

North Canton City Council  
Ordinance, Rules, and Claims Committee

ORDINANCE 70 - 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 ordinance 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 23rd day of November 2020.

Attest: Benjamin R. Young  
Benjamin R. Young, Clerk of Council

Stephan B. Wilder Signed on: 23 November 2020  
Stephan B. Wilder, Mayor

#### SECTION 111.01 MEETINGS; TIME, PLACE, AND RECORDING PROCEDURE

(a) Council of the City of North Canton, Ohio, ("Council") shall meet on the second and fourth Monday of each month at 7:00 p.m.

(b) All meetings of Council shall be in Council Chambers, located in the North Canton Civic Center, 845 W Maple Street.

(c) 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.

(d) The date and/or time of a Council 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.

(e) Council may meet as a Committee of the Whole on the second and fourth Monday, of each month at 7:00 p.m. and such other dates and times as Council may decide or may be called by the President 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 CONSTITUENTS<sup>1</sup>

(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.
- (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.

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<sup>1</sup> Shown as amended by Ord. 51-2020

- (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-cause 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

(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 111.09. 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 Visitors 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 and therefore is subject to Section 111.09(c).

SECTION 111.11 SALARIES AND BONDS<sup>2</sup>

(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.

- (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.

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<sup>2</sup> Shown as amended by Ord. No. 27-2020