

# City of Willoughby Hills

## ORDINANCE NO. 2016-5

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### **AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE THREE – LEGISLATIVE, CHAPTER 121 – COUNCIL, SECTION 121.01 – RULES OF COUNCIL OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND REPEALING CONFLICTING LEGISLATION.**

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**WHEREAS**, on November 4, 2015, a majority of the electors voted to approve amendments to Article IX – Personnel of the City Charter as set forth by Ordinance No. 2015-37; and

**WHEREAS**, pursuant to **Item 7 of Charter Provision Section 9.32 – Removal by Council**, Council may suspend or remove from office any Member of Council or any employee or officer to whom Council may appoint a successor for “absence without justifiable excuse from three (3) consecutive regular meetings of Council”; and

**WHEREAS**, the abovementioned Charter amendment did not define or provide an example(s) of a “justifiable excuse”; and

**WHEREAS**, this Council now finds it necessary to define and to determine what constitutes a “justifiable excuse” as well as establish a procedure for reporting and excusing absences.

***NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:***

**SECTION 1.** Section 121.01, Subsection (a) be amended to read and provide in its entirety as follows:

**“121.01 RULES OF COUNCIL.**

The following are hereby adopted as Rules of Council:

- (a) **Regular Meetings, Time.** Regular Meetings of Council shall be held at such place as Council shall designate in the City on the second and fourth Thursday of each month at 7:00 p.m., except when such Thursday is a legal holiday. During the month of August, Council may, at its discretion, recess its Regular Meetings and may provide for Special Meetings during such period to be called by the Council President or any four (4) Members of Council. All meetings of Council, whether Regular or Special, shall be open to the public. By Resolution or Motion concurred in by a majority of the members of Council, any Regular Meeting may be continued to any later period prior to the date of the next Regular Meeting which such adjourned meeting shall be considered a Regular Meeting; however, any absentee shall be notified personally by written notice, served personally, or at his regular place of residence, at least twelve (12) hours prior to the date and hour of the meeting.
- (1) **Council Attendance.** Charter provision Article IX – Personnel, Section 9.32 – Removal by Council, Item #7 provides that Council may punish, suspend or remove from office any Member of Council or any employee or officer to whom Council may appoint a successor for absence without justifiable excuse from three (3) consecutive regular meetings of Council. A justifiable excuse for not attending Regular Meetings of Council would be due to: death of a family member, family or personal illness, accident, scheduled vacations and other unusual or unforeseen circumstances.
- (2) **Procedure for Excused Absences.** Council members shall be required to contact the City Clerk’s office prior to the Regular Meeting of Council requesting he/she be excused from the meeting and stating the reason for such absence unless unforeseeably impossible. The Clerk shall inform the Council of the reason for the member’s absence. Upon passage of a motion by a majority of the members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes. If the motion is not passed, the Clerk will note in the minutes that the absence is unexcused.”

**SECTION 2.** All Ordinances, or parts thereof in conflict with the provisions of this Ordinance be, and are hereby repealed as of the effective date of this Ordinance.

**SECTION 3.** The actions of this Council concerning and relating to the passage of this legislation were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 4.** This Ordinance shall be in full force and take effect at the earliest time permitted by law.

PASSED: April 14, 2016

Nancy E. Fellows  
Nancy E. Fellows  
President of Council

Submitted to the Mayor for his approval on this 15 day of April, 2016

Approved by the Mayor  
April 15 2016

ATTEST:  
Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

Robert M. Weger  
Robert M. Weger  
Mayor