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AGENDA

Committee of the Whole

5:30 PM February 28, 2022

Council Members:

Andy Teater

Omar Tarazi

Les Carrier

Tina Cottone

Peggy Hale

Pete Marsh

Cynthia Vermillion

President

Vice President

Michelle Crandall, City Manager

Diane (Dee) Werbrich, Clerk of Council

City Hall, Council Chambers • 3800 Municipal Way, Hilliard, OH 43026



I. Call to Order

II. Roll Call

III. Approval of Minutes

A. February 14, 2022, Committee of the Whole

IV. Business

A. Recreational and Wellness Campus - Bond Issuance:

1. Underwriter - David Tiggett, KeyBanc Capital Markets
2. Bond Counsel - Matt Stout, Bricker & Eckler
3. Municipal Advisor - Andrew Bossart, Bradley Payne Advisors

B. Council Rules Discussion - Rule 9

V. Items for Discussion

VII. Adjournment



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CITY COUNCIL

FEBRUARY 14, 2022 COMMITTEE OF THE WHOLE MINUTES

CALL TO ORDER

The meeting was called to order by Vice President Omar Tarazi at 6:20 PM.

ROLL CALL

Attendee Name:	Title:	Status:
Andy Teater	President	Excused
Omar Tarazi	Vice President	Present
Les Carrier	Councilman	Present
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Present
Pete Marsh	Councilman	Present
Cynthia Vermillion	Councilwoman	Present

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Community Relations Director David Ball, Recreation and Parks Director Ed Merritt, Staff Attorney Kelly Clodfelder and Clerk of Council Diane Werbrich

APPROVAL OF MINUTES

Vice President Tarazi asked if there were any changes or corrections to the January 24, 2022, Committee of the Whole meeting minutes. Hearing none, the minutes were approved as submitted.

STATUS:	Accepted
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

BUSINESS

1. Soccer Field Discussion

See Mr. Merritt's Presentation (Attached)

Mr. Merritt stated they want to develop a tiered system to present to the Recreation and Parks Advisory Committee (RPAC) and bring the recommendation for Council approval.

Ms. Hale asked why the equipment listed on both the HOSA fields and the new fields would not be shared. Mr. Merritt replied if the City is going to operate the HOSA park in a gap year, that would start first and would be one or the other and not both.

Vice President Tarazi asked what staff's recommendation is. Mr. Merritt replied that the recommendation would be to extend the HOSA contract through May 2024 to allow for the opening of the new facility on the Jerman property. This also allows time to oversee design and construction of the new fields, develop a field use policy, hire staff and procure equipment to maintain the fields, work with Edge and OSPO RTS to define community needs, to develop staff so there is an internal expert to help with equipment purchases and working with RPAC to develop a rectangular field use policy. Vice President Tarazi asked if it is a recommendation that the field use policy go to the RPAC. Mr. Merritt explained that the field use policy would start with the RPAC, who would work hand-and-hand with the user groups to develop that policy and then bring it to Council for approval.

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Vice President Tarazi asked if there is an interest in looking at other options, for example Requests for Proposals (RFP) to contract for field maintenance for the next couple of years with the understanding that the City will be taking over the fields. Ms. Crandall replied that once the new fields are ready, the City would maintain them. She noted there are other communities that allow other organizations to manage their fields, but with the turf fields and the level at which the City would like them manicured and managed, she feels the City could do a good job and HOSA does a great job with the space they have now. Mr. Merritt added that a lot of agencies for an active sports park will take care of that themselves and then contract out other opportunities like neighborhood parks, on and off ramps to the highway and things of that nature that need to be done a regular basis, but the priority level is not as high.

Mr. Carrier explained that all soccer players have to register with a field card and asked what is the total number of Hilliard kids that need a place to play and believes that data exists through the Ohio South Youth Soccer Association (OSYSA). He asked if Mr. Jim Sturm, from that organization, can speak to provide some data and to address some of the gaps that he has with the data presented. He would like to understand the capacity of those fields meaning how many kids can we get to play there until the new fields are built and the second point is how many fields and what type of fields should be built and where should they be. Mr. Carrier stated if the City focuses on what currently is used at the HOSA fields, there would be a clear understanding of what the need is in the community. Mr. Merritt reminded Council that, something that predates most, is that the community limited the amount of usage at that facility due to traffic. He added in the field use diagram that they presented to the former Chief of Police, they are utilizing as much space as allowed due to the traffic issues that are experienced when it is overburdened. Mr. Carrier commented that part of the functionality of the utilization is the number of players and demand. Mr. Carrier again asked for Mr. Sturm to have the opportunity to speak. Vice President Tarazi stated that there is an agenda and Council needs to complete that. Mr. Merritt noted Mr. Dearth and Mr. Phlegar could not attend this evening but representatives from HOSA and NWFC are in attendance.

Ms. Hale asked if the total cost is the same whether it is split by addressing the HOSA fields first and the new fields second. Mr. Merritt replied if the City decides to operate the HOSA park a year earlier, then the cost presented would be for that year. The operational budget would cost that much for an annual year and the CIP cost is a one-time purchase but would carry into the opening of the new facility.

Mr. Carrier asked what the revenue side is. Mr. Merritt replied that it would be premature to put a number on that right now.

Vice President Tarazi stated that regarding the new community center and a medically integrated facility, has there been any exploration for any other possible partnerships as it relates to an aquatic center, etc. He clarified as to what degree is the City going to manage the entire complex and what degree is the City looking at partners to take pieces of the complex. Ms. Crandall replied the City is envisioning a healthcare partner for a portion of the facility for them to have some standalone space and also to integrate into the space as well. They may use some programming space for classes or instructions they may have. She noted that is the only piece of the campus that is recreational in nature and the City is looking for a partner for. Vice President Tarazi asked if the City is not considering partners for other aspects like swimming, basketball, etc. Ms. Crandall stated the City was approached by a for profit group regarding a standalone pool facility and have begun conversations with the school about their possible interest in any of the capital costs of a pool.

