

Minutes Approved

*As printed*  
*1/21/2020*

January 6, 2020

Regular Council Meeting

Elyria City Council

1. CALL TO ORDER

Mr. Stewart cordially welcomed all Council members, Mayor Whitfield, Interim Safety Service Director Brubaker, Finance Director Pileski, Law Director Deery, members of the Administration, all members of Council, the news media and the local citizenry in the lobby to the first meeting of the new Council.

2. ROLL CALL: COUNCIL MEMBERS:

PRESENT: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

ABSENT: None

3. BUSINESS OF THE MEETING:

Mitchell moved, Baird second to recess the regular Council Meeting.

ROLL CALL:

AYE: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

NAY: 0

ABSENT: 0

MOTION CARRIED

Mr. Stewart declared the floor open for nominations for the Clerk of Council.

Mitchell nominated Michael J. Lotko, III for Clerk of Council for the 2020-2021 term of Council, retroactive to January 1, 2020, Callahan seconded.

Mr. Stewart asked if there are any other nominations for Clerk of Council?

Mitchell moved, Callahan seconded that nominations be closed.

MOTION CARRIED

Mr. Stewart asked the Clerk for a roll call vote for the election of Michael J. Lotko, III for Clerk of Council

ROLL CALL:

AYE: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

NAY: 0

ABSENT: 0

MOTION CARRIED

Mr. Stewart declared that Mr. Lotko has been elected Clerk of Council.

Mr. Stewart declared the floor open for nominations for Council President.

Mitchell moved, Callahan seconded to nominate Mr. Stewart as President.

MOTION CARRIED

3. BUSINESS OF THE MEETING Continued

Mr. Stewart asked if there were any other nominations for President ?

Callahan motioned, Davis seconded that the nominations be closed.

MOTION CARRIED

Vote on nomination to elect Mr. Stewart as President 2020-2021 term of Council.

ROLL CALL:

AYE: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

NAY: 0

ABSENT: 0

MOTION CARRIED

Mr. Stewart has been elected Council President.

President Stewart declared nominations open for President Pro Tem.

Madison moved, Davis seconded to nominate Mrs. Mitchell as President Pro Tem for the 2020-2021 term of Council.

MOTION CARRIED

President Stewart asked if there were any other nominations for Council President Pro Tem?

Madison moved, Davis seconded to close nominations.

MOTION CARRIED

Vote on nomination of Mrs. Mitchell as President Pro Tem.

ROLL CALL:

AYE: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

NAY: 0

ABSENT: 0

MOTION CARRIED

President Stewart announced Mrs. Mitchell was elected President Pro Tem and declared nominations open for Council Majority Leader.

3. BUSINESS OF THE MEETING Continued

President Stewart declared the floor open for nominations for Council Majority Leader.

Mitchell moved, Madison seconded to nominate Mr. Callahan as Council Majority Leader.

President Stewart asked if there were any other nominations for Majority Leader?

Mitchell moved, Madison seconded to close nominations.

MOTION CARRIED

President Stewart asked for a roll call vote of the Democrat Members of council for the election of Mr. Callahan for Majority Leader.

ROLL CALL VOTE:

AYE: Callahan, Cerra, Oswald, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

NAY: 0

ABSENT: 0

MOTION CARRIED

President Stewart announced Mr. Callahan was elected as Council Majority Leader.

President Stewart declared the floor open for nominations for Council Minority Leader.

Baird moved, Stewart seconded to nominate Mr. Baird as Council Minority Leader for the 2020-2021 term of Council.

President Stewart asked if there were any other nominations for Minority Leader?

Baird moved, Stewart seconded to close nominations.

MOTION CARRIED

President Stewart asked for a roll call vote of the Minority member of Council for the election of Council.

ROLL CALL VOTE:

AYE: Baird

NAY: 0

ABSENT: 0

MOTION CARRIED

President Stewart stated that Mr. Baird has been elected as Council Minority Leader.

3. BUSINESS OF THE MEETING Continued

President Stewart stated thus far, Council has operated without any rules. The proposed Council Rules for the 2020-2021 term were distributed this evening.

