Council that were required to pass or adopt the same. If the motion is carried, the original motion is again open to discussion and vote.

(g) Procedures Not Included in the Rules

In the absence of any provision governing matters of business in either the Rules of Council, the laws of the state of Ohio, or the City Charter, *Robert's Rules of Order Newly Revised* shall be the standard of parliamentary usage. Except when otherwise specifically required by the Rules of Council, laws of the State of Ohio, or City Charter and Ordinances, a simple majority vote of Council is sufficient to pass any motion.

(h) Clerical Adjustments

The Clerk shall have the authority to make non-substantive changes to legislation (e.g. typographical errors) following passage by City Council with the consent of the President of City Council by initialing and dating said change.

111.07 Conduct of Business

(a) Journal of Proceedings

Council shall keep a journal of its proceedings.

(b) Privileges of the Floor

No persons except members of the Council, City officials, representatives of the news media and persons invited by the President shall be admitted within the Bar of the Council Chamber.

(c) Decorum and Power to Preserve Decorum

Members of the Council, all persons within the Bar of the Council, and persons within the Council Chamber shall at all times observe the proper decorum and, while the Council is in session, shall refrain from loud talking and similar disconcerting conduct. Profane or vulgar language is positively forbidden, either by Council members or by any others attending the Council meeting.

Council may reprimand or expel any member guilty of misconduct or violation of Council rules pursuant to the procedure set forth below. The offending member shall not have voting rights during this process.

Upon the concurrence of a majority of vote of Council members, the first violation of these rules by a member shall result in the offending member receiving a verbal warning from the Presiding Officer. With the concurrence of two-thirds affirmative vote of all Council members, the member may be expelled from the remainder of the meeting after having been notified of the charge(s) against the member and having had an opportunity to be heard. Upon the concurrence of a majority vote of all Council members, any subsequent violation of these rules by a member during a term of office shall result in a 1/26th reduction of annual salary of the offending member.

(d) Right to Floor

A member of Council or the administration desiring to speak shall address the President, who shall acknowledge the request of the member, and the member then may speak.

(e) Order of Speaking

In all cases the member of Council or the administration who shall first address the President shall speak first, but when two or more members shall address the President at once, the President shall decide the member who is first to speak.

(f) Speaking by Council Members or the Administration

No member of Council or the administration shall be allowed to speak longer than five (5) minutes at one time on any question without permission, nor more than two (2) minutes during Miscellaneous Business. No member of Council or the administration shall speak more than once on the same question until every member desiring to speak on that question shall have had an opportunity to do so. And, while the member is speaking, no one shall interrupt the member except the President who may confine the member to the question under debate, and who shall prevent personal reflections.

(g) Books, Papers and Documents

Any member of Council or the administration discussing a question may read from books, papers or documents any matter pertinent to the subject under consideration or may require the Clerk so to read, without asking leave. Any member of the public or the administration intending to use any document, paper or item as an exhibit or for informational purposes shall make twelve (12) copies for Council and the Clerk and two (2) additional copies to be circulated in the Council gallery and two (2) copies for the news media.

(h) Discussion of Questions and the Council Bar

When the president is putting any question, or is addressing the Council, no one shall walk across the Council Chamber, and while a member is speaking, no one shall pass between the member and the President. During debate, members of Council must remain in place, unless excused by the President, and no member shall withdraw from within the Council Bar without leave from the President.

(i) Presence of Members in Chamber

When important business demands the presence of absentee Council members, at any regular or special Council meeting, the President may direct the Sergeant-at-Arms or some member to notify the absentees of the need for their presence in the Council Chamber at once.

(j) Addressing Council

Regarding matters pending before Council, any person may address Council during Committee meetings for up to three (3) minutes. At Council meetings, members of the public may address Council for up to three (3) minutes; however, only with the consent of Council to the person's request.

Regarding matters not pending before Council, any person wishing to address Council must notify the President of Council at least twelve (12) hours prior to the Council meeting at which the citizen wishes to speak, specifying the topic or topics to be discussed. The President shall consider each request and shall either (a) refer the citizen to a ward Council member or appropriate Committee or (b) instruct the Clerk of Council to notify the citizen of the

appointed time at which the citizen may address Council. No presentation shall exceed five (5) minutes.

(k) Preservation of Order

If any member, speaking or otherwise, transgresses the rules of Council, the President shall call the member to order. Any member may also call for a point of order. If required to do so by the President, the member called shall take his seat until the question of order is decided. All questions of order shall be decided by the President without debate. An appeal to the Council from the decision of the President may be taken by any member, if duly seconded.

