

NOTICE OF PUBLIC MEETING

Notice is hereby given that:

Recent, and temporary amended sessions of Ohio's Revised Code, specifically R.C. 121.22 Public meeting - exceptions, together with orders and directives from the Ohio Attorney General and the Ohio Department of Health, as well as the safety directives from the President and Center for Disease Control regarding health risks posed by COVID-19, compel the City of North Canton to take unprecedented actions to continue the business of government while limiting gatherings so as to prevent the spread of COVID-19. Accordingly, in this limited circumstance, where the Governor has declared a state of emergency and the Director of the Ohio Department of Health is limiting gatherings to prevent the spread of COVID-19, the City shall hold its public meetings via teleconference; all other requirements of Ohio's Open Meetings Act, R.C. 121.22, shall be fulfilled.

Meeting notices shall provide instructions for the public on how they may hear discussions and deliberations of all members of the public body, and in certain circumstances, address the public body themselves.

The City of North Canton shall hold the **Committee of the Whole Meeting on October 5, 2020 at 7:00 PM** via teleconference. See attached agenda for matters to be discussed.

Instructions to hear the meeting described above are as follows:

FOR THOSE WISHING TO WATCH THE MEETING:

The meetings will be livestreamed via the City's YouTube page and will begin at 7:00 PM on Monday, October 5, 2020.

BY THE ORDER OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

10/01/2020
Date

Benjamin B. Young
Clerk

NORTH CANTON COMMITTEE OF THE WHOLE MEETING
October 5, 2020, 7:00 PM
Agenda

1. Call to Order

2. Roll Call

3. Ordinance, Rules, and Claims Committee

Chairperson: Matthew Stroia

Vice Chairperson: Doug Foltz

3.a A resolution to adopt Rules for the Council of the City of North Canton, Ohio as attached hereto and incorporated herein as "Exhibit A", and declaring the same to be an emergency.

3.b An ordinance amending Chapter 111, Council, of the Codified Ordinances of the City of North Canton, as described in "Exhibit A" attached hereto.

4. Executive Session

4.a Council may hold an executive session if a majority of a quorum of its members determine, by a roll-call vote, to hold an executive session for the sole purpose of considering the purchase of property for public purposes.

5. Adjourn



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 5, 2020

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: Ordinance, Rules, and Claims Committee

SUBJECT: A resolution to adopt Rules for the Council of the City of North Canton, Ohio as attached hereto and incorporated herein as "Exhibit A", and declaring the same to be an emergency.

DESCRIPTION:

ATTACHMENTS:

[Agenda Request - New Rules of Council V2.pdf](#)
[New Rules of Council - Whole - 09.22.2020.docx](#)
[Res. - 2020 Adopting Rules of City Council.docx](#)



City of North Canton Office of City Council

Agenda Request Form

DATE: 9/28/2020

SUBJECT: Rules of City Council

I am requesting:

Ordinance **Resolution** **Discussion** **Vote of Council**

FOR: Adopt by resolution new rules of City Council and amend by Ordinance Chapter 111 Council of the codified ordinances to remove current rules with the intention of decodifying the rules and granting more legislative control to Council. See attached documents for full changes.

EMERGENCY REQUEST: **YES** **NO**

RATIONALE FOR EMERGENCY:

SIGNED: *Benjamin R. Young* **Title:** Clerk of Council **Date:** 9/28/2020

Only requests originating from anyone other than the Directors of Administration, Finance, or Law, the Clerk of Council, or elected officials must have appropriate approval shown below.

APPROVAL NEEDED:

Dir. of Administration Dir. of Finance Dir. Of Law Council Pres.

APPROVED BY:

_____ **Title:** **Date:**

Rules of City Council

The following rules shall govern all meetings of the Council of the City of North Canton and its committees. If any part of these rules should become contrary to local or state law, it shall be considered immediately void and the Clerk shall have the authority to strike it from the rules without a vote of council.