Mitchell moved, Callahan seconded to adopt the Council Rules, Committees and Seating Arrangements for the Council Term 2020-2021.

ROLL CALL VOTE:

AYE: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

NAY: 0

ABSENT: 0

MOTION CARRIED

President Stewart stated before they proceed with the regular order of business, he would like to recommit all matters that were in Council Committees to the same Committee of the new Council. This includes all matters still pending or matters that have not been acted upon.

President Stewart called the Regular Council Meeting back to order and asked Clerk Lotko for a roll call.

2. ROLL CALL: COUNCIL MEMBERS:

PRESENT: Callahan, Cerra, Oswald, Baird, Mitchell, Tollett, Madison, Davis, Keys, Jessie, Stewart

ABSENT: None

OTHERS

PRESENT: Mayor Whitfield, Safety Ser. Dir. Brubaker, Law Dir. Deery, Finance Dir. Pileski, Police Chief Whitely, Fire Chief Mack, Assistant Finance Dir. Farrell, WWPC Supt. Korzan

OTHERS

ABSENT: None

3. PUBLIC HEARINGS: None

4. APPROVAL OF MINUTES:

Cerra moved, Mitchell seconded that the regular meeting minutes of December 16, 2019 be approved as printed.

MOTION CARRIED

5. REMARKS AND REPORTS OF CITY OFFICIALS:

Mayor Whitfield: Mayor Whitfield introduced the members of his staff.

Safety Service Director Brubaker: No Report

Finance Director Pileski: Mr. Pileski congratulated everyone and was looking forward to a challenging and good year.

Law Director Deery: No report, congratulated everyone.

Police Chief Whitely: No Report

Fire Chief Mack: No Report

Asst. Fin. Dir. Farrell: No Report

WWPC Dir. Korzan: No Report

6. PRESIDENT'S REFERRALS AND REMONSTRANCES:

1. The matter of amending the salary ordinance.

REFERRED BY: Asst. Fin. Dir. Farrell/HR Dir. Dillinger

REFERRED TO: Finance

2. The matter of Change Order No. 1 for the CDBG South Park Tennis Court Coating Striping Project.

REFERRED BY: Eng. Schneider

REFERRED TO: Finance

3. The matter of Change Order No. 1 for the CDBG Sidewalk Repair Program.

REFERRED BY: Eng. Schneider

REFERRED TO: Finance

4. The matter of the Tyler/New World Annual Maintenance Agreement

REFERRED BY: SSD Brubaker

REFERRED TO: Finance

ITEMS 5 - 6 RECEIVED, PLACED ON FILE

5. Meeting Minutes for Nov. 12, 2019 Elyria Parks and Rec Board meeting.

6. Elyria Planning Commission Agenda for January 7, 2020 and minutes from December 3, 2019.

REGULAR COUNCIL MEETING ELYRIA CITY COUNCIL JANUARY 6, 2020

7. PETITIONS--COUNCIL MEMBERS: None

8. PETITIONS--LOBBY: None

9. REPORTS OF STANDING AND SPECIAL COMMITTEES: None

10. RESOLUTIONS--FIRST READING: None

11. RESOLUTIONS--SECOND READING: None

12. RESOLUTIONS--THIRD READING: None

13. ORDINANCES--FIRST READING: None

14. ORDINANCES--SECOND READING: None

15. ORDINANCES--THIRD READING: None

16. COMMITTEE CALLS:

COMMUNITY DEVELOPMENT 1/13/20 6:00 P.M. All Referred Council Chambers w/Law Director, SSD, Engineer, Bldg. Inspector, Comm. Dev. Director

FINANCE 1/13/20 Immediately following Community Development All Referred Items Council Chambers w/Mayor, Finance Director, Law Director, SSD, Engineer

STRATEGIC PLANNING 1/21/20 Immediately following the Council Meeting Council Chambers w/ Mayor, Safety Service Director, Finance Director, Law Director, Engineer

17. MISCELLANEOUS AND UNFINISHED BUSINESS:

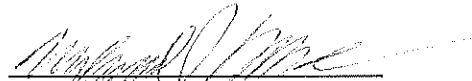
Mitchell moved, Davis seconded to approve the 2020 calendar for the council meetings.  
MOTION CARRIED

Mr. Jessie spoke about the fund raiser on Saturday, January 25, 2020 from 6:00 P.M. to 10:00 P.M. Elyria Moose Lodge, Dinner and Dancing, music provided the Liverpool Lads; dinner--Fish & Chips, Hush Puppies, Coleslaw for a \$25.00 donation to support the City of Elyria Levy Campaign Fund.

