



ORGANIZATIONAL CITY COUNCIL MEETING

Thursday, January 2, 2025 at 7:00 PM

Access meeting materials and information via the Northwood, Ohio Public Portal:
<https://northwoodoh.portal.civicclerk.com/>

Members of City Council

Louis Fahrbach
Dean Edwards
Jim Barton
Randy Kozina
Pat Huntermark
Mark Stoner
Michael Melnyk

CALL TO ORDER: *Mayor Schimmel*

PLEDGE OF ALLEGIANCE: *Mayor Schimmel*

ROLL CALL: *Council Clerk*

PURPOSE: *The Purpose For The Annual City Council Organization Meeting Is For The Members Of Council To Adopt Rules For 2025; Elect A President Of Council For The Year 2025; And To Schedule Any Committee Meetings That May Need To Be Held In January.*

NEW LEGISLATION:

ORDINANCE 2025-01 AN ORDINANCE APPROVING TITLE FOUR, CHAPTER 220, COUNCIL RULES, FOR THE YEAR 2025, AND DECLARING AN EMERGENCY. *1st Reading.*

NOMINATIONS FOR PRESIDENT OF COUNCIL: *Mayor Schimmel*

- Close of nomination(s)
- Roll call for vote on nomination(s) for President of Council

ADJOURNMENT:

ORDINANCE 2025-01 AN ORDINANCE APPROVING TITLE FOUR, CHAPTER 220, COUNCIL RULES, FOR THE YEAR 2025, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council has reviewed the prior Council Rules, and wishes to update Title Four, Chapter 220 (F)(2) Standing Committees; and
WHEREAS, City Council desires to adopt these rules for the year 2025;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

SECTION 1. That Northwood City Council adopts the Council Rules for the year 2025, as provided in attached Exhibit A which shall be known as Title Four, Chapter 220.
SECTION 2. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.
SECTION 3. This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:	For:___ Against:___ Abstain:___
Vote on emergency clause:	For:___ Against:___ Abstain:___
Vote on final adoption:	For:___ Against:___ Abstain:___

Adopted this ____ day of _____, 2024.
Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor

220.02 RULES.

(a) President Pro Tempore and Clerk.

(1) Members of Council shall, at the first meeting in January of each year, elect a President Pro Tempore from its own number, who shall serve until the next meeting in January next after his or her election.

(2) The President Pro Tempore shall preside in the absence of the Mayor.

(3) The Clerk of Council shall attend all meetings, regular and special, record all proceedings in the minutes, prepare an agenda for every meeting, attend to all correspondence incidental to his or her office, attend to the codification of all ordinances, according to the system employed by the Municipality, and perform such other duties as may be assigned to him or her by a majority vote of Council.

(4) The President Pro Tempore shall have full power to vote while serving as Acting Mayor.

(b) Quorum. (See Section 3.05 of the City Charter.)

(c) Rules; Expulsion of Members; Absence from Meetings

(1) Council shall determine its own rules and keep a record of its proceedings. It may punish or expel any member for disorderly conduct in Council or for a violation of its rules, and may declare his or her seat vacant for absence without valid excuse, where such absence has continued for two months. No expulsion shall take place without the concurrence of two-thirds of all the members elected and until the delinquent member has been notified of the charge against him or her and has had an opportunity to be heard.

(2) The Presiding Officer may allow a motion from any member who believes a member has violated a rule to declare the violation of the rule sufficient to find the Council person absent without excuse for the remainder of the meeting. Any member determined to be absent without excuse for a rule violation may cure the violation and request Council to reconsider its decision.

(d) Presiding Officer.

(1) The Mayor shall be the Presiding Officer. The Presiding Officer shall call the meeting to order at the appointed time, announce the business before Council in its proper order and state and put all questions properly brought before Council. He or she shall, in common with any other member, call any member who violates any of the rules and shall, when in the chair, decide all questions of order, subject to an appeal to Council, on demand of the member, on which appeal there shall be no debate, but the member making appeal may briefly state his or her reasons for the same.

(2) The Presiding Officer should be careful to avoid any appearance of political partisanship on any question. His or her function shall be to see that the business properly brought before Council is conducted in an orderly manner and that the members of Council observe the rules of procedure adopted by Council.