(l) Motion to Table

A motion to table shall have priority over all motions other than a motion to adjourn and shall be undebatable. Having prevailed once, subsequent motions to table concerning the same ordinance or resolution shall be governed by the normal rule of parliamentary procedure and must be supported by a majority of those members present and voting.

(m) Motion to Adjourn

A motion to adjourn shall always be in order, but, being decided in the negative, shall not again be entertained until some motion, call, order or discussion shall have taken place.

111.08 Membership

(a) Qualifications

See Article IV Section 3 of the City Charter.

(b) Resignation

The resignation of a member of City Council shall be presented in writing to the Clerk of Council and shall include the official date of resignation. Unless orally announced to Council by the resigning member, the Clerk shall then announce such resignation at the next regularly scheduled Council meeting.

(c) Vacancies

Vacancies shall be filled in accordance with Article IV Section 5 of the City Charter.

(d) Certificate of Election

Members of Council shall provide the Clerk with a copy of their certificate of election prior to being sworn into office.

(e) Vacancy due to Absence

Council may, by majority vote of all members of City Council excluding the member who has been absent allegedly without valid excuse, declare the seat of any member vacant for absence without valid excuse where such absence has continued for two consecutive months. It shall be the duty of each Council member to notify the President of Council of any anticipated absence from any regular or special Council meeting as soon as practical. Should a council member accrue three consecutive unexcused absences from regular Council meetings, the Clerk of Council shall, not less than six days prior to the next regular Council meeting, notify the absent member in writing of his unexcused absences.

(f) Notice

Written notice provided for by these Rules may be served personally upon the member or by sending it by certified U.S. mail to the member's address on file with the Clerk of Council and a copy of the notice shall be sent by regular mail to each member of City Council. For mailed service, service shall be deemed complete on the date the notice is mailed, regardless of whether the notice is accepted, claimed, or received by the member.

(g) Quorum

A majority of all the members shall be a quorum to do business, but a less number may adjourn from day to day and compel attendance of absent members.

111.09 Miscellaneous

(a) Rules Suspension

Upon a motion adopted by the affirmative vote of two-thirds (2/3) of all members of Council, these rules, or any of them, may be suspended at any meeting with regard to any ordinance, resolution or other matter, provided, however, that not more than one ordinance, resolution or other matters shall be the subject of a single vote on such suspension.

(b) Amendments

These rules may be amended, repealed or supplemented in whole or in part at any meeting of Council by an ordinance receiving a majority affirmative vote of all members of Council.

(c) Roberts Rules of Order

All questions not provided for by these rules, or by the City Charter, or by applicable provisions of the Ohio Revised Code, which are incorporated herein by reference, shall be governed by *Roberts Rules of Order, Newly Revised*.

(d) Conflict of Laws

Those parts of the Ohio Revised Code which are in conflict with these rules are intentionally rejected. Council hereby expressly reserves every right, power and authority granted pursuant to the City's home rule authority.

(e) Partial Invalidity

The determination that any part of these rules is invalid shall not invalidate or impair the force or effect of any other part thereof, except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

(f) Temporary Office

When reference is made to any officer, office or position in these rules, said reference shall also apply to any person authorized to act in place of said officer or to hold said office or position in place of the incumbent pursuant to these rules.

(g) Majority

In all cases under these rules, except as provided in Section 111.07(c) and Section 111.08(e) a majority of all members of Council shall be six (6) members and a two-thirds (2/3) majority of all members of Council shall be eight (8) members.

(h) Gender

All gender specific references to members or officers of Council in these rules, or in ordinances or resolutions considered or passed by Council shall be construed to include both sexes.

(i) Confidential Information

No present or former member of Council, without appropriate authorization, shall use any information acquired by them in the course of their official duties, which is clearly designated as confidential. Confidential information may include any information whether obtained in executive session or by written or oral communication, which must necessarily remain confidential for the proper conduct of government business, including matters required to be kept confidential by federal law or rules of state statutes.

(j) Email Communications

If a Councilor requests information from the Administration during a committee meeting and the response is sent via email, then that email shall be sent to all members of Council and the Clerk and shall be included in the committee minutes.