Katie McQuade, NWFC, reported they are a nonprofit organization and currently have 996 players with 76% from the Hilliard School District. They have 85 coaches with 61 being volunteers.

Mr. Carrier asked how much space they use in the City. Ms. McQuade replied that they have five acres at Paul Rider Fields, which were developed by them through an approximately \$75,000.00 grant in 2017. She noted they maintain those fields and pay for all of the maintenance as reciprocal with the City for them to use those fields. Everything else is played at Spindler Park and is where most of their space is. They also have two small kindergartner fields at Father DiPietro Park behind Saint Brendan. She noted



the Paul Rider fields are only used for the recreational soccer because there is not enough room for their travel program. Their travel program is at Spindler Park.

Vice President Tarazi asked Ms. McQuade her opinion on how things are currently operating. Ms. McQuade replied that they do not have a lot of space in the City and 75% are Hilliard School District kids and they are paying to use Columbus City parks. She noted it is for Council to decide if that is fair or not. Vice President Tarazi asked if she feels there is a material benefit from the City taking over the maintenance of the HOSA fields or extend the contract with HOSA to 2024. Ms. McQuade replied that the fact is they do not have the space to use for a lot of their program.

Mr. Marsh (inaudible). Ms. McQuade replied that they have 703 travel players and 293 recreational players. Mr. Marsh (inaudible). Ms. McQuade replied that she does not have those numbers but felt that the recreational players are more from the Hilliard School District than the travel players because people can choose to play wherever they want. Typically for recreational programs, which is kindergarten through third grade are trying to stay closer to home.

Mr. Carrier reported that he spoke with John Bair who runs the St. Brendan soccer program at Father DiPietro Park who provide the following: 401 recreational, 280 with soccer and 121 with football. Mr. Bair also mentioned that they paid for the field lights. Mr. Carrier stated that the City moved dirt from Hickory Chase to the backstops to raise that so the kindergarten fields could be put in and the church paid for the grading and seeding.

Ray Studer, HOSA Board Member, stated the statistics that Mr. Merritt presented seem to be correct regarding HOSA participants. He noted that he agrees with the City in trying to change with HOSA after 40+ years working with those fields seems like it would be a quick move that could backfire because the main goal is for a smooth transition. Mr. Studer added the tier system was developed based on various criteria like not for profit and service to the City residents. He questions how a quick change could be beneficial and serve the goals the Sports Commission established after taking surveys of the various organizations and finding out where the players were from and serving the Hilliard community and school district.

Mr. Marsh asked if any kids are turned away in their recreational leagues. Ms. McQuade and Mr. Studer replied there are scholarship programs. Mr. Marsh stated if someone has difficulty paying, that there is a program in place to help them. Ms. McQuade reported for the 2021-2022 season they award 35 scholarships. Mr. Studer noted he does not have HOSA's numbers. Mr. Marsh commented that the most important goal is for the kids to be able to play and as he understands it, everyone who wants to play, can play. The recreational players can play on City fields and the only ones who may not are the ones who made a choice to participate in a travel or competitive league. Mr. Studer commented that it is the not for profit versus for profit and reiterated that the criteria was set up by the Sports Commission and to switch right now would disregard all the hard work that was put in by the Sports Commission.

Vice President Tarazi commented that in his mind the fields will not be taken over tomorrow, and the question is whether the City will take the fields over in a year or in 2024 which gets into the policy. The RPAC will make a recommendation which may be relatively similar because no one would recommend HOSA getting off the fields. Essentially the City would be taking over the maintenance of the fields and improving the conditions of the fields to take that burden from HOSA. Vice President Tarazi asked why the City taking over the maintenance of the fields a year earlier is not good for HOSA. Mr. Studer replied there is maintenance, but also equipment that HOSA and NWFC have purchased and all of the work that has been put in up until this time. He believes that there was a significant amount of money paid by HOSA for the irrigation system. Mr. Studer stated that it is disregarding both the history of HOSA and NWFC and seems to ignore the tier system that was put together by the Sports Commission.

Vice President Tarazi asked that when the City takes over the fields, is the City buying equipment from HOSA. Mr. Merritt replied that it would depend on which route the City decides to go. Obviously, if the City took over the HOSA fields in a gap year there would need to be some negotiation with HOSA. He

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added that equipment is included in the construction cost of building of the new facility. Vice President Tarazi asked if the City is going to tell HOSA who invested money and equipment that the City is going to buy new equipment because it is 2024. Mr. Merritt replied that the City would take a look at the condition of the HOSA equipment and work with HOSA on that. Vice President Tarazi then asked if that could happen if Council decided to take over the fields in the middle of 2023. Mr. Merritt agreed.

Ms. Vermillion asked how scholarships are advertised to potential players and do Hilliard families understand that those scholarships are available. Mr. Studer replied he does not know the procedures but can check and report back to Council. Ms. McQuade replied the information is on their website and there is a scholarship form that can be entered in with a registration. Ms. Vermillion stated there was a concern that was brought up at the last meeting about kids not being able to play and she feels they have done a good job of making sure Hilliard City School kids have that opportunity.

Ms. Hale asked about the growth rate. Mr. Studer replied he does not have those statistics with him but believes it has been increasing in the last couple of years. He mentioned Mr. Merritt's presentation does not address the growth rate but does reflect that a large percentage of participants are from Hilliard. Ms. McQuade reported when they started, they had 19-20 teams and that they currently have 42 teams.

Vice President Tarazi asked if Council agrees that the Field Use Policy should be referred to the RPAC.

Vice President Tarazi, seconded by Ms. Hale, moved to refer the Field Use Policy for both the existing and new fields to the RPAC for recommendation to Council.