(e) Schedule of Business for Conducting Council. The following schedule of business shall govern the conduct of Council meetings:

(1) Roll call. Roll call of members to determine if a quorum is present; absent Council members shall be excused by motion, for cause.

(2) Pledge of Allegiance.

(3) Approval of minutes. Approval of minutes of the previous meeting and correction of errors of omission or commission therein, if any.

(4) Public comment. Re: legislation on current meeting agenda.

(5) Reading of communications. Should any such communication call for Council action which cannot be immediately taken, it shall be referred to the appropriate committee by the Presiding Officer. Should there be any question about the committee to which any matter should be referred, Council may, by majority vote, have the matter referred to any committee.

(6) Committee reports.

A. In writing. Reports of committees should be in writing. Written minority reports may also be presented, if desired.

B. Standing committees. Standing committees shall be as follows; which are permanent in their functions, but may have a change in membership from one Council to the next. Appointments shall be made as provided in Rule (h) hereof.

Economic Development

Finance

Recreation Board

Safety

Service

Committee of the Whole

C. Contents of reports. All petitions, ordinances and resolutions presented to Council may be referred to the proper committee for study and report.

D. Legislation referred to committee. When ordinances and resolutions are to be prepared, Council shall, by majority vote, request their preparation by the Solicitor. When they are prepared, they may be referred to the committee concerned with the subject matter of the ordinance or resolution. The committee shall then report out the ordinance or resolution at the next Council meeting. Council may accept or reject any committee report, in whole or part. The Solicitor has the responsibility of preparing legislation in the manner prescribed by law. The committee to which legislation is referred shall not concern themselves with the fulfillment of legal requirements. They shall only determine whether the subject matter has been fully covered.

E. The voting on such legislation shall be entered by the Clerk, in writing, in the minutes as "aye" and "nay" or "abstain" together with the names of members of Council voting "aye", "nay", and those voting "abstain". (Abstentions may only be for cause, which cause shall be stated.)

F. Seconding of motions. Seconding of motions is required.

G. First reading of ordinances; resolutions. When committees report out ordinances, these shall be set aside and given a first reading at the end of committee reports. Thus, all ordinances shall be given a first reading at one time. Resolutions, unless permanent in nature, may be voted upon immediately or acted upon at the same time as the ordinances.

H. Second reading of ordinances; emergency ordinances. When an ordinance is presented, it shall be read by the Clerk and, if it is not an emergency ordinance, it shall be set aside for second reading at the next meeting. If it is an emergency ordinance, requiring immediate action, the Presiding Officer shall, after it is read by the Clerk, entertain a motion to suspend the rules and read the ordinance by its title only for the second and third readings. If three-fourths of the members approve the motion, the Clerk shall then read the ordinance by its title only for the second and third readings. The ordinance is now ready for passage. After a member moves for passage, a vote shall be taken. If two-thirds of all the members elected approve the passage of the ordinance, it shall be signed by the Clerk and sent to the Mayor for his or her signature.

I. Clerk to enter vote in the minutes. The Clerk shall enter in the minutes the vote on all ordinances and resolutions, together with the names of those voting "aye" and those voting "nay".

J. New business. The Presiding Officer shall call for new business. Ordinances and resolutions which require immediate action may be considered in this category. This may occur where certain action cannot wait for the referral and consideration by committee. Any other ordinance or resolution which, for any reason, need not be referred to committee can be presented at this time.

K. Reference to committee. Any new business brought before Council may be referred to the proper committee, if such referral is deemed necessary or proper. If such referral is not needed, and the matter can be disposed of quickly, then such action shall be taken at once. When communications are read earlier in the meeting, they may, if necessary, be referred to committee immediately after being read by the Clerk. If the matter under consideration requires investigation and study, or is of such a nature that long discussion may be provoked, it shall promptly be referred to committee by the Presiding Officer.

L. Reference to Committee of the Whole. The Committee of the Whole is a meeting of the entire Council, as a committee, but, instead of the usual Presiding Officer being in charge, the Chairman of the Committee of the Whole shall preside. Referral to this committee may take place when a minor situation or problem arises on which it is felt that every member of Council should express himself and/or debate or discussion in the regular meeting will consume too much time and interfere with the regular order of business. Committee of the Whole shall sit as a committee, discuss the question as a group and receive the views and opinions of all the members. The committee shall be governed by the rules of Council in its deliberations.

The committee shall report its recommendations or findings to Council, upon the vote of a majority of the committee. This report shall be in writing and shall be signed by those concurring in the committee action. If the committee believes that further study or investigation is indicated, it may recommend to Council that the matter be referred to a certain committee. If the question deals with finances, it may recommend that the matter be turned over to the Finance Committee. Any report of the Committee of the Whole shall be voted upon, just as in the case of any other committee report.

(7) Pending legislation.

(8) New legislation.

(9) Mayor's report.

(10) City Administrator's report.

(11) City Clerk's report.

(12) Discussion with the City Attorney.

(13) Discussion with the City Engineer.

(14) New business.

- (15) Old business.
- (16) Public comment/persons appearing before Council.
- (17) Executive session. (By motion of Council, if necessary.)
- (18) Adjournment.

(f) Discussion. No member shall be allowed to speak more than once upon any subject until every member choosing to speak has had an opportunity to be heard, nor more than twice upon any subject, nor for a time longer than five minutes, without leave of Council. This rule shall apply equally to any public official who attends Council, including the Mayor, the Clerk, the Solicitor and others.

(g) Agenda. The Clerk shall prepare an agenda or schedule of matters to be brought before Council. This agenda may be given to the members of Council just before the meeting or, if possible, mailed to them before the meeting. Any person, group or delegation wishing to appear before Council shall direct a letter to the Clerk in such time that he or she will receive it before the time of the Council meeting. The letter should clearly state the purpose of the appearance and the approximate number who will appear in the group.

Chairmen of committees which are to report at the next meeting shall get to the Clerk a written copy of the report to be made. The Clerk shall also be notified of ordinances and resolutions to be presented and any member of Council who wishes to bring a matter before the body, other than a committee report, shall likewise notify the Clerk of the nature of the matter.

The order of business adopted by Council shall determine the order in which matters will appear on the agenda.

(h) Appointments to Committees. All appointments of committees, except such as are permitted by law to certain officials, shall be made by the Mayor, subject to the approval of a majority of Council.

(i) Emergency Legislation. All legislation passed as emergency legislation must state the reason for the emergency, not in mere general terms that such action is "necessary for the peace, health, welfare and safety of the City" but with specificity.

(j) Receiving Motion When Question Is Before Council When a question or a proposition is before Council or under debate, or when a motion has been made, no motions shall be received except the following:

- (1) To adjourn;
- (2) To table the motion, i.e. lay it aside until later;
- (3) To request that discussion end and that any motion being considered be voted on (usually called "motion for the previous question");
- (4) To postpone any action on a motion until some stated future time;
- (5) To refer the proposal to a standing or special committee;
- (6) To amend the main motion;
- (7) To postpone any action for an indefinite time.

These motions shall have precedence in the order in which they are arranged. Motions listed as divisions (j)(1), (j)(2) and (j)(3) hereof shall be decided without debate.

(k) Handling Motions for Reference to Committee. When a motion is made for a reference of any subject to a standing committee, and it is moved to substitute therefor a select or special committee, the question of reference to a standing committee shall be put first.

(l) Motions to Reconsider. A motion to reconsider a subject that may have been acted upon favorably must be made before adjournment of that session of Council. A motion to reconsider any other subject may be made not later than the next regular meeting after such action was taken. A motion to reconsider may be made only by any member who voted with the winning or prevailing side. A motion to reconsider shall be in order at any time except when a motion on some other subject is standing.

A motion to reconsider, being laid on the table, may be taken up and acted upon at any time when Council is engaged in the transaction of new or miscellaneous business.

No motion to reconsider shall be made more than once on any matter or subject, and the same number of votes shall be required to reconsider the action of Council as was required to pass or adopt the same.

(m) Motion to Take From the Table. A motion to take from the table shall be in order when that order of business is being transacted in which such matter to be taken up was laid upon the table, or under the head of new or miscellaneous business, and such motion shall be decided without debate, provided that the mover may be permitted to state briefly his or her reasons for the motion.

(n) Motion to Postpone Indefinitely. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

(o) Motion for the Previous Question. The previous question shall be in the form "Shall the main question now be put?" It

shall be admitted only when demanded by two members and, until decided, shall preclude further debate, amendments and motions. If the previous question is demanded on an amendment, it shall apply only to the amendment. If the motion for the previous question is carried, the question shall be put without further debate. However, if the motion for the previous question, though carried, is not yet actually executed, the motion to which it is directed may be laid on the table.

(p) Motion to Amend. A motion to amend is susceptible of only one amendment thereof. An amendment once rejected may not be moved again in the same form.

(q) Motion on Question of Privilege. Questions of privilege shall be, first: Those affecting the rights of Council collectively, its safety, dignity and the integrity of its proceedings; second: The rights, reputation and conduct of the members of Council individually, in their capacity as such members. A question of privilege shall have precedence over all questions except a motion to adjourn.

(r) Motion that Matter be Taken from Committee When any ordinance, resolution, petition or other matter has been referred to a committee, and such committee fails, within a reasonable time, to report, or to offer a valid reason for its failure to report, any member of Council shall have the right to make a motion that such ordinance, resolution, petition or matter be taken from such committee so that the same may be laid before Council for action. Such motion shall be decided without debate, provided that the member making the motion may briefly state his or her reasons for the motion.

(s) Majority Defined; Three-Fourths Defined. Whenever the term "majority" is used in these rules, unless otherwise expressly indicated, it shall mean a majority of those elected to Council; likewise, whenever a two-thirds or three-fourths vote is indicated, it shall mean two-thirds or three-fourths of the members elected to Council.

(t) Ordinance or Resolution Granting Franchise, Creating Right, etc., Rules Governing (See Section 3.11 of the City Charter.)

(u) Suspension of Rules Relating to Reading By-Laws, Resolutions and Ordinances. (See Section 3.11 of the City Charter.)

(v) Amending Resolution or Ordinance. (See Section 3.11 of the City Charter.)

(w) City Attorney. The City Attorney shall, when requested by any member of Council, give a verbal opinion on any question of law concerning City affairs, in open Council, but he or she may, if he or she deems the matter of importance, take a reasonable time to submit his or her opinion in writing. He or she shall not be required to draw any ordinance or resolution except upon a majority vote of the members.

The City Attorney, when requested by the Chairman of a committee to which any ordinance or resolution has been referred, shall assist in the examination of such ordinance or resolution.

(x) Adoption and Amendment of Council Rules These rules shall be adopted each year at the first regular Council meeting. These rules may be amended or altered or new rules may be adopted at any time, but in case of any amendment or alteration or the adoption of new rules, the matter shall be referred to the proper committee for report, and any such amendment, alteration or new rules shall be read on three different days, unless this rule is suspended by a three-fourths vote of the members. Any amendment, alteration or adoption of new rules shall be upon a majority vote of the members.

(y) Confidentiality of Executive Sessions. Executive sessions of Council shall be considered privileged information. No person attending the same shall divulge information from such session to any other person, including Council members not in attendance if such disclosure is to a Council member who has a conflict of interest regarding such subject matter.

Those Council members not in attendance at such session shall receive such confidential information discussed at the meeting only from the Administrator according to the directions of the majority of Council members in attendance at such session.

Any violation of this Council policy shall be considered gross misconduct and shall subject any Council member violating this rule to remedial action as set forth in Section 3.10G. of the City Charter and division (c) hereof.

(Ord. 2003-1. Passed 1-9-03; Ord. 2013-1. Passed 1-10-13; Ord. 2014-1. Passed 1-23-14; Ord. 2015-4. Passed 1-22-15; Ord. 2016-1. Passed 1-14-16; Ord. 2017-01. Passed 1-5-17; Ord. 2018-01. Passed 1-4-18; Ord. 2018-21. Passed 6-14-18; Ord. 2019-01. Passed 1-3-19; Ord. 2020-01. Passed 1-2-20; Ord. 2021-01. Passed 1-4-21.)