Officers of Council

- Rule 1. The Officers of Council shall be elected by the members of Council at the annual organizational meeting of Council according to the following format.
- (a). The President shall be elected before the Vice President.
 - (b). The Chair will open the floor to nominations for the current office.
 - (c). Once all nominations are made the Chair shall close the floor to nominations and may open the floor to debate.
 - (d). The chair shall then call for the roll call vote of each Council member.
 - (e). Election to any office requires four (4) votes. If no member receives four votes the chair may reopen the floor to deliberation before conducting another vote.
 - (f). The process shall continue until a nominee receives four (4) votes.
 - (g). Once a nominee has received four votes the chair will instruct the Clerk to certify the election results via written statement and shall appoint the winner to the elected office. The Clerk may use a verbatim transcript of the meeting as the written statement.
- Rule 2. The President of Council shall:
- (a). preside over Council meetings and public hearings and therein preserve order and decorum;
 - (b). confine debate to the question under discussion;
 - (c). decide all points of order;
 - (d). assign seats at the Council dais; and
 - (e). Supervise the Director of Law, Director of Finance, and Clerk of Council.
- Rule 3. The Vice President of Council shall fulfill the duties of the President in the President's absence.
- Rule 4. A Clerk of Council shall be appointed by a majority vote of seated members of Council and serves until said Clerk resigns, retires, or is removed for any just cause.
- Rule 5. The Clerk or their designee shall be present at all meetings of Council and its committees unless excused by a vote of Council due to appropriate circumstances such as illness or legitimate use of vacation hours.

- Rule 6. The Clerk shall act as parliamentary advisor to the President of Council responsible for assisting in compliance with parliamentary procedure as adopted by these rules.

Meetings of Council

- Rule 7. Council shall hold an annual organizational meeting upon the call of the Mayor during the first three days of December to elect Officers. (Charter 2.01)
- (a). The Mayor shall preside over the meeting until such time as a President is elected.
 - (b). The Clerk is instructed to, at the direction of the Mayor, publish notice of the time, date, and location of the organizational meeting in accordance with Local and State law.
 - (c). The provisions of this Rule shall not be constructed so as to grant the Mayor authority over legislative officers nor Council's authority over administrative officers in violation of the Charter's provisions.
- Rule 8. A quorum necessary to conduct business shall be 51% of all seated members of Council.

Committees of Council

- Rule 9. The standing committees of Council shall be:
- (a). Community and Economic Development;
 - (b). Finance and Property;
 - (c). Ordinance and Rules;
 - (d). Park and Recreation;
 - (e). Personnel and Safety;
 - (f). Street and Alley; and
 - (g). Water, Sewer, and Rubbish.
- Rule 10. By an affirmative vote of a majority of seated members of Council ad-hoc committees may be established for specified purposes. Such ad-hoc committees shall last until the next organizational meeting of Council.
- Rule 11. Council members shall present to the President of Council her or his preference of committee assignments, in writing, following the Organizational Meeting of Council by a date established by the President of Council.
- Rule 12. The President of Council shall assign committee positions at his or her own discretion by the next regular meeting of Council following the annual organizational meeting, but shall take into consideration seniority, preference, special qualifications, experience, and the best interests of the City, and may alter committee assignments or make special assignments thereafter as needed.

- Rule 13. The Clerk shall cause committee assignments to be publicly posted in City Hall and on the City's website for at least one week after assignments are made.
- Rule 14. The President of Council shall designate one member of each committee as the chairperson and one member as the vice chairperson.
- Rule 15. Committees of Council shall meet upon call by its chairperson subject to Rule 16.
- Rule 16. No Committee of Council shall meet without the Clerk having first provided the committee's members and the public with twenty-four hours advance notice of the meeting's date and time.
- Rule 17. Council members may attend meetings of a Committee of which they are not a member as members of the public, but not as speaking members of the meeting.