STATUS:	Approved (6-0)
MOVER:	Omar Tarazi
SECONDER:	Peggy Hale
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED:	Andy Teater

Vice President Tarazi asked Council their thoughts on taking over the fields in 2023 or 2024. Ms. Vermillion replied that she would rather the City put their efforts into the new fields and community center. She noted HOSA has been maintaining the fields for 40+ years and that Mr. Merritt is an expert in his field and if he feels it is best to wait until 2024, she is happy to support him. Ms. Cottone agrees with the City's assessment. Mr. Marsh agreed as well and stated it makes sense to start something new with something new. He added in the meantime, focusing the energy on the fields, and getting the policies ready for that. Mr. Marsh stated he is not seeing a negative right now because all the recreational kids are playing in Hilliard along with a good number of travel teams. He reported that HOSA has spent over \$3 million over time and reiterated he is not seeing a negative to letting them finish it out and starting with a clean slate when the new fields are available. Ms. Hale stated she sees both sides but if the City started managing the HOSA fields it would help when the new fields are built because it would be a continuation. If the City is not planning on outsourcing the fields, taking them over sooner versus later would be better unless there is some negotiation for the purchase of equipment if the contract is extended.

Mr. Carrier asked Ms. Werbrich to display an email that he sent from Mr. Sturm which provides the youth carding numbers. He noted at one-point HOSA had over 2,400 travel and recreational players and every player gets a card. Mr. Carrier stated HOSA has decreased in player count and the other clubs have grown. He noted he believes the 1,400 number HOSA provided may include kids who attend summer camps. The chart provided gives a true picture of the numbers and if the HOSA contract has been in place for several years, with the same number of acres, there are less than half of the kids in 2000 than in 2018 (pre pandemic) with the same number of acreages. He believes there is a lack of utilization of the space. Mr. Carrier referenced the Sports Commission and the City taking over the baseball fields. He stated the Sports Commission recommended the City needed more baseball diamonds, and the City did not because the fields were utilized more efficiently. Mr. Carrier added that the earlier the City takes over, the earlier the City will know how many fields are needed to service City kids in the future. He countered Mr. Marsh's statement that there are a lot of travel parents who voted for an income tax increase so that

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their kids can play in Hilliard. Mr. Carrier reported that the City of Columbus is servicing most Hilliard kids with Mr. Sturm's organization at Spindler. There is one way in and out at Spindler and they do not have the backup with City does on Scioto Darby Road. He suggested having the RPAC look at accelerating this with an organization that already has the experience or is there a Request for Proposal (RFP) process. Mr. Carrier believes this is what Council needs to do in relation to the community center because there is an assumption that the City is going to manage the community center when in fact, there are a number of public and private partnerships that manage these organizations. Mr. Carrier suggested the RPAC create an RFP to determine if the City can get things more efficiently managed or determine what the best route is because he is not convinced one organization can manage this better than another.

ITEMS FOR DISCUSSION

Vice President Tarazi asked if Administration needs Council direction on negotiating with HOSA for equipment. Ms. Crandall replied that Administration does not need direction at this time and that the City will look at the condition of the HOSA equipment at the appropriate time.

Vice President Tarazi asked if Council wanted to move this topic to the March 14, 2022, Committee of the Whole for a decision on this matter when a full Council is in attendance. Ms. Crandall stated that would be staff's recommendation as well.

Vice President Tarazi, seconded by Mr. Carrier, moved to have a Committee of the Whole meeting on March 14, 2022, to make a final decision on the soccer field issue.

STATUS: Approved (6-0)
MOVER: Omar Tarazi
SECONDER: Les Carrier
AYES: Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED: Andy Teater

Mr. Carrier, seconded by Ms. Cottone, moved to adjourn the meeting by Voice Vote.

MOVER: Les Carrier
SECONDER: Tina Cottone
AYES: Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
EXCUSED: Andy Teater

ADJOURNMENT – 7:09 PM

Omar Tarazi, Vice President
Council Committee of the Whole

Diane Werbrich, MMC
Clerk of Council

Approved: _____

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Council Rules - Current Version

CURRENTLY WRITTEN

SECTION 9. LEGISLATIVE FLOW

- 9.01 Preparation of Proposed Legislation. The majority of Council and the City Manager shall prepare or secure the preparation of all proposed legislation in accordance with this Section. A Member may propose legislation, but it will only be assigned to Council committee for consideration if approved by a majority of Council members present.
- 9.02 Preparation of Agenda. The Clerk at the direction of the Council President and City Manager shall prepare an agenda for each regular meeting of Council. Such agenda, together with legislation, exhibits and reports (“the packet”), shall be delivered to Members by the Clerk by the close of business on the **Thursday** preceding any regularly scheduled Council meeting. Delivery of the packet may be done via cloud-based software, shared folder system, email (addressed to Members’ City of Hilliard email address), or by personal service to Members’ usual place of residence if electronic means of delivery are unavailable. Personal service delivery may be done by the Clerk or any city employee. **(Move to a more appropriate Section)**
- 9.03 Preparation of Committee of the Whole Agenda. The Clerk at the direction of the Council President and City Manager shall prepare an agenda for each Committee of the Whole meeting. **(Move to a more appropriate Section)**
- 9.04 Committee of the Whole Consideration of Potential Legislation. At a Committee of the Whole meeting, following a discussion regarding potential legislation, Council may motion to have legislation prepared by Staff and placed on the next regular Council meeting agenda. A majority vote of the members present is necessary to have the legislation prepared and placed on the agenda.

Attachment: SECTION 9 - Rewrite3 - Clean (2220 : Council Rules - Current Version)

SUGGESTED CHANGE

SECTION 9. LEGISLATIVE FLOW

Suggest deleting this section and adding it to another section that makes more sense.

I would also like to rework all of Council Rules to make them consistent throughout, eliminate duplicate information and Charter conflicts and make them easier to read and understand.

