

Oakwood City Council POLICIES

This binder contains procedural policies that have been adopted by Oakwood City Council on a variety of matters. These policies are non-legislative in nature and do not carry the same binding legal effect as ordinances or resolutions. The purpose of these policies is to provide policy guidance on various matters, both for city staff and Oakwood residents.

Many of the policies within this binder originated years ago, but underwent an extensive review between December 2022 and January 2023. A number of old policies were determined to be obsolete for a variety of reasons, including: (1) they involved outdated technology; (2) they had been superseded by ordinances, resolutions, or other regulations adopted after the original policy; or (3) they addressed topics that are within the purview of city management rather than matters of Council concern. Those that were not obsolete were updated to ensure that they remain current and relevant.

The updated policies in this binder were adopted by unanimous vote of Oakwood City Council at its regular meeting of January 9, 2023.

The addition, deletion, and/or amendment of any policy herein after January 9, 2023, will be noted on supplemental page(s) as appropriate.

OAKWOOD CITY COUNCIL

William Duncan, Mayor
Steve Byington, Vice Mayor
Rob Stephens
Anne Hilton
Leigh Turben

**CITY OF OAKWOOD
COUNCIL POLICIES
TABLE OF CONTENTS**

<u>Title</u>	<u>Effective Date</u>
Citizen Committees	1/29/23
Council Correspondence	1/29/23
Use of Council Chambers	1/29/23
Neighborhood Requests	1/29/23
Time-Limited Parking	1/29/23
Parking Permit	1/29/23
Sidewalk, Curb and Driveway Apron Project	1/29/23
Sister City Gifts and Visits	1/29/23
Conservation Easements	1/29/23
City Employee Appointments to Council Committees	1/29/23
Right-of-Way Obstruction	1/29/23
Council Work Sessions and Executive Sessions	2/5/24

CITIZEN COMMITTEES

Oakwood is proud to have over one hundred citizens who are active participants in their local government as members of various committees and boards. Council has always believed in, and encouraged, citizen participation.

Among the boards and committees created to assure citizen involvement in their community affairs are:

- Planning Commission
- Board of Zoning Appeals
- Board of Health
- Personnel Appeals Board
- Budget Review Committee
- Beautification Committee
- Property Maintenance Board
- Tax / Water & Sewer / Assembly Appeals Board
- ADA Compliance Committee

In addition, special *ad hoc* committees are created from time to time to address specific matters of concern or interest.

While unforeseen circumstances can always arise, it is Council's preference, as a matter of policy, to appoint persons to these boards and committees for a commitment of at least two full terms depending on the activity of said committee, and welcomes longer service if so desired by the board/committee member and Council/staff. Vacancies are filled on an as-needed basis, with expired terms typically being filled during the early months of each new calendar year.

Adopted on January 9, 2023.

COUNCIL CORRESPONDENCE

In order to assure prompt handling of Council correspondence, the City Manager and Clerk of Council are authorized to open mail, either hard copy or electronic, and other items received by the City and addressed to Council Members.

With regard to appointments to committees, acknowledgements, letters of appreciation, thank you notes, and similar routine correspondence, the City Manager will prepare letters for the various Council Member's signature who may be in charge of the function in question. Logistics will be handled by the Clerk of Council, who also serves as the City Manager's Administrative Assistant.

Council Members may respond directly to emails they receive, or may forward them to the City Manager for response by city staff as appropriate.

Council Members are not custodians of public records within the meaning of the Ohio Public Records Act. Requests for public records, when addressed to Council Members, will be forwarded to the appropriate records custodian and/or the City Attorney for review and response as warranted.

Adopted on January 9, 2023.

USE OF COUNCIL CHAMBERS

Primary use of the City Council Chambers (“Chambers”) is reserved to the city of Oakwood, its official boards and committees, and the Oakwood Municipal Court. These city functions shall have absolute priority over any other use of the Chambers. When not in use by an official organization of the city, the Chambers will be available for use by other organizations or groups, subject to the following terms, conditions, and priorities:

1. All meetings are subject to cancellation by an official organization of the city. For example, if a citizen’s group has a meeting on the 3rd Thursday of each month, and a city organization needs to use the Chambers on a 3rd Thursday, the city organization shall have priority and the citizen’s group meeting must be cancelled or rescheduled. The city will make reasonable efforts to avoid these kinds of conflicts and will try to make alternative space available, if possible, but will not guarantee the same.
2. Any group using the Chambers must be sponsored by an Oakwood citizen, twenty-one (21) years of age or older, who will be ultimately responsible for any damages occurring to the facilities. The sponsoring Oakwood citizen must serve as the city’s point of contact with regard to that group, even though the group may be chaired by someone else.
3. Any damage to city property is the responsibility of the sponsoring citizen and the group or organization, jointly and severally. In addition to damages which may be assessed, the city may cancel or suspend the group or organization’s right to use the Chambers.
4. Any group or organization using the Chambers must clean the facilities promptly after usage. Cleaning entails removing any papers, coffee cups, or other items; placing trash and recyclable items in the appropriate receptacles; folding tables, stacking chairs, etc.; with the expectation that the room will be left as it was found.
5. Alcoholic beverages, illegal drugs, and firearms are prohibited. They may not be brought into the building for any reason whatsoever.
6. Any violation of federal, state, or local law may result in criminal prosecution as well as cancellation or suspension of the right to use the Chambers.
7. Both the sponsoring citizen and the group’s chair must sign an agreement acknowledging the terms, conditions, and priorities set forth in this policy prior to use of the Chambers. Violation thereof may result in the cancellation or suspension of the right to use the Chambers.
8. All scheduling must be arranged through the Clerk of Council.

Adopted on January 9, 2023.

NEIGHBORHOOD REQUESTS

Council encourages neighborhood requests. Requests generally are divided into two types: requests for *capital improvements*, and requests for *services*.

In the case of a request for capital improvements, a petition from the property owners must be submitted to City Council through the City Manager's office. This would be a petition signed by a majority of the property owners affected, or all of said owners, depending on the type of improvement and the statutory requirements for assessing the cost thereof. Once accepted, city staff will prepare/obtain cost estimates, present the project to Council, and follow the statutory requirements to implement the project and specially assess the costs. Council may, but shall have no obligation to, waive the assessment of costs if there is a general public purpose in doing so.

When a group of citizens wish to have a service or function considered by Council that is not established, they must draft a proposal that sets forth as much information as possible for Council in dealing with the subject. This would include, but is not limited to, the exact nature of the request, proposed plans, cost of implementing and maintaining, and who is to maintain the service or function once adopted. Council may consider the proposal as submitted, or may request additional information as needed.

Adopted on January 9, 2023.

TIME-LIMITED PARKING POLICY

City Council hereby adopts the following procedural policy with respect to the consideration of any time-limited parking zone within the city.

From time to time, residents or businesses in a particular block or district may request the establishment of a time-limited parking zone, or the amendment of an existing time-limited parking zone, to address traffic or parking problems. To be considered by Council, proposals should be submitted in the following manner:

Business areas. Business area proposals must be agreed to by a majority of the property owners in the proposed zone, and by a majority of the tenants or occupants.

Residential areas. Residential area proposals must be agreed to by a majority of the residents in each block of the proposed zone. For purposes of this policy, “block” may mean either (a) the entire length of a street between intersecting streets, or (b) the definition of “block” as set forth in the Zoning Code. If the proposal will only affect parking on one side of the street, only a majority of residents of that side must agree to the proposal.

Council may accept the proposal for consideration, or may reject the proposal, based on immediate knowledge of the area in question. If accepted, it will be forwarded through the City Manager to the Department of Public Safety for a study of the potential impact of proposed time limitations on parking and traffic patterns in the area. The impact study should include consideration of the following:

1. Impact of the proposed time limitations on traffic and parking beyond the proposed zone;
2. Impact of the proposed time limitations on nearby businesses, institutions, or organizations;
3. Comparison of the proposed zone to similar problem areas within the city, if appropriate;
4. Any precedent that may have been previously established for similar time limitations, and possible precedent that may be created by approving the proposal;
5. The rationale and general reasonableness of the proposal;
6. Alternative means of alleviating traffic and parking problems within the proposed zone;
7. Any other relevant factors.

Proposals should be submitted to Council in writing, and should include descriptions, diagrams, and any other material that may be relevant to consideration of the proposal. In considering a proposal, Council may request the petitioners to present facts to justify the need for time limitations, with or without a formal public hearing on the question. If Council determines that a public hearing is necessary, it will be scheduled and advertised in the same manner as other public hearings before Council.

Adopted on January 9, 2023.

PARKING PERMIT POLICY

City Council hereby adopts the following procedural policy with respect to the consideration of any parking permit system within the city.

Council understands that from time to time, residents in a particular neighborhood, geographic area, or district may request the establishment of a permit parking system, or the amendment of an existing permit parking system, to address traffic or parking problems. To be considered by Council, such proposals should meet the following requirements:

1. Due to the difficulty of enforcing permit parking where the permit zone boundaries are subjective or not well-defined, permit parking systems will only be considered for entire blocks or districts.
2. Blocks or districts will only be considered if they are contiguous to, or in close proximity to, a business or institutional facility that regularly attracts non-local vehicular traffic or parking. "Non-local," in this context, means vehicular traffic or parking that comes into the area from outside the immediate neighborhood or vicinity.
3. Council will only consider permit parking systems that exempt permit holders from posted parking time limits. Council will not consider parking permit systems that would exempt permit holders from the 18 hour limit, snow removal restrictions, or any other special limits ordered by the Public Safety Department.
4. Council will consider traffic or parking problems in terms of their overall impact on areas surrounding or contiguous to a business or institutional facility. A permit parking system will only be considered when the impact is significant and is experienced 5 or more days per week over a period of at least 3 months.
5. Proposed parking permit systems must be constitutional and consistent with Ohio law.