Council Docket

- Rule 18. A matter may be introduced to Council's docket only upon the receipt of a standard Agenda Request, as created and maintained by the Clerk of Council. Only the Directors of Administration, Finance, and Law, the Clerk of Council, and City elected officials may submit such requests.
- Rule 19. Upon a matter's introduction to the Council docket, or upon referral back to Council, the Clerk of Council, under the authority and supervision of the President of Council, shall refer the matter to the proper committee of Council for consideration, or, in matters requiring pre-council approval, to appropriate boards and/or commissions.
- Rule 20. The Clerk shall promptly notify a committee's chair of any items assigned to said committee.
- Rule 21. All matters to be placed on a Committee's meeting agenda shall be reported to the Clerk by 4:00 p.m. on the Tuesday before the meeting. The President of Council may make exceptions to this rule, provided that sufficient time is available to comply with the request.
- Rule 22. All non-legislation matters to be placed on the Council's meeting agenda shall be reported to the Clerk by 10:00 a.m. on the Thursday prior to the Council meeting. The President of Council may make exceptions to this rule, provided that sufficient time is available to comply with the request.
- Rule 23. Legislation may be placed on the Council agenda only upon a motion to move forward, second, and affirmative majority voice vote in a committee of Council as recorded in Council's Journal.

- Rule 24. By a two thirds majority vote of seated members of Council, Council may suspend Rule 25 and place legislation on the Council agenda without a favorable vote in committee.
- Rule 25. Legislation will be assigned an official ordinance number in the form of (### - year) by the Clerk upon its placement on the Council Agenda.
- Rule 26. The Council meeting agenda shall be in substantially the following form:
- (a). Call to order;
 - (b). Opening prayer;
 - (c). Pledge of Allegiance;
 - (d). Roll call;
 - (e). Consideration of items submitted for Council approval;
 - (f). Recognition of visitors;
 - (g). Old business;
 - (h). New business;
 - (i). Reports of Directors of Administration, Law and Finance, City Engineer, Clerk and Mayor;
 - (j). Reports of Council members;
 - (k). Final call for new business;
 - (l). Adjourn.
- Rule 27. During the “final call for new business” only elected officials may introduce matters for consideration.
- Rule 28. The committee and Council meeting agendas and supporting paperwork such as ordinances, resolutions, committee reports, etc., shall be available to Council, the Mayor, and the Directors of Administration, Law, and Finance by the Thursday before the meeting, or as soon thereafter as possible.
- Rule 29. The Clerk of Council shall present legislation to the Mayor, or their designee for the Mayor’s signature, veto, or failure to take action within forty-eight hours of Council having passed the legislation.

Other Rules

- Rule 30. All matters of procedure not covered in these rules or applicable State or Local law shall be governed by the most recent edition of Robert’s Rule of Order Newly Revised (RRoONR) and the Council of the City of North Canton does hereby adopt RRoONR as the council’s standard for parliamentary procedure.

Every municipal election year, following the election, but preceding the organizational meeting, the Clerk of Council shall offer training on RRoONR to all Councilmembers-elect.

Rule 31. Any proposed amendments to these Rules may be made by a motion to consider from the floor of any regular or special Council meeting. Such motions, upon receiving three favorable votes shall be referred to the Ordinance and Rules committee for consideration. After consideration the Ordinance and Rules committee shall report its recommendation to the Council as a whole.

After having heard the report of the Ordinance and Rules Committee Council shall vote on a motion to adopt the rule. Upon a favorable vote the Clerk shall cause the proposed amendment to be made to the rules of Council and the amendment shall become effective immediately.

Rule 32. As used in these rules

- (a). "Majority" means 51% of Council members at a given meeting wherein a quorum is present, unless otherwise specified.
- (b). "Two thirds majority" means 67% of Council members at a given meeting wherein a quorum is present.
- (c). "Seated members of Council" means all individuals who are currently members of North Canton City Council.

North Canton City Council
Ordinance, Rules, and Claims Committee

Resolution ## - 2020

A resolution to adopt Rules for the Council of the City of North Canton, Ohio as attached hereto and incorporated herein as "Exhibit A", and declaring the same to be an emergency.

WHEREAS, Council seeks to adopt uncodified rules that govern the processes and procedures of the body to grant the body increased control over its own affairs and to be more in line with best practices of similar governmental organizations; and

WHEREAS, the current Rules of Council, codified in Chapter 111, Council, of the Codified Ordinances of the City of North Canton shall be amended through Ordinance ### to remove provisions to be governed by these rules.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That the Rules of Council as attached hereto and incorporated herein as "Exhibit A" are hereby adopted as the Rules of the Council of the City of North Canton, Ohio.
- Section 2. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton; and; further necessary to ensure the rules contained herein take effect with the start of the next session of City Council on December 1, 2020, wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, together with the Mayor's approval, this ordinance shall take effect and be in full force from and after December 1, 2020. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____

Rules of City Council

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committee for consideration. After consideration the Ordinance and Rules committee shall report its recommendation to the Council as a whole.