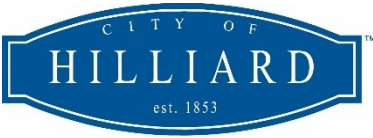
x.xx Agendas. The Council President and City Manager shall confer regularly regarding the agenda for all meetings of Council. The Council President shall determine the final agendas. If it is determined that a meeting may become unduly lengthy due to the content and/or number of items on an agenda, the Council President has the authority to divide the agenda and defer items to the next Regular meeting or call a Special meeting.

x.xx Member Request for Adding Agenda Items (Legislative/Informational). Upon written request (email) to the Clerk, any Member, with a second of another member, may request items be added to a **Committee of the Whole** agenda for discussion and possible action. Such written requests should include a single, clearly stated subject, the reason for the request and a proposed meeting date. Once a request is received, the Clerk will forward such request to the Council President. At the meeting, the Member who made the request will verbally explain the request. There will not be a staff report/recommendation when the item first appears on the agenda. A majority vote of Members present may take one of the following actions: 1) Discuss the issue and take action at the meeting if no information is required by staff and if Council does not seek public input, 2) Refer the request to a future meeting, at which time and if requested, a staff report and recommendation will be prepared, or 3) Decide not to pursue the Member initiated request.

The request must be received on the Friday following a regularly scheduled meeting to allow appropriate meeting times to be set and proper notification given to the public. This requirement may not be waived, and any request received after this deadline, will be automatically delayed.

At a Regular meeting of Council, a member may discuss items during the “Council Discussion” portion of the agenda without amending the agenda. A majority vote of Members present may take one of the following actions: 1) Discuss the issue and take action at the meeting if no information is required by staff and if Council does not seek public input, 2) Refer the request to a future meeting, at which time and if requested, a staff report and recommendation will be prepared, or 3) Decide not to pursue the Member initiated request.

Attachment: SECTION 9 - Rewrite3 - Clean (2220 : Council Rules - Current Version)



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Operating Rules

Adopted by motion February 22, 2021
(Amended by Voice Vote November 22, 2021)

Attachment: Council Operating Rules - Current 12012021 (2220 : Council Rules - Current Version)

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HILLIARD CITY COUNCIL OPERATING RULES

In accordance with Section 2.11 of the Hilliard City Charter (hereinafter referred to as “Charter”), the following rules are adopted by this Council as a guide to its orderly operation. These rules shall continue in effect until repealed or amended by a majority vote of Members at a regularly scheduled meeting of Council.

SECTION 1. DEFINITIONS

- 1.01 Charter. The Hilliard City Charter, Ohio effective January 1, 2020, and its amendments, if any.
- 1.02 Member(s). A member or members of Council.
- 1.03 Council President. The presiding officer of a Council meeting covered herein who may be the President, Acting President, or Temporary Presiding Officer under the Charter.
- 1.04 Clerk. The Clerk of Council appointed by Council pursuant to Section 2.13 of the Charter.
- 1.05 Meeting. Any regular meeting or special meeting of Council.
- 1.06 Quorum. A majority of the members of Council.

SECTION 2. MEETINGS

- 2.01 Regular Meetings. Council Regular meetings shall be held in Council Chambers at the Municipal Building beginning at 7:00 p.m. on the second Monday of the month and on the fourth Monday of the month. During a Council meeting, Members may vote to change the place, date and/or hour or cancel any future meeting as determined by a majority of its Members. The Council President may cancel a Council meeting in the event of a real and present emergency affecting City government or in the event of a natural disaster, severe weather conditions, national or state emergency. Notice of cancellation shall be the same as notification required for special meetings. The Clerk shall ensure that any cancellation, alternate date, or alternate location is published on the City’s website or other generally accepted medium, as designated by Council.
- 2.02 Meeting Agendas. The Council President and City Manager shall confer regularly regarding the agenda for Council meetings, after which the Council President shall determine the agenda. Upon concurrence that a meeting may become unduly lengthy due to the content and/or number of items on an agenda, the Council President may divide the agenda and defer items to the following regular meeting or call a special meeting.

Attachment: Council Operating Rules - Current 12012021 (2220 : Council Rules - Current Version)

- 2.03** Special Meetings. Council may hold special meetings as necessary. Special meetings shall be called by the Clerk upon written request of three Members or upon written request of the Council President. Any such request for the calling of a special meeting shall state the subject(s) to be considered thereat, but Council may consider other subjects if necessary.
- 2.04** Notice of Special Meetings. Unless called at a regular meeting of Council, such call being duly noted in the minutes thereof, 24 hours' notice in writing of such special meeting shall be given to each Member, by personal service, by delivery of said notice to the Members' usual place of residence, or via email addressed to the Members' City of Hilliard email address. Members waive such notice by their attendance at the special meeting.
- 2.05** Open Meeting Law Compliance/Executive Session. In addition to any notice procedure established by the operating rules of this Council, the requirements of Section 2.10 of the Charter shall be followed. Council shall consider the following before entering into an executive session:
- A. Council is permitted to meet in executive session only to discuss the topics as permitted in Section 2.10 of the Charter.
 - B. No formal action of any kind shall be taken in executive session. The matter(s) shall only be discussed, with all formal actions taken in the open meeting.
 - C. Executive Session must always begin and end in an open meeting of Council. If Council desires to enter into an executive session, a motion must be made and seconded. The motion must specifically state the reason for entering into an executive session and cite the specific Charter provision(s) that permits Council to discuss the desired matter(s) in executive session. At least 5 Members, present at the meeting, must vote in favor of entering into an executive session by way of a roll call vote. The law director, or a designee acting as legal representative to the City and Council, must be in attendance. Any other person may be permitted into an executive session by invitation of the Council President.
 - D. No Member in the executive session shall discuss a topic that is not permitted to be discussed in that session. The Law Director or any Member in the room during that executive session shall be under the duty to inform any person speaking off-topic that they must stop speaking on unrelated matters and only discuss the matter(s) for which executive session was called for and approved.
 - E. In order to maintain the integrity of the information discussed, and to maintain attorney/client privilege, Members shall refrain from publicly discussing information that was discussed in executive session unless and until the matter is brought back before Council for action in the open meeting.