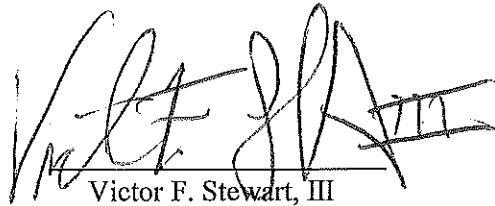
18. ADJOURNMENT:

Baird moved, Cerra seconded to adjourn.

The meeting adjourned at 7:16 P.M.



Michael J. Lotko, III  
Clerk of Council



Victor F. Stewart, III  
President of Council





EXHIBIT "A"

**ELYRIA CITY COUNCIL RULES 2020--2021**

*APPROVED 1/6/2020  
AMENDED 8/3/2020*

COUNCIL MEMBERS

Ward 1	Judy A. Keys		281-8006
Ward 2	Brenda K. Davis		323-2930
Ward 3	Mark N. Jessie		322-7766
Ward 4	Kenny Oswald	(216)	264-0190
Ward 5	Diane Simmons		326-0001
Ward 6	Donna Mitchell	President Pro-Tem	323-6901
Ward 7	Jack W. Cerra		365-2854
Council-at-Large	John A. Baird	Minority Leader	223-1623
Council-at-Large	Thomas G. Callahan	Majority Leader	365-8972
Council-at-Large	Victor F. Stewart III	President	343-4228
Council-at-Large	Phillip Tollett		310-1484
Council Clerk	Michael J. Lotko		326-1550
Council Clerk Office			326-1550

**RULE 1: MEETINGS.**

Regular meetings shall be held in the Council Chambers on the first and third Monday of each month at 7:00 P.M., except that when a holiday falls on Monday, the meeting shall be held on the following day at 7:00 P.M. and further, excepting that during the months of June, July and August, the Council may at its discretion schedule only one monthly meeting. All meetings shall be open to the public.

Special meetings of Council may be called by the Mayor, three members of Council, or by a majority vote of the members of Council at a regular or special meeting of Council. The Clerk of Council shall cause notice in writing of each special meeting to be served personally or to be left at the usual place of residence of each member of Council and the Mayor not less than twelve hours preceding the time for such special meeting, as provided in Section 3.10 of the Elyria Charter. In the event that a special meeting is called by a vote of Council taken at a regular or special meeting from which any members of Council or the Mayor is absent, written notice of such special meeting shall be given each absentee in the manner hereinabove described; however written notice need not be given to any member of Council or the Mayor who is present at such regular or special meeting at which a special meeting is called. Such notice shall set forth the time, date and place of the meeting and a concise statement of the matters to be considered at the meeting.

Action taken at a special meeting shall be limited to that contained in the notice calling the special meeting.

A Committee-of-the-Whole-Session may be called by the President.

**RULE 2: ORDER OF BUSINESS:**

The business at all regular and adjourned meetings of the Council shall be transacted in the following order:

1. Opening of the meeting with a moment of silent reflection and the Pledge of Allegiance to the Flag of the United States of America.
2. Roll call of members and excuse of absences.
3. Public Hearings and appropriate corresponding legislation.
4. Approval of minutes.
5. Remarks and reports of Mayor, Safety-Service Director, Auditor, Law Director, Department Heads.
6. Council President's referrals and remonstrances.
7. Petitions and remonstrances - Council Members.
8. Petitions and remonstrances - Lobby.
9. Reports of Standing and Special Committees and appropriate corresponding legislation.
10. Resolutions - First Reading.
11. Resolutions - Second Reading.
12. Resolutions - Third Reading.
13. Ordinances - First Reading.
14. Ordinances - Second Reading.
15. Ordinances - Third Reading.
16. Committee calls.
17. Miscellaneous and Unfinished Business.
18. Adjournment.