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- (c). "Seated Members of Council" means all individuals who are currently members of North Canton City Council.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 5, 2020

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Ordinance

AGENDA SECTION: Ordinance, Rules, and Claims Committee

SUBJECT: An ordinance amending Chapter 111, Council, of the Codified Ordinances of the City of North Canton, as described in "Exhibit A" attached hereto.

DESCRIPTION:

ATTACHMENTS:

[Agenda Request - New Rules of Council V2.pdf](#)
[Chapter 111 - Council - Mark up for 10.05.2020.docx](#)
[Ord. -2020 Amending Chapter 111 Council Rules.docx](#)



City of North Canton Office of City Council

Agenda Request Form

DATE: 9/28/2020

SUBJECT: Rules of City Council

I am requesting:

Ordinance **Resolution** **Discussion** **Vote of Council**

FOR: Adopt by resolution new rules of City Council and amend by Ordinance Chapter 111 Council of the codified ordinances to remove current rules with the intention of decodifying the rules and granting more legislative control to Council. See attached documents for full changes.

EMERGENCY REQUEST: **YES** **NO**

RATIONALE FOR EMERGENCY:

SIGNED: *Benjamin R. Young* **Title:** Clerk of Council **Date:** 9/28/2020

Only requests originating from anyone other than the Directors of Administration, Finance, or Law, the Clerk of Council, or elected officials must have appropriate approval shown below.

APPROVAL NEEDED:

Dir. of Administration Dir. of Finance Dir. Of Law Council Pres.

APPROVED BY:

_____ **Title:** **Date:**

CHAPTER 111 – COUNCIL

Section 111.01	Meetings; Time, Place, and Recording Procedure	1
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SECTION 111.01 MEETINGS; TIME, PLACE, AND RECORDING PROCEDURE

(a) Council of the City of North Canton, Ohio, ("Council") shall meet on the first, third and fifth Monday of each month at 7:00 p.m. in Council chambers, located in the North Canton Civic Center, 845 W Maple Street.

(b) If a Council meeting date falls on a holiday recognized by the City, the meeting date shall be considered cancelled unless rescheduled by vote of Council.

(c) The starting time of a Council meeting or a public hearing may be set by motion of Council.

Council shall meet as a Committee of the Whole on the second and fourth Monday, as applicable, of each month at 7:00 p.m. in Council chambers, located in the North Canton Civic Center, 845 W Maple Street.

(d) Council may annually establish a summer and/or winter break provided the Charter's requirement to hold one regular Council meeting each month is satisfied.

SECTION 111.02 COUNCIL STRUCTURE

(a) Within the Charter's limits, the President of Council shall supervise the Director of Law, Director of Finance, and Clerk of Council.

- (b) As provided by the Charter, Council member vacancies shall be filled as follows:
 - (1) Within the Charter’s limits, the President of Council shall have the power to set the entire schedule for Council vacancy applications and voting.
 - (2) Nominations to fill a Council vacancy shall be made from the floor of Council.
 - (3) The Council vacancy shall be filled by the individual receiving a majority of roll call votes from Council members.

SECTION 111.03 COMMITTEES OF COUNCIL (REPEALED)

SECTION 111.04 LEGISLATIVE PROCEDURE

(a) At the Annual Organizational Meeting Council shall, by motion and vote of Council, adopt such rules and regulations as Council sees fit to govern its legislative process.

(b) All meetings of Council and its committees shall be recorded and transcribed into verbatim minutes which shall additionally state all those City Officials in attendance and seated at the dais.

SECTION 111.05 COMMITTEE OF THE WHOLE AGENDA (REPEALED)

SECTION 111.06 COUNCIL MEETING AGENDA (REPEALED)

SECTION 111.07 NOTICE

(Pursuant to Ohio Revised Code Section 121.22.)

(a) The Clerk shall post at a prominent place in the North Canton City Hall, the time, date, and place of all regularly scheduled meetings of Council and the Council meeting as a Committee of the Whole which notice shall include the time, place, and purpose of such meeting.