F. Council shall return to the open meeting by a motion to reconvene, which motion requires a second and a voice vote in favor of reconvening. If no further action is to be considered, the Council President shall adjourn the open meeting.

2.06 Copies of Agenda/ Pending Legislation. At each Council meeting, the Clerk shall have copies of the meeting agenda and all pending legislation being considered by Council at that meeting available for the public. Exhibits attached to legislation, which are on file under separate cover at the Clerk's office due to their size or material, need not be attached to copies of legislation made available to the public, but shall be made available for public inspection by the Clerk. The Clerk shall have prepared a sufficient number of agendas, complete with legislation, for each representative of the press who may pick them up from the Clerk at any time on the day of the Council meeting.

SECTION 3. THE OFFICERS POWERS AND DUTIES

3.01 Election of Officers. The Council President and Vice President shall be elected as provided in Charter Section 2.09.

3.02 Permanent Vacancy in Presidency. In the event that the office of President is permanently vacated for any reason, then the person occupying the position of Vice Council President shall immediately assume the position and duties of the Council President. The new President shall serve in that position until the next organizational meeting of Council as required by Section 2.09 of the Charter. The new President, at the next regularly scheduled Council meeting after the assumption of the Presidency, shall hold an election from among the Members to elect a new Vice President. At the request of the majority of Members present, an election for Vice President may be deferred once to the next regularly scheduled Council meeting. The Clerk shall give all Members at least seven calendar days written notice of the date and place of the election, as set forth in Section 2.03 above. The new Vice President shall serve in that position until the next organizational meeting of Council as required by Section 2.09 of the Charter.

3.03 Permanent Vacancy of Both Council President and Vice-President. In the event that both the position of Council President and Vice President of Council are permanently vacated for any reason, Council shall, at its next regularly scheduled meeting, hold an election from among its Members to elect a new Council President and Vice President. If the majority of Members present so desire, the election shall be continued to the next regularly scheduled Council meeting. The Clerk shall give all Members at least seven days written notice of the date and place of the election, as set forth in Section 2.03 above.

3.04 Roll Call/ Quorum. Prior to conducting any business, the President shall cause the roll to be called by the Clerk to determine the presence of a quorum. The results of such call shall be noted in the minutes of that meeting. In the absence of a quorum at the time appointed for the meeting, the Members present may, by majority vote of the Members present, take recess and cause the Clerk to procure the attendance of absent Members or may adjourn.

- 3.05 Temporary Presiding Officer. In the case of the temporary absence of the Council President and Vice President, the Clerk shall call the Council to order at the time aforesaid and shall proceed to call the roll to determine the presence of a quorum. If a quorum is found to be present, the Clerk shall immediately call for the selection, by majority vote of those present, of a temporary presiding officer for the meeting who shall then preside until the appearance of the Council President or Vice President, or adjournment.

- 3.06 Points of Order/Appeal From Decision of Council President. The Council President shall preserve decorum and decide all questions of order, subject to appeal to Council. If any Member transgresses from the Council Rules, the Council President shall, and any Member may, call that Member to order; in the latter instant, the Council President shall render a decision as to the point of order. Any decision of the Council President as to point of order may be appealed to the Members present by simply stating, "I appeal the decision of the Council President." The Council President shall then immediately place before the Members present the question: "Shall the decision of the Council President stand as the decision of Council?" The Council President shall be entitled to a vote. The Council President shall be sustained unless overruled by a majority vote of the Members voting.

- 3.07 Voting. All questions shall be stated by the Council President and put to the vote of the Members present as follows:
 - A. Roll Call Vote. The Council President shall declare the vote after the Clerk has announced the number of votes cast for each side.

 - B. Voice Votes. The Council President shall declare the voice vote referred to the Clerk. If in doubt about a voice vote, the Council President may direct, or any Member may call for, a roll call vote.

 - C. Random Order. The Clerk shall take all roll call votes in a random order.

SECTION 4. Procedure for Filling Council Vacancy

- 4.01 Filling Council Vacancy.
When a vacancy on Council exists, the Council by a majority vote of the Members voting shall establish a timeline to fill the vacancy by choosing a date by which applicants are required to submit resumes/letters of interest ("resumes"); and a date to convene a Committee of the Whole meeting for the purpose of interviewing qualified candidate(s).

The Clerk shall place a notice in a newspaper of general circulation and/or on the City website calling for resumes. The notice shall include the minimum qualifications as established by Section 2.02 of the Charter. The notice shall include the deadline for submitting resumes pursuant to the date established by Council.

After the deadline for submitting resumes has passed, the Council President and the Clerk will review the resume(s) for the purpose of ensuring that the candidate(s) meet the minimum qualifications, as established in the Charter. The

Clerk shall distribute copies of the resume(s) of the qualified candidate(s) to all Members.

The Clerk shall notify all qualified candidate(s) of the interview date established by Council, and notice the date in a newspaper of general circulation and/or on the City website as a “Special Meeting of Council,” if necessary.

The Council President shall convene a Committee of the Whole meeting on the date established for the purpose of interviewing all qualified candidate(s).

At the conclusion of the Committee of the Whole meeting, the Council President may set a date for a second Committee of the Whole meeting for purpose of holding a second round of interviews, if such a second round of interviews is deemed necessary by a majority vote of the Members present at that meeting.