Appendices

Appendix A – Boards and Commission/Approval of Members

Appendix B – Council Membership on Boards and Commissions

ATTACHMENT A – BOARDS AND COMMISSIONS/APPROVAL OF MEMBERS

Board or Commission		Approval Required for Removal	Council Member Required
ADA Advisory Committee (C.O. 160.02)	No Council approval required	By Mayor	1 Council Member appointed by Council President
Animal Appeals (C.O. 505.23)	No Council approval required	By Mayor	No
Assessment Equalization Boards (ORC 727.16)	Council appoints	N/A	No
Board of Building Appeals (Article III Section 10 & C.O. 1307.01)	Council approval required	By Mayor	No
Board of Control (Article III Section 10)	Membership set by Charter	N/A	No
Board of Zoning Appeals (Article VIII Section 2)	Council approval required	By Mayor	No
Building Trades & Licensing Board (C.O. 1311.02)	No Council approval required	By Mayor	No
Capital Cost Surcharge Hardship Committee (C.O. 926.01)	No Council approval required	N/A	1 Council Member appointed by Council President
Charter Review (Article XI)	Council approval required	By Mayor	No
Civil Service (Article VII Section 1)	Council approval required	By Mayor with consent and approval 2/3 vote of Council	No
Community Reinvestment Area (Ord. 47-2002 & 69-1997)	No Council approval required	N/A	2 Council Members appointed by Council President for 3 year terms
Cuyahoga Falls Library (Library Board of Trustees)	Council approval required	By Mayor	No
Design & Historic Review Board (C.O. 1112.04)	Council approval required	By Mayor	No
EMS Commission (C.O. 767.02)	No Council approval required	By Mayor	No
ERAC (Ord. 82-1987)	Membership set by ordinance	N/A	Maybe (2 members apt'd by Council)*
Housing & Fire Appeals (C.O. 1355.04)	No Council approval required	By Mayor	No

Housing Advisory Committee (C.O. 159.02)	Council approval of six electors	By Mayor	1 Council Member appointed by Mayor
Income Tax Board of Review (C.O. 161.13)	Council approval required	By Mayor	No
Land Preservation Commission (C.O. 142.02)	No Council approval required	By Mayor - his appointees only	1 Council Member appointed by Council President
Medical Transport Review Board (C.O. 947.05)	Membership set by ordinance	By Mayor	1 Council Member appointed by Council President
Moral Claims (C.O. 155.01)	Membership set by ord./Council Approval	By Mayor	2 Council Members-Chairman of the Finance committee and another member of the committee appointed by the Chairman
Parks and Recreation Board (Article III Section 9)	No Council approval required	By Mayor	No A-1
Planning Commission (Article VIII Section 1)	Council approval required	By Mayor - Council may remove its member	1 Council Member & 1 Alternate appointed by Council
Records Commission (ORC 149.39)	No Council approval required	By Mayor	No
Summit County Board of Health	No Council approval required	By Mayor	No
Tax Incentive Review Commission (ORC 5709.85)	No Council approval required	By Mayor	1 Council Member appointed by Council President
Telecommunications Advisory Committee (C.O. 158.02)	Council appoints four members	By Mayor	2 Council Members appointed by Council President
Traffic Committee (C.O. 145.01)	No Council approval required	By Mayor	1 Council Member appointed by

Tree Board (C.O. 157.02)

Council approval required

By Mayor

Council President

1 Council Member appointed by
Council President

* ERAC committee ordinance states
that Council appoints 2 members. The
ordinance does not state if the
members are council members or not.

ATTACHMENT B – COUNCIL MEMBERSHIP-BOARDS AND COMMISSIONS

Board or Commission	Council Member Required
ADA Advisory Committee (C.O. 160.02)	1 Council Member appointed by Council President
Capital Cost Surcharge Hardship Committee (C.O. 926.01)	1 Council Member appointed by Council President
Community Reinvestment Area (Ord. 47-2002 & 69-1997)	2 Council Members appointed by Council President for 3 year term
ERAC (Ord. 82-1987)	Maybe (2 members appointed by Council)*
Housing Advisory Committee (C.O. 159.02)	1 Council Member appointed by Mayor
Land Preservation Commission (C.O. 142.02)	1 Council Member appointed by Council President
Medical Transport Review Board (C.O. 947.05)	1 Council Member appointed by Council President
Moral Claims (C.O. 155.01)	2 Council Members-Chairman of the Finance committee and another member of the committee appointed by the Chairman
Planning Commission (Article VIII Section 1)	1 Council Member & 1 Alternate appointed by Council
Tax Incentive Review Commission (ORC 5709.85)	1 Council Member appointed by Council President
Telecommunications Advisory Committee (C.O. 158.02)	2 Council Members appointed by Council President
Traffic Committee (C.O. 145.01)	1 Council Member appointed by Council President

Tree Board (C.O. 157.02)	1 Council Member appointed by Council President
	* ERAC committee ordinance states that Council appoints 2 members. The ordinance does not state if the members are council members or not.