(b) The prominent place described above shall be designated by Council motion from time to time.

(c) Upon request, any person, including news media, may obtain reasonable advance notice by e-mail or telephone number of all meetings of Council, Council meeting as a Committee of the Whole, and special meetings at which specific public business is to be discussed. The Clerk shall make reasonable effort to notify the individual at the provided email address and/or telephone number and may use the meeting agenda as notification.

SECTION 111.08 SURVEY OF CONSTITUENTS¹

(a) Any Council member that wishes to survey his or her constituents must meet the following conditions:

- (1) The survey/letter may address only a single issue;
- (2) The survey/letter may be sent only to residents directly affected by the issue addressed in the survey/letter;
- (3) A majority of Council must determine that the content of the Survey/letter relates to City business.
- (4) A Council member may not send out a survey/letter to constituents within 90 days of an election of North Canton City Council members unless all of the following the restrictions have been met:
 - (A) A majority of Council must agree that conditions (a), (b), and (c) above have been met; and
 - (B) The survey/letter does not contain the name of the sending Council member, but rather is signed, "North Canton City Council. "

(b) Councilmembers may utilize official City letterhead for communications provided that:

- (1) A copy of all communications written using City letterhead shall be sent to, and kept on file by, the Clerk of Council.
- (2) Letterhead shall only be used for communications relating to City business.
- (3) Letterhead shall not be used to advocate for or against any candidate, referendum, recall, or other votes of the electorate in any capacity.
- (4) Letterhead shall not contain personal phone numbers or email addresses but shall instead contain the number for the Office of Council and the email address for the position held.
- (5) That all communications shall also comply with the provisions of Section 111.08 Survey of Constituents, of the Codified Ordinances.

(c) In order to ensure compliance with letterhead standards, the Clerk of Council shall not distribute the letterhead template. Council members may draft communications and send them to the Clerk to be placed on letterhead or request the Clerk to draft communications on their behalf.

(d) That Councilmembers may use City envelopes to send any communications written on City letterhead.

(e) That Councilmembers may utilize City business cards to represent themselves to the public subject to the following provisions.

- (1) Upon request Councilmembers may be provided with up to 500 business cards, paid for by the City, per elected term, with at least 50 of such cards to be retained by the Office of Council to distribute to members of the

¹ Shown as amended by 51-2020

Public that visit Council Offices in person. Any additional cards must be paid for by the Councilmember themselves.

- (2) Business cards shall not only list personal phone numbers, but also the number for the Office of City Council.
- (3) Business cards shall not list personal emails, only the email for the position held on Council.
- (4) Business cards shall not list any titles or officers of Council such as Committee Chairman, President, or Vice President as these positions may be subject to frequent change.
- (5) Business cards may not be used as, in conjunction with, or as part of, campaigning or election materials.

(f) The above restrictions shall not control correspondence between a Council member and the member's constituents if City resources are not utilized.

SECTION 111.09 RULES OF DECORUM, COURTESY, AND PROPRIETY

(a) Council has a significant governmental interest to ensure order during its meetings and expects and requires that its guests be respectful and courteous to other guests, City employees, and Council members. Guests also should expect a courteous, respectful hearing of their comments and concerns regarding matters under Council's jurisdiction. For those reasons, and so that the City's business may be effectively accomplished without disruption, meetings shall be conducted in an orderly, efficient, and dignified manner. Council must therefore insist that all in attendance not disrupt Council, committee, or special meetings by physical actions, excessive noise, or other disruptive or distracting behaviors, as those actions delay-and in some circumstances-cause the legislative process.

(b) Council shall designate a portion of its meeting, Recognition of Visitors, to provide its guests with a venue in which they may be heard in a fair, impartial, and respectful manner, which is open and welcoming to diverse viewpoints, and yet free from disruptions, and impertinent behavior. Therefore, with the exception of the amount of time permitted to speak, and the rule that Recognition of Visitor's is the only portion of Council meetings that a guest may speak, Council shall not limit a guest's message unless it is delivered in a disruptive or threatening way, or contains words or actions likely to invite a breach of the peace.

