

## Week 10 - Day 3

### What is an "emergency?"

At its meeting on April 7, the Rules Committee had to decide how it wanted Council to vote on the Rule Changes Ordinance. There were four options.

1. Three readings, effective in 30 days.
2. One reading, effective upon passage
3. As a "consent agenda" item, in which a collection of ordinances are approved as a group, without reading them.
3. One reading, effective upon passage and with an emergency clause.

Just what is the "emergency clause" used for?  
According to Council Rule IV.5.B ...

**"An ordinance or resolution shall go into immediate effect or as stated in the ordinance when Council by an affirmative vote of five members determines that the ordinance or resolution is an emergency measure necessary for the immediate preservation of the public peace, health, or safety, provided that the reasons for such necessity are set forth in the ordinance or resolution. [ORC 731.30]"**

So ... is the emergency clause used by UA Council because something is "necessary for the immediate preservation of the public peace, health, or safety," or because it conveniently precludes a vote by the residents?

The City Attorney answered that question at the meeting.

And here's more about the City Engineer ...

**ThisWeek**

Read "Investigation of Engineer Continues; City Still Mum" in ThisWeek UA.

## Week 10 - Day 2

**The Columbus  
Dispatch**  
dispatch.com

Read "Upper Arlington Council Halts Rule Change" in today's *Dispatch*.

Indeed, Council decided to strike a couple of the proposed rule changes, but the bulk are still being considered.

Let's see ...

- \* We have an ex-City Engineer who is **under investigation** by The Ohio Ethics Commission.
- \* We have a movement to place an **initiative** on the ballot to regain our old trash service.
- \* We have a movement in place to place a **referendum** on the ballot to NOT rezone the two properties on Tremont Road.

I don't think that all of these problems exist because the rules need to be changed.

Listen to Council's procedure on February 25 ...

As Mike Schadek says in the article,  
"I think our council is officially out of control now."

Yup.

#### Here's what were stricken.

1. **Lowering** the three reading requirement to two readings.
7. Making the following types of ordinances **subject to only one reading**, and making them **effective upon passage**:
  - (a): Economic Development Incentives
  - (b): Amendments to the Rules of Council
8. **Lowering** the number of votes required for suspension of rules from 6 to 5.

#### Here's what remain.

2. **Limiting** speaker input to 3 minutes.
3. **Prohibiting** speaking if you haven't submitted a speaker slip by the start of the agenda item.
4. **Requiring** that all written material be submitted by noon on the Friday before the meeting, and charging copying costs for any submissions greater than 25 pages.
5. **Requiring** that all Powerpoints/electronic media be submitted by 11 AM on the day of the meeting.
6. **Requiring** prior approval of the use of electronic devices (tape recorders for audio playback, remote pointers/slide changers).
7. Making the following types of ordinances **subject to only one reading**, and making them **effective upon passage**:
  - (c): Adoption of salary schedules
  - (d): Acceptance of deeds to the city

#### Let's get this straight.

Even with the strikes, we still have less resident input, more scrutiny of our submittals, and fewer votes required to push things through.

#### How can that be good for us?

We gain **NOTHING** by them.

As Mr. Becker said during the meeting, "If you're intent on changing rules, you need to look at the whole charter rather than just nibbling at bits and pieces."

Yup.