If a majority of Members present at the Committee of the Whole meeting vote to not have a second round of interviews, then the names of all qualified candidates shall be considered by City Council by way of Motion at its next regularly scheduled meeting and the Clerk shall include a Motion to “Appoint a new Member” and follow the notice provisions for legislation for the next scheduled regular or special City Council meeting.

If a second round of interviews is approved by a majority vote of the members president, the Council President shall convene the second Committee of the Whole meeting on the date established for the purpose of interviewing the qualified candidate(s). After the second round of interviews, at the next regularly scheduled or special meeting of Council, any Member may make a motion to appoint one of the qualified candidates who advanced to the second round of interviews to fill the vacant seat.

In any event, selection of a qualified candidate to fill the unexpired term of a vacancy must be by a roll call vote by the majority of the remaining Members.

SECTION 5. RECORD OF COUNCIL PROCEEDINGS

- 5.01** Written Record to be Kept. The Clerk shall maintain a written record of all proceedings of Council which shall be a public record and maintained in accordance with City Council’s RC-2 Schedule of Records Retention and Disposition.
- 5.02** Audio Recording of Proceedings. The Clerk shall make an audio record of all proceedings of Council. Said audio recordings are to remain in the possession and control of the Clerk at all times. Said recordings shall be maintained by the Clerk in accordance with City Council’s RC-2 Schedule of Records Retention and Disposition.

SECTION 6. MEMBER’S DUTIES AND PRIVILEGES

- 6.01 Addressing the Presiding Officer (the “Council President”). When about to speak to a question or make a motion, a Member shall address the Council President as “Mr. or Madame President” who shall in turn recognize the Member entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personality conflicts.
- 6.02 Voting. Every Member present when a question is put to vote shall vote on the same except that if a Member desires to abstain for a reason that is required under the Constitution of the United States or Ohio, State law, City Ordinance or by Charter requirement, or for other good cause. A Member who desires to abstain from voting shall leave the Council Chamber to refrain from participating in discussions and from communicating (verbally or nonverbally) on the question or issue upon which the Member intends to abstain. The Council President shall refer questions of legal conflict to the law director for advice. There shall be no debate upon the question of abstention.
- 6.03 Division of a Question. On demand of any Member, a question under consideration which covers two or more points shall be divided where the question permits such division.
- 6.04 Demand for Roll Call After Discussion. Any Member may demand a roll call vote upon any question before Council at any time before the Council President announces the decision on said question, then in such event, the decision of Council by roll call vote shall stand. As an example, if a Member of the public requests to speak beyond the two minute limitation, and before the Council President rules on the request, a Member may demand a roll call vote of Council as to whether the citizen may be permitted to speak beyond the two-minute limitation. The vote by roll call shall stand as the official response to the request.
- 6.05 Excusal From Attendance. No Member shall be excused from attendance at a meeting of Council except by permission from the Council President prior to such meeting. Members shall also inform the Clerk prior to such meeting who shall inform the Council President of such excusal request.
- 6.06 Excusal During a Meeting. No Member shall be excused from a meeting while Council is in session except upon permission of the Council President.
- 6.07 Decorum in Council Chambers. The Council President shall maintain decorum in Council Chambers during council session. Persons other than Members and city officials shall not be permitted upon the floor of Council or to address Council or any Member except by introduction by the Council President or by a Member or at the appropriate point on the agenda.
- 6.08 Conduct of Meetings. All Members are expected to observe the following rules of personal conduct during all Council meetings, Committee of the Whole meetings and ad hoc Committee meetings:
 - A. Be on time for all meetings unless unavoidably detained; and
 - B. Abstain from the use of alcoholic beverages prior to a meeting; and

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- C. Dress appropriately for all meetings; and
- D. Observe these rules when addressing the floor of the Council President; and
- E. Refrain from the use of profanity at all times; and
- F. Refrain from taking the floor without being recognized by the Council President (i.e. interrupting and/or speaking over other Members): and
- G. Conduct oneself in a professional manner at all times, even during times of disagreement or discord.

SECTION 7. ORDER OF BUSINESS

- 7.01** Agenda of Meeting. The order of business at regular meetings of Council shall be as follows:
- I. Roll call to determine quorum.
 - II. Invocation and pledge of allegiance to flag.
 - III. Approval of minutes of preceding regular and/or special meetings.
 - IV. Reports from commission and board representatives.
 - V. Recognition of special guests.
 - VI. Changes to the agenda.
 - VII. Consent agenda.
 - VIII. Public Comments (Items not on the Agenda).
 - IX. Business of the Council.
 - A. Ordinances
 - 1. Second reading and public hearings.
 - 2. First reading.
 - B. Resolutions.
 - X. President's communication.
 - XI. Staff Reports.
 - XII. City Manager Updates.
 - XIII. Items for Council discussion
 - XIV. Adjournment.
- 7.02** Change in Agenda. After Suspension of Council Rules pursuant to Section 16.02 of these Rules, upon motion and second by any Member, the order of business may be altered, items not scheduled for the agenda may be added to the agenda, or items scheduled for the agenda may be deleted from the agenda by a majority voice vote of Members present.
- 7.03** Unfinished Business. Following roll call in consideration of the minutes of the preceding meeting, the business of regular meetings shall commence at the point where the order of business of the preceding meeting was interrupted by adjournment unless the order of business is altered as provide for in 7.02 above.
- 7.04** Members of the Public Speaking Before Council. Members of the public shall be permitted to address Council. The following rules shall apply:
- A. Speakers' slips must be filled out completely by a citizen including name, address, organization affiliation (if any), and the subject matter that the

citizen desires to speak about. The citizen shall provide the Clerk with any material or information to be distributed to Members prior to the Council meeting. Information so provided shall be filed by the Clerk in the Council records.

- B. Each speaker before Council shall be limited to three-minutes. The Council President may advise speakers that only new information may be presented to Council and that if the speaker provides duplicative information
- C. Speakers' subject matter shall not contain obscenity, commercial advertising, defamation, or slander. Any such conduct may be a violation of the disorderly conduct or disturbing a lawful meeting provisions of Chapter 509 of the City's Codified Ordinances and these Council Rules.

SECTION 8. COUNCIL REPRESENTATIVES AND COMMITTEE OF THE WHOLE

8.01 Appointment and Duties of Council Representatives. The Council President shall appoint a Member as representative to commissions and boards, as deemed necessary by the Council President.

Council representatives' function shall be to facilitate the transfer of information between Council, commissions, and boards. The Council Representative should attend all meetings of commission or board. Unless otherwise provided, tThe Council Representative is not a member of the commission or board nor does the Council Representative vote on matters before the board or commission.

8.02 Committee of the Whole Meetings. Council shall meet as a Committee of the Whole as may be found necessary to consider appointments pursuant to Sections 4 and 13 and to discuss topics of interest, required legislation prior to its introduction at a Regular Council Meeting, potential legislation, or any other matter. A Committee of the Whole meeting may be called by the President of Council or upon request of the City Manager. The Clerk shall provide notice to Council of any Committee of the Whole meeting in the same manner as provided in Section 2.03, Notice of Special Meetings, and shall provide notice to the press. The Council President shall be the Presiding Office of the Committee of the Whole.

8.03 Ad Hoc Committees. The Council President may appoint ad hoc Committees of no more than three Members to make recommendations to Council on specific matters that may come before Council.

SECTION 9. LEGISLATIVE FLOW

9.01 Preparation of Proposed Legislation. The majority of Council and the City Manager shall prepare or secure the preparation of all proposed legislation in accordance with this Section. A Member may propose legislation, but it will only be assigned to Council committee for consideration if approved by a majority of Council members present.

- 9.02 Preparation of Agenda. The Clerk at the direction of the Council President and City Manager shall prepare an agenda for each regular meeting of Council. Such agenda, together with legislation, exhibits and reports (“the packet”), shall be delivered to Members by the Clerk by the close of business on the **Thursday** preceding any regularly scheduled Council meeting. Delivery of the packet may be done via cloud-based software, shared folder system, email (addressed to Members’ City of Hilliard email address), or by personal service to Members’ usual place of residence if electronic means of delivery are unavailable. Personal service delivery may be done by the Clerk or any city employee.
- 9.03 Preparation of Committee of the Whole Agenda. The Clerk at the direction of the Council President and City Manager shall prepare an agenda for each Committee of the Whole meeting.
- 9.04 Committee of the Whole Consideration of Potential Legislation. At a Committee of the Whole meeting, following a discussion regarding potential legislation, Council may motion to have legislation prepared by Staff and placed on the next regular Council meeting agenda. A majority vote of the members present is necessary to have the legislation prepared and placed on the agenda.

SECTION 10. ORDINANCES

- 10.01 Consideration of Ordinances. Ordinances may be considered consistent with Section 3.03 of the Charter.
- 10.02 Council First Reading. Consistent with Article III of the Charter, after its introduction, a proposed ordinance shall be given a first reading by title only. The Administration may present or report on the proposed ordinance after its introduction. Council may discuss the Ordinance and/or receive public comment during the meeting at which it is introduced and receives its first reading. Nothing herein, however, shall prevent any Member, with the permission of the Council President, from requesting information of any person regarding the pending ordinance.
- 10.03 Council Second Reading/Public Hearing. Consistent with Article III of the Charter, after the second reading of an ordinance, the Council President will allow for Council discussion, and allow persons present to be heard regarding the adoption of the ordinance by addressing Council. The Council President at any time during the discussion of an ordinance may limit the discussion, including, but not limited to, limiting the number of speakers on each issue or the amount of time each speaker is allotted.

Discussion of a specific ordinance at the second reading shall end when the Council President determines that there is no additional discussion or new information to be presented. After all questions and comments by Council and the Administration, the Council President shall direct the Clerk to call the roll and Council shall vote on the ordinance.
- 10.04 Emergency Ordinances. Ordinances may be passed by emergency consistent with Section 3.05 of the Charter.

10.05 Public Comment. Notwithstanding the foregoing, at the discretion of the Council President and before Council is asked to vote on the ordinance, subject to such rules as respective Council President may announce at any time, may open the floor for additional public comments not already heard on the ordinance.

SECTION 11. RESOLUTIONS

11.01 Consideration of Resolutions. Consistent with Section 3.10 of the Charter, Resolutions shall be placed before Council for consideration upon a motion and second to sponsor and adopt the legislation by any Members. Then the Council President shall inquire of Council if there are any questions or comments by Members and the Administration. Following all questions and comments by Council and the Administration, Council President shall direct the Clerk to call the roll and Council shall vote on the resolution.

11.02 Reading of Resolutions. Resolutions shall be read by title only, except that a resolution shall be read in its entirety at the discretion of the Council President or upon the approval of a majority of Members present.

11.03 Public Comment. Notwithstanding the foregoing, at the discretion of the Council President and before Council is asked to vote on the resolution, subject to such rules as Council President may announce at any time, may open the floor for additional public comments not already heard on the resolution. However, public comment on a resolution is not required.

SECTION 12. CONSENT AGENDA

12.01 Consent Agenda, Generally. The consent agenda may contain routine legislation which is not controversial and does not need further discussion. The consent agenda shall consist of legislation which is subject to a vote at the particular Council meeting and is placed on the consent agenda by the Council President or City Manager. Items on the consent agenda are considered to be routine and non-controversial. All items on the consent agenda shall be consolidated and approved by a single vote. There will be no separate discussion on the consent agenda. Prior to the approval of the consent agenda, if any Member or any member of the public desires discussion that item will be removed from the consent agenda and will be considered separately. The Clerk shall record passage of the consent agenda and the vote thereon, the same as if each considered separately and voted upon.