(c) In the interest of its guests, City employees, and Council Members, and to help prevent the disruption of its meetings that delay or cease the legislative process, Council rules shall be strictly and equally enforced. The President of Council shall promptly issue a warning to those that violate the Rules of Decorum, Courtesy, and Propriety to cease the disruptive behavior. Because a disruptive individual waives his or her right to remain at a meeting, and to prevent the further delay or cessation of the legislative process, the President of Council may expel from the meeting those individuals that persist despite the President's warning to cease the disruptive behavior. If the disruptive individual fails to immediately leave the meeting upon the President of Council's request, the President shall have the individual removed from the Council, Committee of the Whole, or special meeting by a law enforcement officer in the course of enforcing the laws of the State of Ohio. A person who disrupts a Council, Committee of the Whole, or special meeting

may be prosecuted for disturbing a lawful meeting, a fourth degree misdemeanor, and obstructing official business, a second degree misdemeanor.

SECTION 111.10 RECOGNITION OF VISITORS

(a) Guests of Council meetings are permitted to speak only during the Recognition of Visitors portion of the Council meeting. Guests shall observe the Rules of Decorum, Courtesy, and Propriety described above. See 111.10. There shall be no shouting or other types of disruptive behavior during a Council, Committee of the Whole, or special meeting.

(b) Each speaker shall begin by first identifying themselves by name, home address, and stating the subject matter on which he or she intends to speak.

(c) Each speaker's comments are limited to a maximum of five minutes. There shall be no debate between the speaker and guests, City employees, or Council Members. Other guests, City employees, or Council members shall not interrupt or otherwise engage the speaker during the speaker's five minutes. Only after the speaker has completed speaking and returned to her or his seat may a Council member, or City employee, who is seated at the Council dais, respond to the speaker's comments.

(d) When the speaker's five minutes have expired, as indicated by both an audible alarm and a timer visible to all of those in attendance of the meeting, the speaker shall promptly cease speaking and shall return to his or her seat or shall exit the meeting. Council members and City employees at the dais are available following the meeting if the speaker wishes to continue the speaker's comments. The speaker may also resume at the next Recognition of Visitor portion of a Council meeting.

(e) A speaker that continues beyond the allocated five minutes, and who continues to speak despite receiving notice that the speaker's time limit has expired, disrupts the meeting therefore is subject to Section 111.05(c).

SECTION 111.11 SALARIES AND BONDS²

(a) Salaries and bonds for all elected and appointed officials and City employees shall be as established by Council.

(b) The public officials of the City of North Canton shall give bond in the amounts set below with premiums for such bonds to be paid by the City.

- (1) The Mayor and Director of Administration shall give bond in the amount of \$50,000.
- (2) The Director of Finance shall give bond in the amount of \$250,000.

² As amended by Ord. 27-2020

North Canton City Council
Ordinance, Rules, and Claims Committee

ORDINANCE ## - 2020

An ordinance amending Chapter 111, Council, of the Codified Ordinances of the City of North Canton, as described in "Exhibit A" attached hereto and declaring the same to be an emergency.

WHEREAS, City Council wishes to continue to improve the efficiency and clarity of its legislative process and the rules of the body.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That Chapter 111, Council, of the Codified Ordinances of the City of North Canton, be, and is hereby amended to read as described in "Exhibit A" attached hereto.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton; and; further necessary to ensure the rules contained herein take effect with the start of the next session of City Council on December 1, 2020, wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, together with the Mayor's approval, this ordinance shall take effect and be in full force from and after December 1, 2020. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____

SECTION 111.01 MEETINGS; TIME, PLACE, AND RECORDING PROCEDURE

(a) Council of the City of North Canton, Ohio, ("Council") shall meet on the first, third, and fifth Monday of each month at 7:00 p.m. in Council chambers, located in the North Canton Civic Center, 845 W Maple Street.

(b) If a Council meeting date falls on a holiday recognized by the City, the meeting date shall be considered cancelled unless rescheduled by vote of Council.

(c) The starting time of a Council meeting or a public hearing may be set by motion of Council.

(d) Council shall meet as a Committee of the Whole on the second and fourth Monday, as applicable, of each month at 7:00 p.m. in Council chambers, located in the North Canton Civic Center, 845 W Maple Street.

