

ORDINANCE NO.: 2010-04 (Amended June 8, 2010)
SPONSOR: Councilman Reed and Councilman DeVitis
INTRODUCED: April 27, 2010

AN ORDINANCE REQUIRING COUNCIL APPROVAL OF ALL FUTURE CONTRACTS FOR CERTAIN PROFESSIONAL SERVICES, AND DECLARING AN EMERGENCY.

WHEREAS, Article III, Section 3.3, of the Charter of The City of Green identifies Executive powers vested in the Mayor, related to awarding and executing contracts on behalf of the City; and

WHEREAS, Section 3.3 mandates that the Mayor follow procedures established by the Ohio Revised Code, in the absence of any ordinances or resolutions established by Council, related to awarding and executing contracts on behalf of the City; and

WHEREAS, Chapter 210 of Green's Codified Ordinances addresses the issue of awarding contracts for capital improvements and acquisitions, but does not address the issue of awarding and executing contracts for professional services; and

WHEREAS, Council believes that the execution of certain contracts for professional services should involve public discussion and opportunity for members of Council and the general public to offer comment or request information related to the granting of these specific contracts; and

WHEREAS, It has been decided that Council's approval of certain contracts for professional services should be mandatory, prior to the Mayor's execution of said contracts; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

City Council hereby amends Chapter 210 of the Green Codified Ordinances to add a requirement that the Mayor shall submit for Council approval, all future contracts for the following professional services: Attorneys, Accountants, Auditors, Architects, Engineers, Construction Project Managers, ~~Consultant—Surveyors, Appraisers~~ Employment Search Firms, and Independent Contractors providing Public Relations/Communications services. **CONTRACTS COVERING ANY INDIVIDUALS INVOLVED IN THE PRODUCTION, RECORDING, AND BROADCASTING OF ANY MEETINGS FOR THE MAYOR OR HIS/HER DESIGNEE, CITY COUNCIL, AND THE VARIOUS COMMISSIONS AND BOARDS OF THE CITY, SHALL BE EXEMPT FROM THE PROVISIONS OF THIS ORDINANCE, INsofar AS THE CONTRACT COVERS THESE SPECIFIC ACTS.**

SECTION TWO:

Upon the Mayor's submission of a request to award and execute a contract for professional services that involve services identified above in Section One of this Ordinance, the request shall be submitted in the form of a resolution and placed before Council, where the resolution shall be read and debated in accordance with Council Rules. A majority affirmative vote of Council is required before the Mayor is permitted to award or execute any contract that has been identified in Section One of this ordinance. **IN THE EVENT OF A DISASTER, THAT POSES AN IMMEDIATE THREAT TO THE SAFETY AND HEALTH OF THE CITIZENS OF GREEN, THE MAYOR'S ADHERENCE TO THE REQUIREMENTS OF THIS ORDINANCE MAY BE TEMPORARILY SUSPENDED.**

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: June 8, 2010
Molly Stevens
Molly Stevens, Clerk

Bruce Manwaring
Bruce Manwaring, Council President

APPROVED: June 8, 2010
Richard G. Norton
Richard G. Norton, Mayor

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SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: June 8, 2010

ON ROLL CALL: Colopy -yea DeVitis -yea France -no Manwaring -yea
Reed -yea Summerville -yea Smole -yea Adopted 6-1

Suburbanite publication on June 13 and June 20, 2010
Molly Stevens
Molly Stevens, Clerk