SECTION 13. COUNCIL APPOINTMENTS TO BOARDS AND COMMISSIONS

13.01 Council Appointments to Boards and Commissions. As defined in Article IX of the Charter, Council may, by ordinance, establish and define the membership, procedures and duties of City Boards and Commissions.

13.02 Appointments to and filling Council Vacancies for the Board of Zoning Appeals (BZA), the Personnel Review Board (PRB), and the Planning and Zoning Commission (P&Z). Appointments shall be as follows:

- A. A date by which the appointment must be made will be established.

- B. An interview timeline will be established by Council:
1. A date by which the applicant(s) is required to submit resumes/letters of interest will be established and
 2. If necessary, select a meeting of Council for the purpose of reviewing the resume(s) and/or interviewing the candidate(s).

The Clerk of Council shall place a notice for a vacancy on the City website calling for resumes. The notice shall include minimum qualifications, a general overview/description of the board/commission, the time commitment involved and the deadline for submitting resumes pursuant to Section 13.02(B)(1), above.

After the deadline for submitting resumes has passed, the Clerk of Council will confirm the candidate(s) meets the minimum qualifications. Copies of the resume(s) of the qualified candidate(s) will be provided to all Members of Council prior to the meeting where the resume(s) will be discussed.

If Council determines an interview(s) is necessary, the Clerk of Council shall notify the qualified candidate(s) of the interview date and time, pursuant to Section 13.02(B)(2), above.

At the conclusion of the meeting where the resume(s) was discussed and/or candidate(s) interviewed, Council, by a majority vote of the members present, may choose a second round of interviews. If Council determines a second round of interviews is necessary, the Council President may instruct Members of Council to rank the candidates prior to the second interview. The Clerk of Council shall notify the candidate(s) of the date and time of that interview as determined by Council.

13.03 Appointment/Reappointment to Other Boards and Commissions

Advisory boards and commissions vacancies may or may not be advertised. The Council representative will contact the member whose term is expiring and ask if they are interested in reappointed. If the member is interested in reappointed, Council will discuss the candidate with input from the Council representative and then decide whether to accept the reappointment or to advertise for the vacancy. If Council decides to advertise, see Section 13.02 above. Appointments and reappointments shall be made by resolution.

If a board/commission member, whose term is expiring, chooses not to be reappointed or resigns, the Council represented shall be notified and the procedures for such vacancy will be followed as stated in 13.02.

13.04 Removal of Council Appointed Boards/Commissions Members

If a Council appointed board/commission member is not fulfilling their commitment and at the recommendation of the Council or staff representative to the board/commission, may be removed by a majority vote of the Members of Council present unless otherwise stated in the Charter. All decisions of Council are final.

SECTION 14. MOTIONS

- 14.01** Motions, Generally. During discussion of an ordinance, resolution, or any other matter properly before Council for consideration, the following motions may be used for the purposes stated herein. However, Council is not limited to motions only listed in this Section.
- A. Motion to Table. A motion to table may be made by any Member and requires a second and approval by a voice vote of the majority of the Members present. The purpose of this motion is to enable Council to lay aside the pending question in such a way that its consideration may be resumed at the will of Council at a later date. The effect of the adoption of this motion is to place on the table the pending question and everything relating to it. Further discussion is not in order until the matter is removed from the table by motion and a second of a Member. If removed from the table, the ordinance, resolution, or any other matter will be heard at the next regularly scheduled Council meeting.
- B. Motion to Postpone to a Date Certain. A motion to postpone to a date certain may be made by any Member. The purpose of this motion is to postpone consideration of the matter and establish a date certain when the same will be considered. On the date certain, the postponed legislation or issue will automatically appear on Council's agenda in the order stated in the original motion to postpone to a date certain.
- C. Motion to Amend. A motion to amend may be made by any Member. The purpose of this motion is to insert or strike words or paragraphs, complete blanks or make corrections providing the same are germane to the question under consideration. The effect of this motion, if approved by a majority voice vote of Members present, is that the question being considered (generally an ordinance or resolution) is changed.
- D. Motion to Substitute the Amended Version. A motion to substitute the amended version may be made by any Member. The purpose of this motion is to make material changes to a resolution or ordinance. The effect of this motion, if approved, is that the question being considered (generally an ordinance or resolution) is changed.
- E. Motion to Reconsider. A motion to reconsider may be made by any Member. A motion to reconsider legislation previously acted upon by Council may be made by any Member no later than thirty (30) days from the date it was previously acted upon by City Council. In the case of a defeated proposal, the motion to reconsider must be made by one of the Members who voted against the legislation initially and must be made no later than the next regularly scheduled meeting of Council. The vote shall be by a majority voice vote of Members present to pass.
- F. Motion to Adjourn. Any Member may make, and Council may consider, a motion to adjourn providing the same is in order. A motion to adjourn shall **not** be considered when:
1. Repeated without intervening business or discussion.

2. Made while another Member is speaking.
3. A vote is being taken.

The Council President may also adjourn a meeting by unanimous consent by voice vote of Council as follows: "If there are no objections, the meeting will now adjourn."

- G. Motion to Recess. Subject to the same rules regarding a motion to adjourn, as stated above, the Council may recess for a period of time. The purpose of this motion is to allow Council breaks as deemed needed during a Council meeting. A motion to recess requires a second and approval by the majority voice vote of the Members present.

SECTION 15. MISCELLANEOUS RULES

- 15.01** Procedure in Absence of a Rule. In absence of a rule to govern a procedure, reference shall be made to the approved practice in Robert's Rules of Order, Newly Revised. Nothing herein, however, shall be interpreted as limiting or affecting the Council President's power to control a meeting.
- 15.02** Suspension of Council Rules. These rules shall control the business of Council at all meetings unless suspended by a majority vote of Members present at a Council meeting. The failure to suspend the rules contained herein shall not nullify any action by Council.