**RULE 3: STANDING COMMITTEES:**

Members of the Standing Committees of Council shall be as designated in this rule. A majority of the members of a Standing Committee shall constitute a quorum for the transaction of business. The Mayor, Safety-Service Director, Law Director, Legal Administrative Counsel, Finance Director, President of Council, and all other Council Members shall be Ex-Officio Members without a vote of all committees. Committee meetings will be called at the discretion of the chairman or acting chairman.

**COMMUNITY DEVELOPMENT COMMITTEE:**

Chairman	Thomas G. Callahan
Vice-Chairman	Donna Mitchell
Member	Jack W. Cerra
Member	Kenny Oswald
Member	Mark N. Jessie

The Community Development Committee shall consider matters relating to regional planning, the elimination by redevelopment of substandard areas of the City, the purchase, construction, repair, control and disposition of municipal buildings, lands, and parking lots, and the regulation of building and land use, including zoning, platting, the act of vacating, and enforcement of Building Codes.

**FINANCE COMMITTEE:**

Chairman	Victor F. Stewart, III
Vice-Chairman	Phillip Tollett
Member	Brenda K. Davis
Member	John A. Baird
Member	Mark N. Jessie

The Finance Committee shall consider matters relating to finances and various funds of the City, sources of revenue, authorization of expenditures, payment of personal services and claims.

**UTILITIES, SAFETY & ENVIRONMENT:**

Chairman	Donna Mitchell
Vice-Chairman	Brenda K. Davis
Member	Jack W. Cerra
Member	Judy A. Keys
Member	Diane Simmons

The Utilities, Safety & Environment Committee shall consider matters relating to public parks and recreation facilities, and shall consider matters relating to the operation of the municipal fire and police departments, traffic regulations and safety of persons and property, nuisances, air and water pollution, and shall consider matters relating to the health and welfare of the citizens, and also the operating and maintenance of the sanitation department and cemetery facilities of the City. Also, they shall consider matters relating to franchises, rates, and regulations involving outside City water contracts, the furnishing of natural and artificial gas, electric service, telephone service, public and private lighting, railroads, busses, taxicabs, and other carriers of persons or property within the City, and airports and shall consider matters referring to location, construction, improvements, maintenance, repair and grades of streets, sidewalks, pavements, and bridges, and shall consider matters relating to furnishing water inside the City limits, construction, maintenance and operation of the municipal waterworks, water distribution system, sewage treatment works, sanitary sewer system and storm sewer and drainage systems.

**RULES COMMITTEE:**

Chairman	Mark N. Jessie
Vice-Chairman	Thomas G. Callahan
Member	Donna Mitchell
Member	Phillip Tollett

The Rules Committee shall consider amendments to Council Rules, appointment of Special Committees of Council, recommend appointment of members of the Board of Equalization, appointment of Council members to bodies requesting Council representation, provide in detail the organization of the Municipal Government, define the powers and duties of each organizational unit and determine the administrative procedures to be followed, promote mutual cooperation, understanding and more communication with all elected officials in the City on matters pertaining to the affairs of the Senior Citizens and City Schools in Elyria and work with the Mayor, Superintendent of Schools and a member of the Board of Education to formulate procedures and structures for mutual cooperation and understanding.

Amendment to and revisions of the Administrative Code may be made by the Council in the

same manner as amendments are made to other ordinances.