(e) The date and/or time of a Council or Committee of the Whole meeting may be changed or cancelled by a favorable vote of the majority of those members present at a prior Council or Committee of the Whole meeting, or upon the written request of four members of Council.

(f) Council may annually establish a summer and/or winter break provided the Charter of the City of North Canton's ("Charter") requirement to hold one regular Council meeting each month is satisfied.

SECTION 111.02 COUNCIL STRUCTURE

(a) Within the Charter's limits, the President of Council shall supervise the Director of Law, Director of Finance, and Clerk of Council.

(b) Council member vacancies shall be filled in accordance with Section 5.05 of the Charter and as follows:

- (1) Within the Charter's limits, the President of Council shall have the power to set the entire schedule for Council vacancy applications and voting.
- (2) Nominations to fill a Council vacancy shall be made from the floor of Council.
- (3) The Council vacancy shall be filled by the individual receiving a majority of roll call votes from Council members.

SECTION 111.03 COMMITTEES OF COUNCIL (REPEALED)

SECTION 111.04 LEGISLATIVE PROCEDURE

(a) At the Annual Organizational Meeting Council shall, by motion and vote of Council, adopt such rules and regulations as Council sees fit to govern its legislative process consistent with the Charter.

(b) All meetings of Council and its committees shall be recorded and transcribed into verbatim minutes which shall additionally state all those City Officials in attendance and seated at the dais.

SECTION 111.05 COMMITTEE OF THE WHOLE AGENDA (REPEALED)

SECTION 111.06 COUNCIL MEETING AGENDA (REPEALED)

SECTION 111.07 NOTICE

(Pursuant to Ohio Revised Code Section 121.22.)

(a) The Clerk shall post at a prominent place in the North Canton City Hall, the time, date, and place of all meetings of Council and the Council meeting as a Committee of the Whole which notice shall include the time, place, and purpose of such meeting.

(b) The prominent place described above shall be designated by Council motion from time to time.

(c) Upon request, any person, including news media, may obtain reasonable advance notice by e-mail or telephone number of all meetings of Council, Council meeting as a Committee of the Whole, and/or special meetings at which specific public business is to be discussed. The Clerk shall make a reasonable effort to notify the individual at the provided email address and/or telephone number and may use the meeting agenda as notification.

SECTION 111.08 COMMUNICATION WITH CONSTITUENTS¹

(a) Any Council member that wishes to survey his or her constituents must meet the following conditions:

- (1) The survey/letter may address only a single issue;
- (2) The survey/letter may be sent only to residents directly affected by the issue addressed in the survey/letter;
- (3) A majority of Council must determine that the content of the survey/letter relates to City business.
- (4) A Council member may not send out a survey/letter to constituents within 90 days of an election of North Canton City Council members unless all of the following restrictions have been met:
 - (A) A majority of Council must agree that conditions (1), (2), and (3) above have been met; and
 - (B) The survey/letter does not contain the name of the sending Council member, but rather is signed, "North Canton City Council. "

(b) Councilmembers may utilize official City letterhead for communications provided that:

- (1) A copy of all communications written using City letterhead shall be sent to, and kept on file by, the Clerk of Council.
- (2) Letterhead shall only be used for communications relating to City business.
- (3) Letterhead shall not be used to advocate for or against any candidate, referendum, recall, or other votes of the electorate in any capacity.
- (4) Letterhead shall not contain personal phone numbers or email addresses but shall instead contain the number for the Office of Council and the email address for the position held.
- (5) That all communications shall also comply with the provisions of Section 111.08, Communication with Constituents, of the Codified Ordinances.

(c) In order to ensure compliance with letterhead standards, the Clerk of Council shall not distribute the letterhead template. Council members may draft communications and send them to the Clerk to be placed on letterhead or request the Clerk to draft communications on their behalf.

(d) Councilmembers may use City envelopes to send any communications written on City letterhead.

(e) Councilmembers may utilize City business cards to represent themselves to the public subject to the following provisions.

