

RESOLUTION NO.: 2014-R20
SPONSORS: COUNCIL AS A WHOLE
INTRODUCED: APRIL 8, 2014

RULES & PERSONNEL

ASSIGNED TO: _____

A RESOLUTION REQUIRING THE ADMINISTRATION TO COMPLY WITH ALL RECORD REQUESTS FROM COUNCIL WITHIN 2 BUSINESS DAYS AND WITHOUT COST TO THE COUNCIL MEMBER, AND DECLARING AN EMERGENCY.

WHEREAS, under Section 4.4 of the City's Charter Council is granted, "All legislative powers of the City and other powers granted to Council under this Charter, together with all such powers conferred upon municipalities by the Constitution and laws of the State of Ohio, shall be vested in Council"; and

WHEREAS, under Section 4.15 of the City's Charter "Council may inquire into the conduct of any office or department and into the performance of any contract or any of the affairs of the City".

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

SECTION ONE:

Whenever any member of Council, either individually or collectively, makes a written request for information directed to the City Administration, directed to the Office of the Mayor or to any City Director or Department Head with a copy to the Office of the Mayor, such individual to whom the written request has been made shall comply with the written request and provide the requested information within 2 business days without cost to the member of Council.

SECTION TWO:

The requested information shall be provided in the format requested by the member of Council unless such information does not exist in that format and the requested information cannot reasonably be provided in the format as requested by the member of Council. In such a circumstance, the information shall be provided in a format in which it is stored in the regular course of business provided that such format is useable by the Council member in the format provided.

SECTION THREE:

No member of Council shall be made to comply with any City policy regarding the making of a public records request because Council is and shall be exempt from any such policy.

SECTION FOUR:

If the City Administration determines that it is under a legal duty not to provide the requested information or that it cannot provide the requested information because of a legal privilege, or that it cannot provide portions of the information requested, then the Mayor, or the Law Director acting on the Mayor's behalf, shall notify Council in writing of the specific legal reasons why the requested information has not been provided. Such notification to Council shall be made within 2 business days of the request.

SECTION FIVE:

Any request made by The Clerk of Council on behalf of the Council as a whole or on behalf of any individual member of Council shall be treated as a request of Council.

SECTION SIX:

No City employee shall be subject to discipline for complying with any request of Council made under this Resolution.

SECTION SEVEN:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meeting of this Council and any deliberations of this City 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 EIGHT:

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: April 8, 2014
Molly Kapeluck
Molly Kapeluck, Clerk

Gerard Neugebauer
Gerard Neugebauer, Council President

APPROVED: April 9, 2014
Richard G. Norton
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: April 9, 2014

ON ROLL CALL: Ahlstrom -yea Humphrey -yea Knodel -yea Neugebauer -yea
Reed -yea Summerville -yea Young -yea Adopted 7-0

Suburbanite publication on April 13 and April 20, 2014
Molly Kapeluck
Molly Kapeluck, Clerk