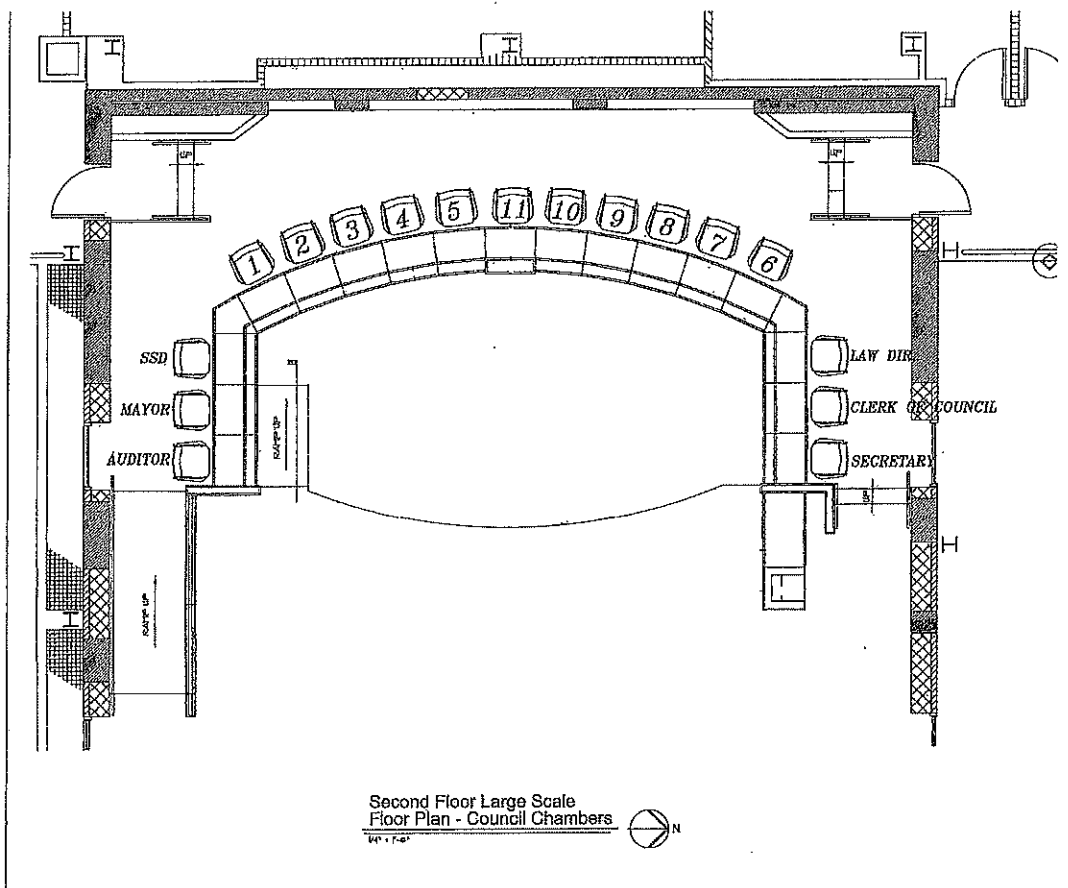
**STRATEGIC PLANNING COMMITTEE:**

Chairman	Victor F. Stewart, III
Vice-Chairman	Donna Mitchell
Members	All other members of Council

The Strategic Planning Committee shall consider such matters as may from time to time be referred to said Committee in accordance with these Council rules.

**RULE 4: SEATING AND VOTING ORDER.**

The Council hereby assigns the seats in the Council Chambers in the following manner. Voting on roll call votes shall be in order beginning with "1", according to the diagram following:



- |             |             |             |
|-------------|-------------|-------------|
| 1. Callahan | 5. Mitchell | 9. Keys     |
| 2. Cerra    | 6. Tollett  | 10. Jessie  |
| 3. Oswald   | 7. Simmons  | 11. Stewart |
| 4. Baird    | 8. Davis    |             |

**RULE 5: COMMITTEE REFERENCE.**

All matters presented to Council shall be referred to and considered by an appropriate committee designated by the President of Council. Any matter referred shall be reviewed at a public meeting of the Committee within 30 days of referral.

A public meeting shall be considered one which is called with twelve hours notice given to committee members and members of the press, as provided in Section 3.10 of the Elyria Charter. This rule shall not be construed to require a committee report on each matter referred, nor to encroach in any manner upon the authority of the Charter of the City of Elyria, which in Section 4.02 permits any member of Council to introduce ordinances or resolutions.

When legislation is proposed by a majority or minority of the appropriate committee at a public meeting of the committee, the names of such members shall be stated on the legislation as proponents.

Council shall then consider legislation proposed by the majority and the minority of the committee in the same order and by reading both proposals before taking action without further referral.

