

ORDINANCE NO. 03-2021
[1-19-21 Revised Version]

Amending Various Sections of Chapter 121
“Council” of the Codified Ordinances of the City of
Worthington.

WHEREAS, Section 121.22(F) of the Ohio Revised Code permits a special meeting to be held with less than twenty-four notice to the media “in the event of an emergency requiring immediate official action”; and,

WHEREAS, Section 2.13 of the City Charter provides that Council meetings are to be held “at such times and under such circumstances as are established by ordinance”; and,

WHEREAS, Chapter 121.06 of the Codified Ordinances currently would not permit Council to hold a special meeting with less than twenty-four hour notice in the event of an emergency requiring immediate action; and,

WHEREAS, Section 121.01 of the Codified Ordinances still contains language regarding the President of Council serving as Mayor which is no longer permitted under the City Charter; and,

WHEREAS, Section 121.07 of the Codified Ordinances still contains language regarding members being paid by the meeting which is contrary to the council salary provisions Section 121.03 of the Codified Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Section 121.01 “Duties of Council President; Compensation as President and Mayor” is hereby amended to read as follows:

121.01 DUTIES OF COUNCIL PRESIDENT; COMPENSATION AS PRESIDENT AND MAYOR.

The President of Council shall preside at all meetings of Council when present, maintain order and decorum, rule upon questions of parliamentary procedure, and expedite the business of the Council.

SECTION 2. That Section 121.05 “Regular Meetings; Recess” is hereby amended to read as follows:

121.05 REGULAR MEETINGS; RECESS.

(a) Regular meetings of Council shall be held in the Council Chambers at 7:30 p.m. on the first, second and third Monday of each month or, if such day is a legal holiday, at 7:30 p.m. on the following day.

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(b) Council may, by a vote of a majority of a quorum present at a regular meeting, change the day of holding the next subsequent regular meeting, or recess any regular meeting to continue at a future date. No such recess shall continue beyond the date of the next regular meeting of Council.

(c) In case of an emergency, such as inclement weather or other unforeseen circumstances, or the absence of sufficient business to warrant a meeting being held, a regular meeting may be cancelled by the Clerk of Council upon the joint request of the President of Council and the President Pro Tem. The business that was to be conducted at the cancelled meeting shall be presented at the next regular meeting of Council or at a special meeting.

(d) The time or location of a regular meeting may be changed by the Clerk of Council upon the joint request of the President of Council and the President Pro Tem at least twenty-four hours in advance of the regularly scheduled time. The Clerk of Council shall deliver notice of the new time or location to each member of Council in person or by telephone, email, text, or other electronic delivery at least twenty-four hours before the new time set for the meeting. The Clerk of Council shall post notice of the new time or location at the City building and on the City's website and provide it to the news media that have requested notification.

SECTION 3. That Section 121.06 "Special Meetings; Notice and Service" is hereby amended to read as follows:

121.06 SPECIAL MEETINGS; NOTICE AND SERVICE.

(a) A special meeting of Council shall be called by the Clerk of Council on written request of the President of Council, the City Manager, or any three members of Council. Such request shall state the date, time, place, and purpose for which the meeting is called and the Clerk of Council shall, in the notice of the meeting, include such date, time, place, and purpose. No other subject may be considered than that specified in the notice except by vote of five members of Council present at such special meeting.

(b) The Clerk of Council shall deliver the notice of any special meeting of Council to each member of Council in person or cause it to be delivered to the member's usual place of residence at least twenty-four hours before the time set for convening the special meeting.

(c) The Clerk of Council shall post the notice of the special meeting at the City building and on the City's website and provide it to the news media that have requested notification.

(d) Any member of Council may waive, in writing, notice of any special meeting. The attendance by a member at any special meeting shall be deemed a waiver of any required notice required.

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(e) In case of an emergency, such as inclement weather or other unforeseen circumstances, or the absence of sufficient business to warrant a meeting being held, a special meeting may be cancelled by the Clerk of Council only upon the request of the person or persons that requested the special meeting.

(f) In the event of an emergency requiring immediate official action as determined in the sole and final judgment of the person or persons requesting the special meeting, notice of a special meeting may be provided by telephone, email, text, or other electronic delivery at least eight hours before the time set for the meeting. No other subject may be considered than the purpose specified in the notice.

(g) The requirements of actual notice of any special meeting shall have been complied with if the Clerk of Council makes a reasonable attempt at such notice. No action by City Council shall be invalid for lack of actual notice provided there was a reasonable attempt at actual notice by the Clerk of Council.

SECTION 4. That Section 121.07 “Quorum” is hereby amended to read as follows:

121.07 QUORUM.

A majority of all the members elected to Council shall constitute a quorum for the transaction of business at any regular or special meeting of Council. If, at the time fixed for the opening of any such meeting, a quorum is not present, those who are present may adjourn.

SECTION 5. That Section 121.11 “Petitions” is hereby amended to read as follows:

121.11 PETITIONS.

All persons who desire to present problems, petitions or grievances to Council may do so by presenting their views in writing to the Clerk of Council, prior to regular meetings, or by registering their names, addresses and subject matter on a form provided at each Council meeting, to enable the President of Council to allocate appropriate time for oral presentations. The President of Council may limit the number of speakers to be heard and the length of time to be devoted to any single problem.

SECTION 6. That Section 121.12 “Reports” is hereby amended to read as follows:

121.12 REPORTS.

The Mayor shall report to Council in writing at least quarterly concerning the duties with which the Mayor is charged. The City Manager shall report to Council in writing at each meeting.

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Written reports shall be made by the Municipal Planning Commission, the Board of Zoning Appeals and other boards and commissions whenever such reports are requested or whenever the business of such agencies requires Council approval, but in no event less frequently than once each year. Minutes of all meetings of the Municipal Planning Commission, the Board of Zoning Appeals, and all other boards and commissions created by Council shall be furnished to Council monthly after each meeting of such board or commission.

SECTION 7. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center, and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed January 19, 2021

/s/ Bonnie D. Michael
President of Council

Attest

/s/ D. Kay Thress
Clerk of Council

Introduced January 4, 2021
P.H. January 19, 2021
Effective February 10, 2021