

Cuyahoga Falls City Council
Minutes of the Ad Hoc Committee Meeting
on Revising Council Rules
April 12, 2010

Members: Diana Colavecchio, Chair
Kathy Hummel
Carol Klinger

Mrs. Colavecchio called the meeting to order at 5:00 p.m. All members were present.

The minutes from the March 15, 2010 committee meeting were approved as submitted.

Committees

Mrs. Klinger stated that she changed Section 7.10 under "Committees" from one year to six months. She also wondered about taking old Section 7.9 and moving it to "Council Meeting" or just eliminating it. She confirmed that Section 7.8 is talking about the reporting that takes place during a Council meeting under the report of standing committees. She felt that old Section 7.9 seemed redundant and recommended leaving it out. Mrs. Colavecchio believed that new Section 7.9 should be left under "Committees." Ms. Jones stated that once there are final drafts of the sections, she will merge them together and renumber and reformat the document.

Legislation

Ms. Jones stated in going through "Legislation" and comparing it to other cities, she did not think the original section was too bad. She added language in Section 6.1 that legislation has to be into the Law Department by noon on the Wednesday before a regular Council meeting. She took the language in Section 6.1 from Tallmadge. Mrs. Klinger asked about the new language in 6.1. Ms. Jones stated the Law Department takes legislation and reviews it to determine if there would be any problem if it gets implemented. Mrs. Klinger asked if this would give the Law Director the authority to not introduce legislation she wanted introduced but Administration did not. Ms. Jones stated it would not. She can only give the best legal advice she can. She did her job to advise Council. Mrs. Hummel stated perhaps the word "approve" should be changed to "review." Ms. Jones pointed out that just because the Law Department is in charge of the packet, Council still has the ability to distribute something itself. Mrs. Hummel stated that Council members do their best to write legislation but they depend on the Law Department to fix it.

Ms. Jones stated the language between 6.2 and 6.3 is new. Mrs. Hummel recommended changing the term "journalist" to "news media" in 6.2. Mrs. Klinger asked if it was appropriate to talk about the emergency clause here (old Section 3.12). Ms. Jones suggested inserting it after Section 6.3. Mrs. Colavecchio wondered whether Section 6.2 should be under Duties of the Clerk. The new section at the end should also move to Clerk's Duties. Mrs. Colavecchio stated that Voting should be moved after Legislation.

Conduct of Business

Ms. Jones stated that Section 5.11 was very difficult for her to write. Section 5.2 should be moved to Duties of the President. Section 5.3 remains the same. She added language about profanity to Section 5.4. Mrs. Colavecchio had a concern that the term "disorderly conduct" sounded criminal. She wondered if there was some other term to indicate something more civil. Punishing is different from expelling.

Mrs. Klinger suggested that the punishment could be that the individual could not speak on the matter any more. Ms. Jones stated she would find another word for “punish.” She felt Council should have a right to reprimand before expelling an individual. All that would be needed is the five minute rule. Same for vulgar language. Mrs. Colavecchio is looking for clarity on what is going to happen if a member of the audience disobeys and if a member of Council disobeys during a meeting. She wondered if, at some point, Council should have a police officer sitting in the meetings. Mrs. Klinger felt if that was needed, there should also be weapon detectors. Mrs. Hummel did not feel things were at that point yet. There have been times when Council has requested an officer to be present but they were able to determine that need ahead of time. It is done as needed. She wondered whether “offensive conduct” would be a better term instead of “disorderly conduct.” She stated that the Chair must be allowed to reign in the person who is out of line. If the individual has been asked to sit down and keep quiet but they keep it up, at that point they would be asked to leave. Mrs. Klinger stated that this Council has been good about laying the rules out before the start of meetings. It helps people know what is expected of them. She suggested also putting something on the table next to the agenda that sets forth the proper decorum. She added that the five minute rule only applies to Council meetings and not Committee meetings. Ms. Jones stated that Council does not have to take public comment at all during any meetings. The law states that meetings only have to be open to the public. With regard to Section 5.11, Ms. Jones stated it sounded like no person would be allowed to stand and complain about something that was voted on unfavorably at a Council meeting unless they had also made comments at the committee meeting. Mrs. Hummel stated if you want to stifle someone from speaking, then it should be put in here. She felt people should be allowed to speak regardless of whether they had been at the committee meeting or not. She stated that Section 5.7 applies to Council members and 5.11 applies to the public. She would not prohibit someone from speaking if they wanted to speak. She did not see anything wrong with putting a five minute rule in committees. She does not have a problem voting to allow people to speak. Those individuals will know Council is making a special exception to allow them to speak because Council has to vote to allow it. Mrs. Colavecchio stated that people usually come and speak during committee meetings. Mrs. Klinger said that is because the Rules enforce that. She suggested language stating that the proper place for discussion on a matter is during committee but if someone has a need to address Council, there would need to be a vote on it. Mrs. Hummel stated those individuals would need to understand that it would be too late because Council has already voted on it. Ms. Jones stated that she deleted the old Section 5.12 and replaced it with language found in another city’s rules that she felt was better. It provides a more clear procedure. Mrs. Colavecchio stated they need to make it clear under what circumstances individuals may address Council during a committee meeting and during a Council meeting. If it is not about legislation, that would be the 12 hour rule. They would also have to sign a sheet that would need to be retrieved and verified before they come to the podium.

The meeting was adjourned at 6:25 p.m.