**RULE 6: COMMITTEE REPORTS.**

All committee reports shall be filed in writing with the Clerk of Council, and shall be signed by the person or persons making same; and when rendered, shall be read, whether made by majority or minority of the committee. After said report or reports have been received and read, the first motion in order shall be on the acceptance of the majority report after which it shall come before the Council for consideration, discussion, amendment and final action.

If the majority report is defeated, or in the absence of a majority report, a motion to accept a minority report, if any, shall be in order.

If Council accepts a committee report which recommends the adoption of legislation, and if applicable legislation is available, the next matter to be considered shall be the consideration of that legislation.

Committee reports requiring legislation: A copy of the committee report must be in the hands of the Law Director no later than 8:30 A.M. on the Thursday preceding a Council meeting if committee members desire legislation prepared for the Council meeting.

It will not be necessary to read the committee report if forthcoming legislation is to be sponsored by said committee.

**RULE 7: PETITIONS AND REMONSTRANCES.**

**Council members: Petitions and remonstrances must be stated briefly, in writing, and be received by the Clerk of Council before permission to speak is granted. A brief statement will be permitted by the member of Council to clarify the subject matter to be referred.**


**Lobby: A person desiring to speak to the Council shall submit his request in writing to the Clerk of Council prior to the call to order of the Council meeting, stating briefly the matter to be discussed, his/her name, address and phone number and a written copy of comments before the oral statement will be permitted.**

Remonstrances regarding legislation before Council: Persons identified by the Committee Chairman as having previously spoken before the committee shall be permitted to speak briefly to the Council on the proposed legislation at the time the committee report proposing the legislation is under consideration, or in the absence of a committee report, at the time passage of the legislation is the motion under consideration by Council. Matters which have had, or will have, a public hearing shall not be open for discussion from the Lobby during the Council meeting.

**RULE 8: REFERRALS-COUNCIL PRESIDENT.**

Petitions and remonstrances other than those mentioned in Rule 7 must be received by the Clerk of Council not later than **10:00 A.M. on the Thursday preceding the regular Council meeting at which time they will be referred.** Upon receipt, the Clerk shall stamp date and time of receipt. The subject of the petition or remonstrance shall be given to the President of Council, all members of Council, City officers and Department Head with assigned seats, the news media and lobby, prior to the meeting.

Under "ORDER OF BUSINESS--ITEM 6", the President of Council may read the list and announce referrals. This list shall become a part of the Council meeting minutes. Financial reports of the Municipal Court, Mayor's Office, and Cemetery Fund will be included in this listing showing date, fund and total receipts paid into the City Treasury.

 **Matters which City officials desire to have considered by Council shall be submitted in writing to and must be received by the Clerk of Council not later than 10:00 A.M. on the Thursday preceding the Council meeting at which it will be referred, the only exception being matters of an emergency nature.**

Any matter for referral to Council from the Administration and/or Department Heads which requires the expenditure of funds shall state whether or not funds have been appropriated to cover the expenditure. If funds have been appropriated, the fund and the amount of the expenditure shall be stated. Upon receipt, the Clerk of Council shall include these matters in the listing referred above.

**RULE 9: SPEAKING.**

Each member of Council and those to whom Council has assigned a place in the Council Chambers shall speak from his designated place unless granted permission by the President of Council.

The speaker recognized by the President of Council has the floor until he relinquishes it or recognition is withdrawn by the President of Council. The speaker may be interrupted by a member only to call him to order. No member shall speak a second time on a question when any member desires to speak who has not spoken on the question. City officials and Department Heads shall be entitled to speak on questions relating to their respective responsibilities. Each speaker shall confine his remarks to avoid detraction or degrading of persons. He shall reflect upon any previous act of Council only if he intends to conclude his remarks with a motion to rescind such action, or while debating such a motion.

**RULE 10: PUBLIC HEARINGS.**

The date and time of Public Hearings shall be designated by the President of Council. When more than one hearing has been designated for a particular date they shall be held consecutively in the order in which they are on the agenda. When a Public Hearing is scheduled on a meeting date of Council, all Public Hearings shall be concluded prior to Council action on other matters.

