



Legislation Text

File #: 2265-2023, Version: 1

BACKGROUND

The purpose of this ordinance is to amend Chapter 111 of the Columbus City Codes to allow Council to hold virtual meetings and allow virtual attendance to otherwise in-person meetings and hearings.

With the onset of the COVID pandemic, quarantine and social distancing became not only household terms, but best practices. However, there was the possibility that public meetings could not be conducted in Columbus, as prescribed by the state, without potentially spreading the virus. Ohio law places strict mandates on elected and appointed members of public bodies being in-person to conduct business in meetings. Though the state legislature did pass temporary exemptions to these mandates, the City remains subject to the sunsets of these exemptions, given that we must follow the general laws of the state. However, home rule allows for local exceptions to state statute in this situation. Other cities in Ohio, including Cleveland in 2021, have allowed for Council ordinance to determine the need for virtual meetings.

In July 2022, the decennial Columbus Charter Review Commission recommended a charter amendment that would allow Council to conduct virtual meetings. Council placed this recommended amendment on the November 2022 ballot, when it was passed overwhelmingly by Columbus residents. It is now incumbent on Council to effectuate this charter change with an amendment to the City Codes that establishes how Council may allow for virtual meetings. The amendment does the following:

- Allows Council to hold meetings & hearings in-person, virtually, or a combination of the two
- Establishes the means by which Council may hold virtual meetings & hearings
- Establishes that such meetings and hearings are to be conducted in such a way as to ensure that members of the public are able to observe and hear the public discussions and deliberations of all the members of Council, whether members are attending in-person or virtually

This amendment will give Council the flexibility to conduct the business of the City, while also remaining accountable and accessible to all City residents.

To amend chapter 111 of the Columbus City Codes, pertaining to the ability of Council to hold virtual meetings.

WHEREAS, throughout the COVID pandemic, Council conducted the business of the City according to the recommendations of public health officials, which involved meeting in a virtual format; and,

WHEREAS, after June 2022, the state exemption that allowed for public bodies to meet virtually expired; and,

WHEREAS, home rule allows for municipalities to establish their own rules in Charter and Code for how they conduct open meetings; and,

WHEREAS, in November 2022, Columbus voters overwhelmingly approved an amendment to the City Charter to allow Council, by ordinance, to establish means by which to meet virtually; and,

WHEREAS, this amendment to the Columbus City Codes will give Council the flexibility to conduct the business of the City, while also remaining accountable and accessible to all City residents; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That chapter 111 of the Columbus City Codes is hereby amended as follows:

111.01 - ~~Regular~~ Council meetings and hearings.

(A) In accordance with Section 8 of the City Charter, or by ordinance or resolution, regular meetings of council shall be held virtually or in the usual place for holding meetings on Monday of each week at 5:00 p.m. with zoning committee meetings beginning at 6:30 p.m. except during the month of August, and except when such meeting day falls on a holiday established by ordinance. The council president may establish an alternative date, ~~and time, and location~~ of the meetings of council and the committees thereof on a case by case basis if the council president determines that it is necessary to designate an alternative meeting date, ~~and time, or location~~ so long as proper notice is given.

(B) Meetings and hearings may be held in-person, virtually, or a combination of the two. Council may conduct virtual meetings and hearings by means of teleconference, video conference, or any other similar technology. Virtual meetings and hearings shall be conducted in such a way as to ensure that members of the public are able to observe and hear the public discussions and deliberations of all the members of Council, whether members are attending in-person or virtually. Each member attending virtually shall be considered present as if the member is in-person at the public meeting or hearing, shall be permitted to vote, and shall be counted for purposes of determining whether a quorum is present at the meeting or hearing. Any vote on a resolution, ordinance, motion, or formal action of any kind cast by a member attending virtually shall have the same effect as if the member were attending the public meeting or hearing in-person.

(C) A representative of the city attorney, auditor, city treasurer, and each department shall attend all council meetings and give necessary service and advice; provided, however, that the president of the council, may excuse any or all of said representatives from attending any council meeting when it appears to from the calendar that the matters to be considered at a particular meeting will not require their services.

(D) Any member of city council may attend any and all meetings of the city council, its standing committees created by the president, or the council itself, including all such meetings which may be conducted in executive session.

(E) The minutes of meetings or hearings of the Council or any of its committees shall be promptly prepared, filed, and maintained and shall be open to public inspection in accordance with the general laws of the state. The minutes need only reflect the general subject matter of discussions in executive sessions. Where a full video recording with audio of a meeting or hearing has been preserved as a public record, written meeting minutes are not required.

SECTION 2. That existing chapter 111 of the Columbus City Codes is hereby repealed.

SECTION 3: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.