

ORDINANCE NO. 24-2020 (AS)

By Council Member Ungar

An Ordinance enacting and adopting Section 111.131, "Consent Agenda," of Chapter 111, "Council," of the Codified Ordinances of the City of Cleveland Heights; amending various sections of Chapter 111, "Council," of the Codified Ordinances of the City of Cleveland Heights to provide for a Consent Agenda; and declaring an emergency.

WHEREAS, pursuant to Article III, Section 8 of the Charter of the City of Cleveland Heights, this Council has the authority to determine its own rules and order of business, including prescribing the form, method, and procedure for legislative enactments; and

WHEREAS, pursuant to Section 111.25 of the Codified Ordinances of the City of Cleveland Heights, this Council may, by vote of five (5) members of the Council, repeal, amend, alter, or adopt new rules for conducting the business that comes before this it; and

WHEREAS, by Resolution 13-2020, this Council authorized the use of a Consent Agenda within the agenda of meetings of the City Council and established the parameters of the same; and

WHEREAS, this Council has determined that amending its codified rules and order of business to provide for the use of a Consent Agenda within the agenda of City Council's meetings will allow Council to address routine matters more efficiently and is in the best interest of the City and its residents.

BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. Section 111.131, "Consent Agenda," of Chapter 111, "Council," of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is enacted and adopted to read as follows:

111.131 CONSENT AGENDA.

The agenda at any regular meeting of Council may include a Consent Agenda. The Consent Agenda may consist of ordinances and resolutions, acceptance of property and dedications, easement agreements, and such other items as Council determines. The Consent Agenda shall not include those items which impose a tax or propose a levy or question for popular consideration on the ballot or which would be prohibited by the City Charter or Ordinances. Any member of Council, for any reason, may request that an item on the Consent Agenda be removed, and if such request is made, the item shall be removed and placed on the regular agenda without discussion on that request. Action on any item on the consent portion of the agenda shall not eliminate the need for a greater majority vote if one is called for by the Charter or these Codified Ordinances. Action upon the Consent Agenda will require two motions: the first to suspend the rules under Chapter 111 of the Codified Ordinances of the City of Cleveland Heights, and a second for approval or adoption of the items within the Consent Agenda. A vote upon adoption of the Consent Agenda operates as to all items on the Consent Agenda at the time the motion to approve or adopt is made.

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SECTION 2. Section 111.12, "Business of Council," of Chapter 111, "Council," of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to read as follows:

111.12 BUSINESS OF COUNCIL.

The business of all regular meetings of Council shall include the following:

Roll call.

Reading and disposal of journal.

Reports and communications from the City Manager and department heads.

Communications from residents.

Reports of committees.

Approval of Consent Agenda.

Consideration of ordinances, resolutions, and motions, not part of the Consent Agenda.

Miscellaneous business.

SECTION 3. Section 111.13, "Action of Council," of Chapter 111, "Council," of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to read as follows:

111.13 ACTION OF COUNCIL.

Council shall act by ordinance or resolution duly adopted at a regular, special or emergency meeting. Unless a greater number of votes is required under the Charter or another provision of the Codified Ordinances, Each ordinance, resolution and motion shall require the concurrence of at least four (4) members of Council for its passage or adoption, and the vote upon its passage or adoption shall be taken by "ayes" and "nays" and entered on the journal.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to adopt permanently and codify the use of a Consent Agenda to aid Council in conducting its business more quickly and efficiently, for the benefit of the public. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON S. STEIN, Mayor
President of Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED: March 16, 2020