**RULE 11: COUNCIL ACTION.**

All actions of Council shall be by motion duly made and seconded by members. A majority of the members elected to the Council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel by a majority vote of the members present, attendance of absent members in such manner and under such penalties as are prescribed by

ordinance. When a quorum is present, all action of Council shall be by majority vote of the members elected thereto with the following exceptions prescribed by the Charter of the City of Elyria.

**Suspension** of the requirement of Section 4.05, which requires three readings of ordinances and resolutions shall be by vote of eight members of Council. Any ordinance where the suspension of rules is not allowed must have three readings.

**Emergency** nature of an ordinance or resolution as prescribed in Section 4.06 shall be by vote of nine members of Council.

Vote required to overcome action of the Planning Commission, as prescribed by Section 4.12, shall be by vote of six members of Council.

Vote required to override the Mayor's veto, as prescribed in Section 5.05 shall be by vote of eight members of Council.

#### **RULE 12: VOTING.**

Every member present shall vote on each question unless excused by the majority consent of the Council, or when excused by the Charter of the City of Elyria.

A roll call vote shall not be required for suspension of rules which require three readings invoking the emergency clause, or passage of resolutions or ordinances unless there is a negative vote or a roll call is requested by a member.

A roll call on any other motion of Council shall not be required unless requested in advance of the voting or immediately thereafter by a member of Council.

Votes shall be cast by AYES and NAYS on all ordinances and resolutions. Votes cast on all other motions, including amendments to ordinances and resolutions, shall be by voice vote or by show of hands at the discretion of the President of Council.

#### **RULE 13: MOTIONS: DEBATABLE-WITHDRAWN.**

When a motion is made and seconded, it shall be stated by the President of Council before any debate shall be in order. Motions and all amendments thereto may be withdrawn by the maker at any time before beginning of voting, by consent of the second, or of a majority of the members.

#### **RULE 14: MOTIONS: RECONSIDER--TAKE FROM TABLE.**

A motion to reconsider or a motion to take from the table shall only be in order prior to the second regular meeting following the actions to be reconsidered or following the tabling action. Such motion shall only be made at the proper point in the order of business. If not passed, such motion shall not be made again. If passed, the proposition shall be the first order of business. Motions to reconsider must be made by a member voting on the prevailing side, or one who was absent.

**RULE 15: MOTIONS: PRECEDENCE.**

When a motion is before the Council, under debate, and prior to beginning of voting, no motion shall be considered except the following which shall have precedence in the following order:

1. To adjourn - unless a previous motion to adjourn has been voted down and there has been no intervening business.
2. to recess.
3. to table.
4. To end debate - previous question.
5. To postpone to a date certain.
6. To refer to committee.
7. To amend.

**RULE 16: GENERAL PROCEDURES.**

All resolutions and ordinances placed before Council shall be approved as to form by the City Law Director.

Legislation requiring the filling in of ordinance or resolution numbers, dates, or the correction of typographical errors, may be performed by the Council Clerk without an amendment from Council floor.

In the absence of any rule upon any matter of business, the Council shall be governed by Roberts Rules of Order.

These rules of Council may be amended or new rules adopted at any meeting of the Council, or said rules may be temporarily suspended by motion approved by a majority of the members elected to Council.

**RULE 17; ABSENCE.**

No person assigned a seat in Council Chambers shall leave the Council Chambers without permission being granted by the President of Council. Attendance at all Council meetings shall be recorded by the Clerk and such record shall show arrivals and departures after the Roll Call. Persons assigned a seat in Council Chambers shall submit a written request for excuse of absence to the Clerk of Council unless physically incapacitated. The Safety-Service Director, Law Director, Auditor, and Engineer shall be considered as present if represented by an assistant.

**RULE 18; PROCEDURE FOR PROCESSING CLAIMS AGAINST THE CITY.**

1. All claims shall be filed in writing with the Safety-Service Director not later than (a) sixty (60) days after the date of the occurrence which is the basis of the claim; or (b) sixty (60) days after denial by an insurance carrier, but not more than one hundred eighty (180) days after the date of the occurrence which is the basis of the claim.