- (1) Upon request Councilmembers may be provided with up to 500 business cards, paid for by the City, per elected term, with at least 50 of such cards to be retained by the Office of Council to distribute to members of the Public that visit Council Offices in person. Any additional cards must be paid for by the Councilmember themselves.
- (2) Business cards shall not only list personal phone numbers, but also the number for the Office of City Council.
- (3) Business cards shall not list personal emails, only the email for the position held on Council.

¹ Shown as would be amended by Ord. 51-2020

- (4) Business cards shall not list any titles or officers of Council such as Committee Chairman, President, or Vice President as these positions may be subject to frequent change.
- (5) Business cards may not be used as, in conjunction with, or as part of, campaigning or election materials.

(f) The above restrictions shall not control correspondence between a Council member and the member's constituents if City resources are not utilized.

SECTION 111.09 RULES OF DECORUM, COURTESY, AND PROPRIETY

(a) Council has a significant governmental interest to ensure order during its meetings and expects and requests that its guests be respectful and courteous to other guests, City employees, and Council members. Guests also should expect a courteous, respectful hearing of their comments and concerns regarding matters under Council's jurisdiction. For those reasons, and so that the City's business may be effectively accomplished without disruption, meetings shall be conducted in an orderly, efficient, and dignified manner. Council must therefore insist that all in attendance not disrupt Council, committee, or special meetings by physical actions, excessive noise, or other disruptive or distracting behaviors, as those actions delay-and in some circumstances-cease the legislative process.

(b) Council may designate a portion of its meeting, Recognition of Visitors, to provide its guests with a venue in which they may be heard in a fair, impartial, and respectful manner, which is open and welcoming to diverse viewpoints, and yet free from disruptive conduct or effect. Therefore, with the exception of the amount of time permitted to speak, and the rule that Recognition of Visitor's is the only portion of Council meetings that a guest may speak, Council shall not limit a guest's message unless it is delivered in a disruptive or threatening way, or contains word or actions likely to invite a breach of the peace.

(c) In the interest of its guests, City employees, and Council Members, and to help prevent the disruption of its meetings that delay or cease the legislative process, Council rules shall be strictly and equally enforced. The President of Council shall promptly issue a warning to those that violate the Rules of Decorum, Courtesy, and Propriety to cease the disruptive behavior. Because a disruptive individual waives his or her right to remain at a meeting, and to prevent the further delay or cessation of the legislative process, the President of Council may expel from the meeting those individuals that persist despite the President's warning to cease the disruptive behavior. If the disruptive individual fails to immediately leave the meeting upon the President of Council's request, the President shall have the individual removed from the Council, Committee of the Whole, or special meeting by a law enforcement officer in the course of enforcing the laws of the State of Ohio. A person who disrupts a Council, Committee of the Whole, or special meeting may be prosecuted for disturbing a lawful meeting, a fourth degree misdemeanor, and obstructing official business, a second degree misdemeanor.

SECTION 111.10 RECOGNITION OF VISITORS

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(b) Each speaker shall begin by first identifying themselves by name, home address, and stating the subject matter on which he or she intends to speak.

(c) Each speaker's comments are limited to a maximum of five minutes. There shall be no debate between the speaker and guests, City employees, or Council Members. Other guests, City employees, or Council members shall not interrupt or otherwise engage the speaker during the speaker's five minutes. Only after the speaker has completed speaking and returned to her or his seat may a Council member, or City employee, who is seated at the Council dais, respond to the speaker's comments.

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speaking and shall return to his or her seat or shall exit the meeting. Council members and City employees at the dais are available following the meeting if the speaker wishes to continue the speaker's comments. The speaker may also resume at the next Recognition of Visitors portion of a Council meeting.

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SECTION 111.11 SALARIES AND BONDS²

(a) Salaries and bonds for all elected officials and appointed officials and City employees shall be as established by Council.

(b) The public officials of the City of North Canton shall give bond in the amounts set below with premiums for such bonds to be paid by the City.

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- (2) The Director of Finance shall give bond in the amount of \$250,000.

² Shown as would be amended by Ord. No. 27-2020



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 5, 2020

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: For Discussion

AGENDA SECTION: Executive Session

SUBJECT: Council may hold an executive session if a majority of a quorum of its members determine, by a roll-call vote, to hold an executive session for the sole purpose of considering the purchase of property for public purposes.

DESCRIPTION:

ATTACHMENTS: