

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 01-24

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION OF CERTAIN OBSOLETE ITEMS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND, DECLARING AN EMERGENCY

WHEREAS, the City throughout the year will determine it is in possession of personal property that has become obsolete, unneeded, and/or unfit for use by the City, including but not limited to, vehicles in the impound lot;

and

WHEREAS, the City has chosen GovDeals, as the vendor to implement an internet auction, to dispose of unneeded, obsolete and/or unfit personal property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That pursuant to Ohio Revised Code Section 721.15, the City is authorized to sell or dispose of property that is unneeded, obsolete, or unfit for municipal purposes by internet auction.

SECTION 2: That the Safety Director and Service Director are hereby authorized to retain the services of GovDeals to effectuate the sale of such obsolete property by internet auction through an appropriate user agreement between the City and GovDeals and is further authorized and directed to execute all documents and perform all acts required to complete the sale of such obsolete and unneeded property by public internet auction.

SECTION 3: That the public internet auction will be conducted through GovDeals in accordance with its rules, regulations, and procedures, and in compliance with Ohio law, including listing of the obsolete and unneeded property for sale by auction to the public on the internet. That as required by law, the property will be listed for ten (10) days, including Saturdays, Sundays, and legal holidays.

SECTION 4: That the Clerk of Council shall cause this resolution to be published twice in a newspaper of general circulation as required by R.C. 721.15.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety, and welfare for the reason that the immediate sale of obsolete municipal property is necessary. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Received by the Mayor of the City of Niles this _____ day of _____, 2024,
and approved by me as such Mayor this _____ day of _____, 2024.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 03-24

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY OF NILES TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM; AND, DECLARING AN EMERGENCY

WHEREAS, Ohio's Cooperative Purchasing Act (AM Sub. H.B. No. 100) was signed into law on December 4, 1986;

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities to participate in contracts distributed by the State of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Safety Director and Service Director hereby request authority in the name of the City of Niles to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment, and certain other materials pursuant to Revised Code Section 125.04.

SECTION 2: That the Safety Director and Service Director is hereby authorized to agree in the name of the City of Niles to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of the City of Niles participation in the contract. Further, that the Safety Director and Service Director do hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements of ORC 125.04.

SECTION 3: That the Safety Director and Service Director are hereby authorized to agree in the name of the City of Niles to directly pay the vendor under each state contract in which it participates for items it receives pursuant to the contract, and the Safety Director and Service Director do hereby agree to directly pay the vendor.

SECTION 4: All purchases to be made by the Safety Director and Service Director under this program in excess of the dollar amount established by the City's Purchasing Policy, must first be approved by City Council.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare for the reason that the City will realize immediate cost savings in its acquisition of materials, equipment, etc., needed for City operations. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor. If not so passed as an emergency measure, it shall become effective at the earliest date allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2024 and signed by me as such Mayor on the _____ day of _____, 2024.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 04-24

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF AMMUNITION THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE 2024 CALENDAR YEAR; AND, DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the purchase of ammunition through the State of Ohio Cooperative Purchasing Program for the 2024 calendar year, when funds are available in the appropriate accounts or otherwise as permitted by law.

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare, for the reason that ammunition can be purchased at the earliest possible date. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2024 and signed by me as such Mayor this _____ day of _____, 2024.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 06-24

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE DISPOSAL OF A CAT ROLLER BY INTERNET AUCTION ON GOV DEALS AS IT IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE BY THE CITY; AND DECLARING AN EMERGENCY

WHEREAS, Council has determined that the CAT roller with the following specifications is not needed for any municipal purpose:

Leeboy Vibratory Roller
Serial #: 400-66

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That Council finds that the CAT roller with the following specifications is not needed for any municipal purpose:

Leeboy Vibratory Roller
Serial #: 400-66

SECTION 2: That pursuant to Ohio Revised Code Section 721.15, the City is authorized to sell or dispose of such property by internet auction or otherwise permitted by law.

SECTION 3: If an acceptable bid amount is not procured, then the administration may dispose of the property in accordance with the adopted disposal policy.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure in the interests of the public health, safety, and welfare because the immediate sale of such obsolete municipal property is necessary in order to secure the most value for the property. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____
ATTEST: _____

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

Received by the Mayor of the City of Niles this _____ day of _____, 2024, and approved by me as such Mayor this _____ day of _____, 2024.

MAYOR

City of Niles

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 07-24

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE TANDEM CAT
ROLLER; AND, DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the purchase of one CB2.5 Vibratory Tandem Roller for the Street Department in the amount of Fifty-Three Thousand Three Hundred Twenty-One Dollars and 03/100 (\$53,321.03).

SECTION 2: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare, because the CAT roller can be purchased at the earliest possible date as availability is limited. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2024 and signed by me as such Mayor this _____ day of _____, 2024.

MAYOR

City of Niles

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 08-24

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF A CAT BACKHOE THROUGH SOURCEWELL COOPERATIVE PURCHASING; AND, DECLARING AN EMERGENCY

WHEREAS, the City of Niles has identified for purchase a new Caterpillar Model 420XE Auto backhoe through Sourcewell Cooperative Purchasing for \$149,565.71.

WHEREAS, the agreed upon price includes a trade in of a 2005 CAT 416D for \$15,000.00.

WHEREAS, Council desires to authorize the transaction.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the purchase of a Caterpillar Model 420XE Auto backhoe through Sourcewell cooperative purchasing for \$149,565.71.

SECTION 2: Council hereby authorizes the trade in of the 2005 CAT 416D for \$15,000.00 which amount is reflected in the listed purchase price.

SECTION 3: This Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety, and welfare, because the backhoe can be purchased at the earliest possible date as availability is limited. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2024 and signed by me as such Mayor this _____ day of _____, 2024.

MAYOR



Quote 241580-01
Dec 20, 2023

CITY OF MILES
34 WEST STATE STREET
NILES, Ohio 44448-5036

Dave Liste,

Thank you for your interest in Ohio CAT and Caterpillar products for your business needs. This quotation is valid for 30 days.

One (1) New Caterpillar Model: 420XE AUTO Backhoe with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER: H19645 **SERIAL NUMBER:** 0H9X03026 **YEAR:** 2023 **SMU:** 1

Standard Equipment

BOOMS, STICKS, AND LINKAGES

- BACKHOE**
- 14 1/2" Center pivot backhoe
- 4.3 Meters
- Boom and swing transport locks
- Electro hydraulic operated backhoe and stabilizer controls
- Street type stabilizer shoes
- Anti-drift hydraulics (boom, stick, and E-stick)
- Cat Cushion Swing(tm) system

LOADER

- Single Tilt Loader
- Lift cylinder brace
- Self-leveling loader with single lever control
- Return-to-dig
- Automatic bucket positioner
- Transmission neutralizer switch
- Bucket level indicator

POWERTRAIN

- Water separator
- Thermal starting aid system
- Dry type axial seat air cleaner with integral pre-cleaner
- Automatic dust ejection system
- Filter condition indicator
- Hydraulically boosted multi-plate wet disk brake with dual pedals & interlock
- Differential lock
- Spring Applied Hydraulic Release

(SAHR) Drive-line parking brake

- Torque converter
- Neutral safety switch
- Spin-on filters for Fuel
- Engine oil
- Transmission oil
- Outboard Planetary Rear Axles
- Diesel particulate filter
- Hydrostatic power steering

HYDRAULICS

- Electro hydraulic hoe and loader controls
- Load sensing, variable flow system with 43 gpm (162 L/min) axial piston pump
- 6 micron hydraulic filter

Caterpillar XT-3 hose

- Hydraulic oil cooler
- Pilot control shutoff switch
- Flow-sharing hydraulic valves
- Hydraulic suction strainer

ELECTRICAL

- 12 volt electrical start
- 150 ampere alternator

- Audible system fault alarm
- Key start/stop system

- Horn, front and rear
- Backup alarm
- Hazard flashers/turn signals
- Halogen head lights (2)
- Halogen rear flood lights (2)
- Stop and tail lights

- 850 CCA maintenance free battery
- Battery disconnect switch
- External Power Receptacle (12v)
- Diagnostic ports for engine and machine Electronic Control Modules

OPERATOR ENVIRONMENT

- Interior rearview mirror
- ROPS canopy, Rear Fenders
- 2-inch (50mm) retractable seat belt
- Tilt steering column
- Steering knob
- Hand and foot throttle

- Automatic Engine Speed Control
- One Touch Low Idle
- Floor mat and Coat Strap
- Lockable storage area
- Air suspension seat

FLUIDS

- Antifreeze - Extended Life Coolant

-20F (-30C)

OTHER STANDARD EQUIPMENT

- Standard Storage Box
- Transport tie-down points
- Ground line fill fuel tank with 42.3 gal (160L) capacity & 5 gal (19L) diesel exhaust fluid
- Rubber impact strips on radiator

guard

- Safety Manual
- Operations and Maintenance Manual
- Lockable hood
- Tire Valve Stem Protection

MACHINE SPECIFICATIONS

420 XE 07A BACKHOE LOADER CFG1

LANE 2 ORDER

TRIM PACKAGE 4

ENGINE, 82KW, C3.6 DITA, T4F

BELT, SEAT, 2" SUSPENSION

TIRES, 340 80-18/500 70-24, MX

STABILIZER PADS, FLIP-OVER

INSTRUCTIONS, ANSI

SERIALIZED TECHNICAL MEDIA KIT

FAN

COUPLING,QD, THREADED WITH CAPS

PACK, DOMESTIC TRUCK

SHIPPING/STORAGE PROTECTION

RUST PREVENTATIVE APPLICATOR

420 LANE 2 ZCON

BUCKET - H26698A

CUTTING EDGE, TWO PIECE,WIDE - H26698A

MANUAL COUPLER/PIN GRABBE - H26699A

HAMMER, B8S

BRACKET, BHL, QC, TUCK, LG

LINES, B6-B8 HAMMER, BHL-TUCK

KIT, GUARD, STABILIZER CYLNDRS

KIT, FENDER, FRONT

STANDARD RADIO (12V)

BEACON, MAGNETIC MOUNT

563-5593

0P-9002

621-4250

542-7780

206-1747

533-0488

9R-6007

569-0872

421-8926

387-6682

456-3390

0P-0210

461-6839

462-1033

626-9389

251-1800

9R-5320

444-7500

532-9208

572-6066

565-6083

387-6458

586-8064

540-2298

211-4292

SELL PRICE
 EXT WARRANTY
 NET BALANCE DUE
 BALANCE

\$164,565.71
 Included
 \$164,565.71
 \$164,565.71

WARRANTY

Standard Warranty: 12 Month/unlimited hours Full Machine. All standard warranties include travel time & mileage for first twelve months. Scheduled Oil sampling is required during entire warranty period.
 Extended Coverage: 420-48 MO/5000 HR POWERTRAIN + HYDRAULICS + TECH (Tier 4)

F.O.B./TERMS: Ohio CAT

PAYMENT TERMS: Net 30 Days

Cash Invoice Terms CASH WITH ORDER	QUOTE SELL PRICE
\$0.00	\$164,565.71

List Price: \$224,501.00

Less: (Sourcewell Discount – Member ID# 18151 City of Niles – 22% - \$49,390.22)
 Less: (Ohio CAT – Winter Inv. Reduction Discount – 7% - \$15,715.07)

Selling Price: \$159,395.71

Machine Prep: \$3,250.00
 Full Machine Warranty – 1 Year - \$0.00
 Ext. Warranty – 4 Years: \$1,920.00

Less:

Trade In – 2005 CAT 416D – CAT041DLBFP15419 – 8195 HRS - \$15,000.00

Balance: \$149,565.71

Regards,

Andrew Smith
 Machine Sales Representative
 Ohio CAT
 asmith@ohiocat.com
 330-442-0374

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 09-24

ORDINANCE NO. _____

AN ORDINANCE APPROVING A THEN AND NOW PAYMENT REQUEST FOR KIRILA CONTRACTORS, INC (KCI) FOR THE EMERGENCY REPAIR OF A MAIN STREET TRANSMISSION LINE REPAIR, AND DECLARING AN EMERGENCY

WHEREAS, the Niles Central Substation was in need of an emergency repair for the Main Street transmission line,

WHEREAS, the invoice relating to the emergency repair is due and payable (see attached invoice).

WHEREAS, Council desires to make payment to KCI in the amount of \$16,547.53.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: Council hereby authorizes the Auditor to submit payment to KCI in the amount of sixteen thousand five hundred forty-seven dollars and 53/100 cents (\$16,547.53).

SECTION 2: This Ordinance is declared to be an emergency measure in the interest of the public health, safety and welfare as the invoice for KCI is due and payable. As such an emergency measure, this Ordinance shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2024 and signed by me as such Mayor on this _____ day of _____, 2024.

MAYOR

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 02-24

ORDINANCE NO. _____

AN ORDINANCE APPOINTING AND REAPPOINTING MEMBERS TO VARIOUS BOARDS AS REQUIRED BY THE OHIO REVISED CODE AND/OR NILES CODIFIED ORDINANCE, AND DECLARING AN EMERGENCY

WHEREAS, several board positions are required to be approved by the legislative authority and;

WHEREAS, the attached Exhibit A provides a list of new and reappointments to several positions of various boards necessary for compliance with Ohio Revised Code and the Niles Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the listed individuals in Exhibit A are hereby appointed to each board position as indicated.

SECTION 2: The appointment for each position is effective as of January 1, 2024 for each term as indicated for the respective board position.

SECTION 3: This Ordinance is declared to be an emergency measure in the interest of the public health, safety and welfare and for the reason that term for most positions commenced on January 1, 2024. As such, this Ordinance shall take effect immediately upon its passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____

Filed with the Mayor of the City of Niles, Ohio this _____ day of _____, 2024, and signed by me as such Mayor this _____ day of _____, 2024.

MAYOR

The City of Niles- Board Appointments
Effective January 1, 2024

*Signifies New Appointment

**Signifies Re-Appointment

Name	Appointment	Term
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Niles Civil Service Commission- O.R.C. 124.40

(Term 6-years)

Jim Costello	Appointment**	1/1/22-12/31/27
Tom Harwood	Appointment**	1/1/20-12/31/25
Dave Nester	Appointment**	1/1/19-12/31/24
Lynn Ruberto (Clerk)	Appointment**	1/1/24-12/31/24

Niles Park Board- O.R.C. 1545.01

(Term 3-years)

Harry Salapata	Appointment**	1/1/24-12/31/26
Jaclyn Gerberry	Appointment*	1/1/22-12/31/24
Heidi Barker	Appointment*	1/1/23-12/31/25

Niles Planning Commission/Board of Zoning Appeals- O.R.C. 713.01

(Term 6-years)

Violet Miller-Gizdic	Appointment**	1/1/19-12/31/24
Sam Donadio	Appointment*	1/1/20-12/31/25
Anthony Pallante	Appointment*	1/1/20-12/31/25
Richard Hale	Appointment**	1/1/21-12/31/26
Mayor	Permanent	
Director of Public Service	Permanent	
Park Board President	Permanent	

Niles Records Commission- O.R.C. 149.39

(Term 3-years)

Mayor	Permanent	
Auditor	Permanent	
Law Director	Permanent	
Law Secretary	Permanent	
Nancy Tabor	Appointment**	1/1/24-12/31/26

Niles Housing Code Appeals Board- Niles City ORD. 1393.01
(Term 4-years)

Barbara Wike (real estate)	Appointment**	1/1/23-12/31/26
Kim Dawkins (citizen)	Appointment*	1/1/23-12/31/26
Stephanie Flanigan (local bank)	Appointment**	1/1/24-12/31/27
Jason Altobelli (chamber)	Appointment**	1/1/24-12/31/27
Fire Inspector	Permanent	

Niles Fair Housing Review Board- Niles City ORD. 515.05
(Term 3-years)

Mayor (ex-officio)	Permanent	
Amanda Griffin	Appointment**	1/1/24-12/31/26
Chris Tricomi	Appointment**	1/1/22-12/31/24
Debbie Barber	Appointment**	1/1/23-12/31/25
Jeff Crowley (secretary)	Appointment**	1/1/22-12/31/24

Niles Income Tax Incentive Committee- Niles City ORD. 191.22
(Term 4-years)

Mayor	Permanent	
Auditor	Permanent	
Treasurer	Permanent	
Law Director	Permanent	
Steve Ruman	Appointment*	1/1/24-12/31/27

Niles Nuisance Abatement Board- Niles City ORD. 501.14
(Term 2/3-years)

Director of Public Safety	Permanent	
Dave Bishoff	Mayor Appointment**	1/1/24-12/31/26
Linda Marchese	Mayor Appointment*	1/1/24-12/31/26
	Council Appointment*	1/1/23-12/31/25
	Council Appointment*	1/1/23-12/31/25

Mahoning Valley Sanitary District Board- O.R.C. 6115.103
(Term 3-years)

Joe Merlo	Council Appointment*	5/1/22-5/1/25
Dr. Michael Neopolitan	Appointment**	5/1/21-5/1/24
Utilities Chair	Permanent	

Niles Nuisance Board- Niles City ORD. 1386.07

Mayor	Permanent
Director of Public Service	Permanent
Director of Public Safety	Permanent
Law Director	Permanent
Fire Chief	Permanent

Niles Veteran Advisory Board
(Term 4-years)

Mayor	Permanent	
Norm Henninger	Appointment**	1/1/24-12/31/27
Jacqueline Whetstone	Appointment**	1/1/24-12/31/27
Scott MacMillan	Appointment**	1/1/24-12/31/27
Ryan Estes-Iezzi	Appointment*	1/1/24-12/31/27
Derek Rieser	Appointment**	1/1/24-12/31/27

Trumbull County Combined Health Board
(Term 5-years)

Kathy Salapata	Appointment**	3/1/20-3/31/24
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Trumbull County Planning Commission Tax Incentive Review Council
(Term 1-year)

Mayor	Permanent	
Law Director	Appointment**	1/1/24-12/31/24

Downtown Power Incentive Program Committee- Niles City ORD. 165-19

Mayor	Permanent	
Director of Public Service	Permanent	
Law Director	Permanent	
Utility Billing Manager	Permanent	
Light Dept. Superintendent	Permanent	

Board of Building Adjustments and Appeals- Niles City ORD. 1301.11
(Term 3-years)

Licensed Builder	Appointment	1/1/24-12/31/26
Registered Engineer	Appointment	1/1/24-12/31/26
Registered Architect	Appointment	1/1/24-12/31/26
Alternate	Appointment	
Alternate	Appointment	
Alternate	Appointment	
Building Inspector (Secretary)	Permanent	

Niles Community Improvement Corporation (C.I.C.)

Mayor	Permanent	
President of Council	Permanent	
Econ. Development Chair	Permanent	
Law Director	Permanent	
Shea McMillian (Chamber)	Permanent	
Steve Sava (Chamber)	Permanent	
Jeff Crowley (City Employee)	Appointment**	
Nicole Bacak (City Employee)	Appointment**	
Pat Moro		
Giovanni Merlo		
Jason Altobelli		
Matt Krecic		
Jim VILLECCO		
Jim Kramer		
Steve Telego		
Rich Hale		
Dave Snyder		
Rick Leonard		

City of Niles, Ohio

SPONSORED BY: COUNCIL AS A WHOLE
AUTHORIZED BY: ALL MEMBERS

DRAFT NO. 05-24

RESOLUTION NO. _____

A RESOLUTION ADOPTING NEW COUNCIL RULES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024 THROUGH DECEMBER 31, 2025; AND, DECLARING AN EMERGENCY

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the new Council Rules for the fiscal year beginning January 1, 2024 through December 31, 2025, attached hereto as Exhibit "A", is hereby adopted by the Niles City Council.

SECTION 2: This Resolution is hereby declared to be an emergency measure in the interest of the public health, safety and welfare for the City of Niles. As such an emergency measure, this Resolution shall take effect upon passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2024 and signed by me as such Mayor the _____ day of _____, 2024.

MAYOR

Rules of Order

The Council of the City of Niles, Ohio
Term: 2023-2024

The following Rules of Order shall govern the procedures of City Council and the conduct of council members.¹

I. Meetings

Rule 1: **Meeting- PLACE:** All meetings of City Council shall be held at the Niles Senior Center unless otherwise ordered by council.

Rule 2: **Meetings- PUBLIC:** All meetings of City Council or committees shall be public. All minutes and records of council shall be open to the public at all reasonable times. Any citizen desiring to be heard on any matter under consideration by council may address council during the two public remarks sections of the order of business. Persons desiring to be heard by any committee of council on any matter under consideration, shall, by majority consent of such committee, be given the opportunity to be heard. All minutes and record of council shall be open to the public within ten (10) days of acceptance and filing by Council.

Members must abide by the Ohio Revised Code Section 121.22 (Sunshine Law) which requires public officials to take official action and to conduct all deliberations upon official business only in open meetings unless the subject matter is specifically exempted by law.

Rule 3: **Regular Meetings:** Regular meetings of council shall be held in the council chamber located at the Niles Senior Center the first and third Wednesday of each month at 6:00 P.M. unless otherwise ordered by motion, resolution, or ordinance. Caucus will be held at 5:30 prior to the start of the regular meeting, unless otherwise noticed by Council. When any regular meetings fall on a legal holiday, such meeting shall be held on the following day, but the council may adjourn any regular or special meeting to meet at any time within ten (10) days thereafter.

Rule 4: **July/August Schedule:** Regular meetings shall be held the first ~~Wednesday of July and~~ third ~~Wednesday of August~~ unless otherwise ordered by motion, resolution, or ordinance.

Rule 5: **Special Meeting(s):** Special meetings may be called at any time by the Mayor or any three members of Council upon at least twenty-four (24) hours of written notice to each member of council, served on each member or left at his/her usual place of residence.

Notification Requirements:

- When such a meeting is ordered by three or more council members of council, the Clerk of Council is required to provide twenty-four (24)

¹ Any conflict between these rules and the Ohio Revised Code is unintentional unless specifically stated and provided for by home rule in the Ohio Constitution.

hours of notice to the local newspapers (Tribune Chronicle). The Clerk is also required to provide notice to each member of council.

- When such meetings are ordered by the Mayor, the Mayor's secretary is required to provide twenty-hour (24) hours' notice to the local newspapers (Tribune Chronicle). The Mayor's secretary is also required to provide notice to each member of council.
- Delivery to each members' City Email account and at least one phone call or text message to each Council member's number of record is effective service for purposes of all notice required by Rule 5.
- Any person may determine the time and place of any regular meetings and the time, place, and purpose of any special meetings of Council or committees, including committee as a whole, from the City of Niles website (<https://www.cityofniles.com/>). In addition, the schedule of regular meetings as identified in these rules and the time place and purpose of any special meetings are to be provided to the Tribune prior to the beginning of each term of Council, for regular meetings, and with at least 24-hour notice to the Tribune of any special meetings of Council. In addition, any person may request to receive reasonable advanced notice upon request to the Clerk of Council of any meetings discussing a specific type of public business. An agenda or notice of the meeting will be sent for no charge if an email address is provided with the request. If the request is for the agenda or notice to be mailed, and a self-addressed stamped envelope must be provided in the request.

Rule 6:

Quorum: A majority of all members of council shall be a quorum to do business, but a less number may adjourn from day to day and compel the attendance or absent members in the manner and under such penalties as may be prescribed by ordinance.

Rule 7:

Order of Business: The business of all regular meetings of council shall be transacted in the following order unless the council by three-fourths of its members shall suspend the rules and change the order:

1. Call to Order
2. Pledge of Allegiance
3. Nondenominational Invocation
4. Roll Call of Members
5. Disposal of Minutes

Minutes are to be provided to council no later than 24 hours prior to the next regular meeting for review. The presiding officer shall provide the members of council with an opportunity to correct the meeting minutes. In the absence of any objection or correction, the minutes shall stand approved by a majority voice vote of council.

6. Reports and Communication to council

7. Public Remarks

-a. Agenda Items only

- i. Individual (s) must first address himself/herself to President of Council, and when recognized by the chair, shall provide his/her full name.
- ii. He/She must avoid and refrain from impugning or making derogatory remarks about individuals.

~~iii.~~ He/She shall have no more than threefive (35) minutes in which to only inquire or make a statement on matters of ~~concern~~ that are listed on that meetings specific agenda.

If necessary, he/she may be granted additional time, through a majority vote of members of council.

~~d.~~ Citizens shall ~~not be permitted to speak at conclusion of public remarks without the permission of council through a majority vote of all council members.~~

8. Council Committee Reports

9. Presentation of Legislation

a. Third Reading of Ordinances and Resolutions

b. Second Reading of Ordinances and Resolutions

c. Introduction of Ordinances and Resolutions for the first time.

At the conclusion of the Presentation of Legislation, the presiding officer may, by two-thirds of its members permit a member to introduce a resolution, ordinance or motion that was not listed on the Agenda of City Council.

10. General Public Comments:

a. Citizens will be afforded an additional three (3) minutes to address council to inquire or make statements on general matters of concern regarding the City. If necessary, he/she may be granted additional time, through a majority vote of members of council.

b. Citizens must first be recognized by the Chair and then provide full first and last name.

c. He/She must avoid and refrain from impugning or making derogatory remarks about individuals.

~~10-11.~~ Miscellaneous Remarks

a. During miscellaneous remarks, the Council President shall first call upon the Mayor and members of his/her cabinet for remarks, immediately thereafter, upon each member of council.

~~11-12.~~ Adjournment

II. OFFICERS AND EMPLOYEES OF COUNCIL

Rule 8:

Presiding Officer: The President of Council, in his/her absence, The President Pro-Tempore, shall preside over the meeting of council. The President Pro-Tempore shall discharge all the duties and clothes with the same powers of the President of Council as such presiding officer during the President's absence. President Pro-Tempore shall retain his/her right to vote as a member of council.

The Presiding officer shall call meetings of council to order at the appointed hour and shall proceed with the order of business. The President of Council shall preserve order and decorum, prevent personalities or impugning of members' motives, confine members in debate to the question under discussion, shall decide points of order subject to an appeal of council.

Rule 9:

Vote necessary for election of Clerk and Assistant Clerk and any other employee (s) of council: No candidate for Clerk and/or Assistant Clerk of Council shall be declared

elected unless he/she has received a majority vote of all members of council. No person shall be employed by council except pursuant to a majority vote of all members of council. No vacancy which council is authorized to fill shall be filled except pursuant to a majority vote of all members of council.

Rule 10:

Clerk of Council: The Clerk of Council shall be elected by a majority of all members of council. The council shall choose an assistant clerk and other officers and employees as may be deemed necessary and fix their compensation. The clerk shall keep the records of council. He/She shall keep a proper file of all papers and documents which are part of the transactions of the council, of the meetings of committee (s) and all orders of council. The Clerk of Council is authorized to correct, through interlineations, nonmaterial errors on ordinance and resolutions, such as typographical errors or nonintentional omissions. The Clerk shall attach a certification that any interlineations were done in compliance with this section.

Upon receipt of the minutes from the committees, he/she shall maintain the written minutes of the meetings in the Clerk of Council office. The minutes shall be in written form and made available for public inspection within 10 days of such committee meeting.

The Clerk shall ensure that all such records of Council must be made available to the public and shall serve as council designee concern Ohio's open records law.

In addition, the Clerk shall report to Council the reason (s) advanced by members for absences from council meetings; and shall perform other duties that may arise from time to time by order, rule, statute, resolution, or ordinance.

The Clerk's salary shall be \$5,500.00 unless otherwise ordered by a majority vote of all the members of council.

Rule 11:

Assistant Clerk of Council: The Assistant Clerk shall attend meeting in the absence of the Clerk. He/She shall perform the duties in Rule 10. The Assistant shall be responsible for keeping the records of council and transcribing the records of the council meeting (s) in which he/she attended. The rate of pay shall be \$150.00 per meeting.

Rule 12:

Sergeant-at-Arms: The Council shall appoint a Sgt-at-Arms, who, under the direction of the President of Council, shall preserve order at the meeting.

Rule 13:

Parliamentarian: The Council shall appoint a Parliamentarian, who will aid in interpretation of rules and questions that may arise from time to time.

III.

COMMITTEES OF COUNCIL

Rule 14:

Standing Committees: The standing committees of council shall be: Public Grounds, Neighborhood Stabilization, Community Development & Annexation, Finance, Improvements, Safety, Technology and Utilities.

Council may elect to have the President appoint Committee Chairs and members or select Chairs and members by a majority vote of all the members of council. Any member seeking a chair or membership in a committee is permitted to cast a vote for themselves. All appointments/votes shall be made in public.

The secretary of each committee shall be responsible for recording minutes of each committee meeting. In the absence of the committee secretary, the chairperson or committee member shall be responsible for meeting minutes. These minutes shall be forwarded to the Clerk of Council to be kept on file.

In the absence of the chairperson, the vice-chair shall preside until the chairperson appears and shall discharge all the duties and have all the powers of the chairperson during such absence. The President of Council shall serve as an ex-officio member of each committee.

The subject matter which shall be referred to the standing committee shall be as follows:

- A. **PUBLIC GROUNDS COMMITTEE**: to which shall be referred, except for improvements, all ordinances, resolutions, and other matter (s) pertaining to public streets, public sidewalks, public parks, public places, public recreation, public cemeteries, playgrounds, public swimming pools and buildings owned, leased and/or operated by the City of Niles.
- B. **NEIGHBORHOOD STABILIZATION, COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE**: to which shall be referred all ordinances, resolutions and other matter (s) pertaining to all stabilization, development, redevelopment, and annexation projects. The Chairperson of this committee shall also sit on the Niles Community Improvement Corporation (C.I.C.). This person shall also serve as the City representative for the Trumbull County Council of Governments.
- C. **FINANCE COMMITTEE**: to which shall be referred all ordinances, resolutions, and other subject matter (s) relating to finances, indebtedness, appropriations, the payment of moneys not provided for by previous legislation, taxation, and all subject matters pertaining to the department of finance, the standardization of salaries and wages, civil service, pensioning of employees, the sale and purchase of real estate and license. Notwithstanding the foregoing, each committee may authorize the sale and/or disposal of equipment covered by each committee.
- D. **IMPROVEMENTS COMMITTEE**: to which shall be referred all ordinances, resolutions and other matter (s) pertaining to sewer improvements, pipelines, elimination of grade crossings, waste collection, and disposal, bridges streets and sidewalks.
- E. **SAFETY COMMITTEE**: to which shall be referred all ordinances, resolutions and other matter (s) pertaining to police, fire, and traffic regulations. Civil defense, nuisances and concessions upon public streets and inspections of buildings and all matters relating to the enforcement of the building code, zoning, and matters of public safety, health, and welfare.
- F. **TECHNOLOGY COMMITTEE**: to which shall be referred all ordinances, resolutions, and other matter (s) pertaining to information technology i.e. hardware, software, IT planning.
- G. **UTILITIES COMMITTEE**: to which shall be referred all ordinances, resolutions, and other matter (s) pertaining to the city's water supply, electrical distribution, sewage disposal, and all matters relating to the department of public utilities, and all ordinances, resolutions and other matters pertaining to proposed franchises.

Rule 15: ~~Council as a Whole: Council shall meet every 2nd Wednesday of the month, in the lower conference room at 5:30 p.m. for a council roundtable. Attendance of City Officers, including the President of the legislative authority, are not required to attend. , a council shall appoint a chairperson to preside, The rules of council, insofar as practical, shall be observed in the Committee as a Whole, except that no limit shall be placed on the frequency of speaking, the yeas and nays shall not be taken and that a motion to speak shall always be in order requested and shall be decided upon without debate.~~

IV. DUTIES, PRIVILEGES & DECORUM OF MEMBERS

Rule 16: **Duty to Vote:** Every member present shall vote on all questions upon the call of yeas and nays, unless excused by the unanimous consent of council members, except that no member shall vote on any question which involves private rights or matters subject to the rules, policies, and regulations of the Ohio Ethics Commission. Any member present, unless excused, or excepted above, whom refuses to vote upon any question relating to the legislation of city council or city government, upon which he/she may vote, when the yeas and nays are being taken, shall be guilty of contempt of council and may, for such contempt, be censured by a majority vote of council or may be expelled from the city council by a vote of two-thirds of all the members of council.

Pursuant to ORC 731.45 Council members are required to attend council meetings and act in conformance with the rules of council. The council may punish or expel any member for disorderly conduct or violation of its rules, including violations of ORC 731.02, or declare his 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 of Council, and until the delinquent member has been notified of the charge against him and has had an opportunity to be heard.

If the qualifications of any council member are in question pursuant to ORC 731.02 and ORC 731.44, Council shall hold a hearing at the next regular meeting provided two-thirds of the current members of the legislative authority vote to hold such hearing. Except that Council may extend the hearing pending the results of an investigation if so, ordered by two-thirds of the current members of the legislative authority. Council shall also have full authority over the process, including but not limited to, issuing subpoenas, compelling the attendance of persons and production of documents. No Council member may be removed unless by a two-thirds vote of the current members of the legislative authority.

Rule 17: **Yeas and Nays:** On the passage of every ordinance or resolution and on the appointment of every officer, the vote shall be taken by Yeas and Nays and entered upon the record by the Clerk of Council. On any other question, the Yeas and Nays shall be entered upon the record on the request of any member and seconded by another member.

Upon the call of Yeas and Nays, the Clerk shall call the names of the Ward 1 Member, Ward 2 Member, Ward 3 Member, Ward 4 Member, and At-Large Members in alphabetical order, ~~Ward 4 Member, Ward 3 Member, Ward 2 Member, Ward 1 Member~~

~~and record the vote. Once the roll call for Yeas and Nays has begun, voting shall not be interrupted.~~

~~For the purposes of order, the seating arrangements shall be as follows from left to right as the public faces the panel: 1st Ward, 2nd Ward, 3rd Ward, 4th Ward and Council-At-Large representatives shall be seated in alphabetical order by last name, followed by 4th, 3rd, 2nd, and 1st Ward council members.~~

Rule 18: **Change of Vote:** Before the announcement of the vote on any measure, the Clerk shall read the Yeas and Nays, at which time, any member (s) may, on account of error, may change, his/her vote; but no council member shall be permitted to change his/her vote as recorded after the President of Council has verified the result and declared the disposition of the measure.

Rule 19: **Right to the Floor:** When any member is about to address council, he/she must first address himself/herself to the President of Council, and once recognized by the Chair, shall confine himself/herself, to the question under discussion, avoid personalities and refrain from impugning the motives of any other members argument (s) or vote.

Rule 20: **Time Limitation of Speaking:** No member of council shall be permitted to speak for a longer time than fifteen (15) minutes at any one time without the permission of council. No member shall speak more than once on the same motion until every other council member desiring to speak on the motion has had an opportunity to go so. Nor shall the Mayor or any director speak for longer than fifteen (15) minutes upon the same motion, ordinance, resolution, or question without the consent of Council.

Rule 21: **Member call to Order:** If any member, while speaking or otherwise, transgresses the rules of council, said members shall be called to order by the President of Council. Any member raising a point of order may call attention to such transgressions to the President of Council. The point of order shall be decided upon by the President without debate.

Rule 22: **Right of Appeal:** Any member may appeal to the council a ruling by the presiding officer, and is such appeal is seconded, the member making the appeal may briefly state his/her reason, and the presiding officer may explain his/her ruling, but there shall be no debate on the appeal and no member shall participate in the discussion. The presiding officer shall then put the question to a vote;

“Shall the decision of the chair be sustained?”

If a majority of members present to vote, vote Yea, the ruling of the chair is sustained, otherwise, the decision is over-turned.

Rule 23: **Member may read from a book, etc...:** Any member while discussing a question, may read from a book, paper, document, or any other material pertinent to the subject matter under construction.

Rule 24: **Division of Question(s):** If the question under consideration contains two or more divisible propositions, the presiding officer may, and/or upon the request of a member, shall divide the same, but a motion to strike out a provision and insert a substitute is not dividable.

Rule 25: **Personal Privilege:** Any member may be recognized by the chair in order to explain a matter of personal privilege, he/she shall not discuss the question or issue in such explanation. Such explanation shall not consume more the five (5) minutes of time unless additional time is extended by a majority vote of all the members of council present. Matters of personal privilege shall yield only to a motion to recess or adjourn.

Rule 26: **Recording of Vote of Council:** No person other than the Clerk and/or Assistant Clerk shall be permitted at the clerk's desk while the Yeas and Nays are being recorded.

V. MOTIONS

Rule 27: **Purpose and Form:** Motions shall be used only to expedite the orderly transaction of the business of council and shall not be substituted for resolutions or ordinances. The form of all motions shall be "***I move that...***" followed by the substance (s) of the motion. Upon demand of any member, any motion shall be reduced to written form by the Clerk. Any such motion shall be rescinded by the maker with the consent of the member who seconded the motion before it has been amended or acted upon.

Rule 28: **Precedence of Motions:** When a question is before council, with the exception of a motion to suspend the rules, no motion shall be entertained except the following:

- a. To adjourn
- b. To fix the hour of adjournment
- c. For the previous question
- d. To table
- e. To postpone to a day certain
- f. To postpone indefinitely
- g. Reconsideration
- h. To refer to a committee
- i. To amend

These motions shall have precedence in the order indicated. The motion to adjourn and the motion for the previous question shall be put a vote without debate, the motion to fix the hour of adjournment shall be debated only as to the time of such adjournment and all other motions shall be debatable.

Rule 29: **The previous question:** The motion for the previous question shall require a majority vote of all members of council, shall be considered only once, may be renewed after intervening business, shall take precedence over all debatable questions and shall be in order to prevent amendment of undebatable questions. When the previous question is moved and seconded by one member it shall be put as follows: ***Shall the main question now be put?*** There shall be no further debate or amendment; but pending amendments shall be put in their order before the main question: If the main question, "***Shall the main question now be put?***" be decided in the negative, the main question remains before council.

Rule 30: **Motion to Table:** The motion to table shall not dispose of ~~definitely~~ of the legislation against which it is invoked unless it is not brought back before council by a motion to take from the table by the end of the Council term it was introduced; ~~but a motion to~~

~~table pending amendment to an ordinance or resolution shall not carry the ordinance or resolution with it. A motion to table shall require a majority vote of all members present.~~

Rule 31: **Motion to postpone to a day certain:** A motion to postpone to a day certain shall require a majority vote of the members present; shall be subject to reconsideration, may be renewed after intervening business; shall be debatable as to the propriety of postponement, but not upon the merits of legislation, and may be amended by changing the date. Upon arrival of the date to which postponed legislation shall be considered in the regular order of business that day.

Rule 32: **Motion to postpone indefinitely:** The motion to postpone indefinitely shall have the same effect as a motion to table and shall require a majority vote of all members of council present. Motion to postpone indefinitely shall not be considered; shall be debatable and shall open the legislation to debate; may be renewed after intervening business and may not be amended or laid on the table and shall be subject to the previous question.

Rule 33: **Reconsideration:** After the decision of any question, any member who voted with the majority may move to reconsider any action at the same or next succeeding meeting, provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. A motion to reconsider shall require the same number of votes as if acted upon, no other motion for reconsideration thereof shall be made without the unanimous consent of the members present. Notwithstanding the foregoing, no motion for reconsideration may be considered once legislation is concluded and Council has begun miscellaneous remarks.

VI. Ordinances & Resolutions

Rule 34: **Form of Ordinances:** The enacting clause of all ordinances shall be "*Be it ordained by the Council of the City of Niles...*" except those submitted by initiative petition which shall be "*Be it ordained by the citizens of the City of Niles...*" All ordinances or resolutions shall be submitted in a typed format. No ordinance, resolution, or section thereof shall be revised or amended unless the new ordinance or resolution contains the entire ordinance or resolution, or section revised or amended, and the original ordinance, resolution or sections so amended shall be repealed.

Rule 35: **Emergency Ordinance:** If an emergency ordinance or resolution fails to receive two-thirds affirmative (YEAS) votes of the current members of the legislative authority, such measure shall cease to be before council as an emergency measure and shall have the standing that a measure would have if it had not been read as an emergency measure. The vote of suspension shall be called by roll and the Yeas and Nays shall be recorded.

Rule 36: **Referral to Committee:** All ordinances or resolutions shall be read by caption during the meeting when introduced unless it is declared to be read as an emergency measure and unless otherwise ordered by council, shall be referred by the presiding officer to the appropriate committee, which reference shall be announced forthwith by the clerk. The committee (s) to which the referral shall, after due consideration, report the same back with or without amendments and with recommendations for approval or disapproval. When so reported, such ordinances or resolution shall, unless otherwise ordered, be read

a second time by title only and laid over until the next meeting of council, when the same shall be read a third time in full and a vote taken thereon.

Rule 37:

Three Readings: No ordinance or resolution shall be passed until it has been read on three consecutive meeting days unless the reading on three separate days has been dispensed with by a suspension of the rules with three-fourths of the current members of the legislative authority.

In the event an Ordinance or Resolution that has received its first or second reading is inadvertently not presented in the next regular council meeting immediately following a reading, absent objection, it will be read at the next available regular meeting. In the event the Ordinance or Resolution is not presented at the next available regular meeting then it will be considered tabled.

Rule 38:

Appropriation Ordinances: Ordinances making appropriations shall be confined to the subject of appropriation. No money shall be appropriated except by ordinance. All ordinances for fixing a tax rate, the appropriation of money, the issuance of bonds, the transfer of money to any fund, or the payment of claims; and all resolutions and ordinance whereby the city shall become liable for the payment of money, shall only be sponsored by the finance committee by either the chairperson of the committee, the majority of the other members of the finance committee, or upon four members of council representing council as a whole.

Rule 39:

Amendments: Prior to adoption of a resolution or ordinance, it shall be in order to amend a resolution or ordinance at any time when a motion is made by a member of council and seconded by another member. A majority vote of all members of council shall be necessary for the adoption of an amendment to any legislation.

Rule 40:

Adoption: All resolutions and ordinances shall require for passage or adoption a majority vote of all members of council, unless required by law. The vote on adoption shall be taken by roll call and Yeas and Nays shall be recorded by the clerk and entered into the record of the meeting. The presiding officer shall affirm the passage or failure of such measure.

Rule 41:

Signing of Ordinances- Resolutions: All ordinances and resolutions adopted by council shall be signed by the President of Council, the Clerk of Council and presented to the Mayor by the Clerk for his/her signature. The clerk is required to present all legislation to the Mayor within twenty-four (24) hours of passage of such measures.

Rule 42:

Action on Mayor's Veto: When the Mayor refuses to sign an ordinance or resolution, or part thereof and returns such ordinance or resolution to the council, the Mayor must provide, in writing to the respective committee chairperson, his/her objection (s) to such measure, the council shall at the next meeting following the meeting at which such vetoed ordinance or resolution is returned, if such meeting shall occur not less than fourteen (14) days after receipt of such ordinance or resolution, proceed to reconsider the same. After adoption of the motion so to reconsider, the question shall be stated:

“Shall ordinance #___ (Resolution #___) be adopted notwithstanding the veto of the Mayor?”

The presiding officer shall call:

“Those voting Yea to override the Mayor's veto. Will the Clerk please call the roll.”

If two-thirds of all members of council vote Yea, such ordinance or resolution vetoed by the Mayor shall take effect with his signature.

Rule 43:

Status of Pending Measures: The Clerk of Council shall keep the members of council informed regarding the status of pending measures by preparing a typed agenda for each meeting, listing the status of pending measures, which will include the following information:

- a. Number, sponsoring committee, committee members requesting member (s). All sponsoring member (s) of each measure shall have his/her name listed on the resolution/ordinance under sponsoring committee.
- b. All ordinances and resolutions to be acted upon by council shall be delivered (emailed) no later than 4:00 P.M. on the Friday preceding the first and third Wednesday of each month. The Clerk of Council shall provide a final agenda to the media and Council no later than 24 hours prior to the meeting.
- c. All ordinances and resolutions requested by a member of council must be submitted to the Clerk or Law Director by 4:00 p.m. on the Wednesday prior to the regularly scheduled meeting. Ordinances and resolutions may be requested by the Chairperson of the committee or two members of the committee or four members of council from various committees as council as a whole. Sponsoring members shall have their names affixed to the ordinance or resolution.
- d. Sponsoring member (s) of a Pending Measure may have the draft removed from the tentative agenda by contacting the Clerk of Council no later than twenty-for (24) hours prior to the pending council meeting.

Rule 44:

Publication requirements of Council: (O.R.C. 731.21) After passage of all legislation, and the affixing of signatures by the President of Council, Clerk of Council, Mayor or an Override of a Mayoral Veto, this legislation shall be forwarded to the Law Director's Office by the Clerk of Council, no later than ten (10) days from the date of the council meeting. The Law Director's Office shall be responsible for completion of summaries and submission to the local newspaper for publication.

VI-VII. ADMINISTRATIVE OFFICERS

Rule 45:

Attendance Required: Pursuant to ORC 733.06, The Mayor, Service Director, Safety Director, the Chief of Police, the Fire Chief, the Auditor, the Treasurer, and the Law Director are required to attend the regular meetings of council. All department supervisors are not required to attend regular meetings unless specifically requested by the Legislative Authority through the Mayor to answer questions relating to the affairs of the City under their respective supervision and control as may be put to them by any members of council. The Mayor shall be entitled to take part in the discussion on all questions before council. The Department Supervisors shall be entitled to take part in discussions on all questions relating only to their respective department. Should a Department Supervisor wish to be excused, he/she must contact the Clerk of Council prior to the meeting.

Excusal from council meetings shall be made by motions and acted upon by council. A majority vote of members present is necessary for approval.

Rule 46:

Reports of City Officers: All ordinances, resolution and communications pertaining to matters that come under the supervision and control of the Mayor and Department Supervisors shall in addition to being referred to the proper committees, be also referred to such respective administrative officers for recommendation and report. Every such officer to whom any such matter is referred shall report to council. All reports from city officers suggesting or recommending action by council shall, unless otherwise ordered by council, be referred to the appropriate committee for consideration, which shall be made, without delay.

VII. VIII. ——— MISCELLANEOUS

Council elect: Following the certification of the general election in November prior to commencement of each Council term, any Council elect shall be entitled to attend any committee or regular meetings of council and participate, with the exception of voting, as any other Council member may participate as determined by the Chair of the committee. Additionally, Council Elects are entitled to participate and vote on sponsorship for committee assignments and rule changes at any meeting of Council to determine such matters.