2. The Safety-Service Director shall investigate the claim and shall report the findings, by letter or written memo, to the Law Director for consideration.

3. If the Law Director concludes that a claim should be paid in whole or in part, he shall direct the Auditor to process the payment as directed by the Law Director. The Law Director shall report such action to the Safety-Service Director and to the Clerk of Council. The Clerk of Council shall send a copy of such report to all Council members.

4. If the Law Director concludes that a claim should not be paid, he shall notify the claimant, in



writing, of disallowance of the claim and shall send a copy of the notice to the Safety-Service Director and to the Clerk of Council. The Clerk of Council shall send a copy to all Council members.

5. If the claim is disallowed by the Law Director, the claimant shall have thirty (30) days from the date of the notice of disallowance to file a moral claim in writing with the Safety-Service Director. The Safety- Service Director shall refer the moral claim to the Clerk of Council for review by the appropriate Council Committee and recommendation to Elyria City Council.

**ADDENDUM.**

Attachments to these rules are not to be considered as a part of the Council Rules and are attached for general information of the members of Council.

Jan. 6. 2020

To Do This:-1	You Say This:	May You Interrupt Speaker?	Must You Be Seconded?	Is the Motion Debatable?	Is the Motion	What Vote Is Required?
Adjourn the meeting	"I move that we adjourn."	May not interrupt speaker	Must be seconded	Not debatable	Not amendable	Majority vote required
Recess the meeting	"I move that we recess until..."	May not interrupt speaker	Must be seconded	Not debatable	Amendable	Majority vote required
Complain about noise, room temperature,	"Point of privilege"	May interrupt speaker	No second needed	Not debatable-2	Not Amendable	No vote required-3
Suspend further consideration of something	"I move we table it"	May not interrupt speaker	Must be seconded	Not debatable	Not Amendable	Majority vote required
End Debate	"I move the previous	May not interrupt speaker	Must be seconded	Not debatable	Not Amendable	Two thirds vote required
Postpone consideration of something	"I move we postpone this	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required
Have something studied further	"I move we refer this matter to	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required
Amend a motion	"I move that this motion be	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required
Introduce business	"I move that ..."	May not interrupt speaker	Must be seconded	Debatable	Amendable	Majority vote required

1. The motions or points above are listed in established order of precedence. When any one of them is pending, you may not introduce another that's listed below it. But you may introduce another that's listed above it.
2. In this case, any resulting motion is debatable.
3. Chair decides.

To Do This:-1	You Say This:	May You Interrupt Speaker?	Must You Be Seconded?	Is the Motion Debatable?	Is the Motion	What Vote Is Required?
Object to procedure or to a	"Point of order."	May interrupt the speaker	No second needed.	Not debatable.	Not amendable.	No vote required, chair decide
Request information.	"Point of information"	If urgent, may interrupt speaker.	No second needed.	Not debatable.	Not amendable.	No vote required
Ask for a vote by actual count to	"I call for a division of the house"	May not interrupt speaker-2	No second needed.	Not debatable.	Not amendable.	No vote required unless
Object to considering some	"I object to consideration of this	May interrupt speaker.	No second needed.	Not debatable.	Not amendable.	Two thirds vote required.
Take up a matter previously tabled.	"I move we take from the table..."	May not interrupt speaker.	Must be seconded.	Not debatable.	Not amendable.	Majority required.
Reconsider something already disposed of.	"I move we now (or later) reconsider our	May interrupt speaker.	Must be seconded.	Debatable if original motion is debatable.	Not amendable.	Majority required.
Consider something out of its scheduled	"I move we suspend the rules and consider..."	May not interrupt speaker.	Must be seconded.	Not debatable.	Not amendable.	Two thirds vote required.
Veto on a ruling by	"I appeal the chair's	May interrupt speaker.	Must be seconded.	Debatable.	Not amendable.	Majority required.

1. The monitors, points, and proposals listed above have no established order of precedence. Any of them may be introduced at any time-except when the meeting is considering one of the top three matters listed in the above chart (motion to adjourn, motion to reinstate point of privilege).
2. But division must be called for before another motion is started.
3. Then majority vote is required.