

ORDINANCE NO. 54-2021 (AS)

By Council Member Ungar

An Ordinance authorizing the use of Temporary Standing Rules of Council; establishing the parameters thereof; 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 it; and

WHEREAS, pursuant to Section 111.26 of the Codified Ordinances of the City of Cleveland Heights, the rules enumerated in Chapter 111, "Council," may be temporarily suspended by vote of five (5) members of the Council; and

WHEREAS, in furtherance of good governance and the general goal of civic efficiency, this Council desires to provide certain standing rules by which this Council must operate; and

WHEREAS, the adoption of Council standing rules will promote productivity of this Council and allow the most efficient use of staff resources; and

WHEREAS, this Council believes that adopting standing rules 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. Pursuant to Article III, Section 8 of the Charter of the City of Cleveland Heights, this Council hereby approves the Temporary Standing Rules of Council attached hereto and incorporated herein as Exhibit A, which shall be in effect until December 31, 2021 unless otherwise provided by subsequent legislation adopted by this Council.

SECTION 2. This Council may, at any time but consistent with the Temporary Standing Rules of Council, prescribe different or additional rules and limitations governing Council's conduct and the conducting of Council business.

SECTION 3. Pursuant to Section 111.26 of the Codified Ordinances of the City of Cleveland Heights, this Council temporarily suspends any and all provisions contained in Chapter 111, "Council," of the Codified Ordinances to the extent any such provision is inconsistent with the Temporary Standing Rules of Council. This Council suspends any such inconsistent provision during the time the Temporary Standing Rules of Council are in effect, pursuant to Section 1 herein.

RESOLUTION NO. 54-2021 (AS)

SECTION 4. Notice of the passage of this Ordinance 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 implement the above-described standing rules of Council at the earliest time possible to promote civic efficiency, good governance, and allow for the most efficient use of staff resources. 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.

JASON S. STEIN
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED: May 3, 2021

TEMPORARY STANDING RULES OF COUNCIL

1. The President of Council shall decide all questions of order and decorum.
2. The City Manager and the President of Council shall prepare the agenda for each Council meeting, including each Committee of the Whole meeting. An ordinance or resolution that is not placed on the agenda may be added to the agenda only via a motion and second which is approved by the vote of at least five (5) members of Council. An ordinance or resolution that has been placed on the agenda may be removed from the agenda only via a motion which is approved by the vote of at least five (5) members of Council.
3. An ordinance or resolution or legislation requested by a member of the Council may be formally introduced and placed on Council's agenda only after receiving the support of at least one additional Council member, and remains subject to Temporary Standing Rule 2. Notwithstanding the provisions of Section 111.16 of the Codified Ordinances concerning the ability of any member of Council to request legislation, the Director of Law shall draft the form of any proposed legislation requested by a member of Council, or review legislation not prepared by him for approval as to form, only after receiving an indication of support for the request by an additional Council member. The requesting Council member shall copy the President of Council and the additional supportive Council member on such request to the Law Director or shall otherwise notify them before the Director of Law begins any drafting or review. Staff input and recommendations shall be obtained on any ordinance or resolution that affects the operations of the City.
4. Council Committee meetings other than Committee of the Whole meetings shall be scheduled only after the agenda for such meeting has been approved by the President of Council, who may remove from any such agenda any items he determines to be outside of the Committee's scope as prescribed by Resolution 1-2020. An item removed from the agenda of a scheduled Council Committee meeting by the President of Council may be added back to such agenda only via a motion and second which is approved by the vote of at least five (5) members of Council within a regular or special meeting of Council.
5. All opportunities for a Council member to appear in her/his official capacity (*i.e.* as a Council member) at any official city event pursuant to an invitation by an outside person or group shall be announced and made available to all members of Council.
6. Absent written approval from the city manager, no member of Council shall use the City logo in campaign materials or at campaign events, or take other actions that imply that any candidate has the support of the City.
7. A point of personal privilege may apply to a member of Council when she or he feels that their integrity, motives or character have been called into question. Consistent with Roberts Rules and Temporary Standing Rule 1, the President of Council shall rule on

Exhibit A

each point of privilege, but his ruling may be appealed (requiring a second) and can be overridden by the vote of at least four (4) members of Council.