

ORDINANCE NO. O-2009-46

AN ORDINANCE AMENDING THE SECTION 121.01(k) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF THE WINDHAM TO CLARIFY THE ATTENDANCE BY AND RULE OF MEMBERS OF COUNCIL ATTENDING COMMITTEE OF COUNCIL MEETINGS AND REPEALING ALL PRIOR AND INCONSISTENT ORDINANCES

WHEREAS, the Rules Committee of Council has considered the issue of the attendance and participation of Members of Council at committee meetings, including those Members of Council who are not members of the committee involved; and

WHEREAS, the Rules Committee recommended to the Village Council that section 121.01(k) if the Rules of Council be amended so as to allow attendance and participation of all Council Members at committee meetings.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Windham, Portage County, Ohio the majority of the members elected thereto concurring that:

SECTION 1: Section 121.01(k) Committees as is presently enacted by the Village Council is hereby repealed.

SECTION 2: That Section 121.01(k) Committees as is set forth as the attached Exhibit A is hereby enacted.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

PASSED IN COUNCIL as an Emergency this 22nd day of December, 2009.

Ayes: Mr. Snyder, Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mr. Slusher.
Nays: None.

ATTEST:

APPROVED:

Lloyd Billman, Fiscal Officer

Robert Donham, II Mayor

I hereby certify that the above Ordinance was duly published by public posting at predesignated posting places.

Lloyd Billman, Fiscal Officer

APPROVED AS TO FORM:

Exhibit "A" to Ordinance 2009- _____
(Italics indicates new and additional text)

(k) Committees. It is usual for Council to divide itself into committees to study matters that may come before Council; however action must be taken on proposed legislation by the Council as a whole.

All members of Council may attend and participate in committee meetings. In order to comply with notice requirements under the relevant sections of the Ohio Revised Code, notice of committee meetings shall be given to members of the public in the same fashion and same manner as given for meetings of the full Council. Despite the same notice being given as if the committee meeting were a meeting of Council, committee meetings are not formal meetings of Council. It is expressly intended that a committee meeting is not a meeting of the Council, and Council manic actions cannot be taken at a committee meeting. Although minutes shall be kept of the committee meeting in compliance with Ohio law, the record of a committee meeting is not required to be kept by the Village Fiscal Officer, and may be kept by others. Even though Members of Council who are not committee members may be in attendance, and may participate in discussion of a subject with members of the committee, Council members who are not committee members do not have the right to vote on matters before the committee, and a quorum for committee voting purposes consists solely of the members of the committee.

Committees: At no later than the first regular meeting of Council after its organization, the President Pro-Tempore of Council shall appoint the following standing committees consisting of three (3) members:

The following committees and their responsibilities:

(1) Finance and audit committee:

- A. Finance: Matters relating to finance, indebtedness, appropriations and tax receipts. The committee will work closely with the Fiscal Officer on financial matters to include state and/or federally funded programs. In addition grants or financial assistance programs and to review and evaluate programs where non-village funds are involved.
- B. Audit: A liaison between management and auditor. To monitor and review the Village Accounting and Financial reporting practice and follow up on citations and auditor

recommendations. The audit committee members shall be the same as the Finance Committee.

- (2) Safety (Police and Fire), Personnel and Rules Committee:
 - A. Public Safety: Matters relating to the Police and Fire Department, EMS and medical services as well as other matters related to public safety.
 - B. Personnel, Bargaining and Council Rules: Matters on pending or unresolved personnel issues, bargaining with Township trustees, legal action against or legal action by the Village, rules of Council for the purpose of reviewing, investigating and recommending Council Rule changes and guidelines and overseeing employee manuals and policies that may or may not be implemented.
- (3) Service Committees:
 - A. Utilities: Matters relating to water, wastewater and ground water (storm sewers) plants, equipment, Village Administrator and Utility employees.
 - B. Streets and Sidewalks: Matters relating to the maintenance and improvement of public streets, storm sewers and general operation of the maintenance department.
 - C. Buildings and Lands: Matters relating to the construction, maintenance, acquisition of any building and lands and proposed improvements to facilities and land owned by the Village or Proposed to be acquired by it.
 - D. Public Housing Code: Matters relating to the multi-family housing code ordinances enforcement, including clean up and safety issues.
- (4) Economic Development/News and Communications Committee:
 - A. Economic Development and Long Range Planning: Matters relating to news releases and/or correspondence.
- (5) Records Committee:
 - A. Records: Matters relating to the proper storage of Village records and discarding out dated or records to be destroyed as established by the Ohio Revised Code.
The President Pro-Tempore of Council may appoint such special or ad hoc committee as he/she deems necessary provided that matters referred to or pending before a Standing Committee may not without consent of its members be referred to or considered by a special committee.
The Mayor shall be an ex-officio member of all Council committees with voice but does not vote.
The Mayor shall appoint the Chief of Police, Fire Chief, the Village Fiscal Officer, and the Village Administrator with approval of Council and other appointments as provided by the Ohio Revised Code.
(Ord. 0-2006-21. Passed 11-20-06).