Proposals should be submitted to Council in writing, and should include descriptions, diagrams, and any other relevant information sufficient to show that the proposal meets the requirements set forth above. Council will forward the proposal through the City Manager to the Department of Public Safety and to the Law Director for review before placing the proposal on the agenda for consideration at a public meeting of Council.

Final approval of any proposal must be made by Council.

Adopted on January 9, 2023.

SIDEWALK, CURB AND DRIVEWAY APRON POLICY

In the winter or spring of each year, city staff will inspect sidewalks (including service/carriage walks), curb, and driveway aprons in a specific area of the city for that year's Sidewalk, Curb, and Driveway Apron Program. The purpose of the program is to maintain structures in the public rights-of-way in a good and safe condition. The portions of concrete that need to be repaired or replaced will be appropriately marked, typically with paint.

The program will generally be operated on a rotating basis throughout the city from year to year, cycling through each area of the city about once every 4 to 5 years. The city's policy is to repair or replace sidewalks, curb, and driveway aprons that are damaged, deteriorated or holding water at the time of inspection, and not to anticipate damage, deterioration or water-ponding problems in the future. The City Manager shall establish appropriate standards for determining the level of damage or deterioration necessary to warrant repair or replacement. Also, it is the city's policy to replace sidewalk panels where a trip hazard exists. The standard for a sidewalk trip hazard shall be an elevation difference of $\frac{3}{4}$ " or more, typically at the location of a crack or panel joint. "Ramping" by placing concrete, mortar, or any other material on sidewalks to eliminate the trip hazard shall not be permitted, although property owners may be permitted to grind elevated sidewalks to remove the trip hazard provided that the grinding does not damage the sidewalk. Replacement will typically be done on a per-panel basis, although patching may be permitted in certain circumstances, subject to inspection and approval by the Public Works Department.

The city will pay all costs for replacement of curbs and driveway aprons. Also, the city will pay all costs for sidewalk ramps at street intersections. Property owners will be responsible for costs on all work associated with sidewalks on their frontage except: 1) the cost for sidewalk work on side yard frontages for corner properties; and 2) the cost for the sidewalk on the side yard frontage in connection with new sidewalk installations where a sidewalk has never existed.

Residents planning to repair or replace sidewalk panels themselves must secure permits from the city and complete the work within the period of time specified by the city. If residents hire a contractor to do the work, the contractor must obtain the necessary permit(s), be licensed and bonded to work in the public rights-of-way, and must complete the work within the period of time specified by the city. Residents who choose not to do the work themselves or hire their own contractor will automatically be placed in the city's program and will be billed for the work. If the invoice is not timely paid, it will be certified to the Montgomery County Auditor for collection via statutory assessment procedures.

Adopted on January 9, 2023.

SISTER CITY GIFTS AND VISITS

It is Council's general policy not to pay for city officials or staff attending Sister City events away from Oakwood. However, once at the location, lodging may be paid for with Council's prior approval, provided funds have been budgeted and appropriated for that purpose.

It is Council's further policy that any gifts given to a hosting Sister City, and any local events hosted by the city, are for a public purpose and shall be paid for by the city, provided funds have been budgeted and appropriated for that purpose.

In keeping with the requirements of the Ohio Ethics Law, no city official or staff member shall solicit gifts of any kind. However, the city may accept the same provided it is a gift to the city and not to any particular official or staff member, voluntarily given, and the acceptance therefor shall be made by City Council.

Adopted on January 9, 2023.

CONSERVATION EASEMENTS

City Council understands that citizens of Oakwood may wish to establish conservation easements over their properties, or parts thereof, in order to preserve natural environmental features and topographic conditions. Council further understands that such conservation easements typically limit current and future use or development of land and therefore can impact the value of private property. Therefore, it is Council's policy to address conservation easements in the following manner:

1. The establishment of conservation easements is to be initiated by Oakwood property owners. Council and city staff may encourage property owners to consider establishing such easements, but will not solicit property owners in this regard. Council respects the rights of property owners to use their land consistent with the rules and regulations established in the Zoning Code or Subdivision Regulations.
2. Council will not require, or permit to be required, the establishment of conservation easements as a condition of approving building or subdivision applications, except as may be specifically outlined in the Zoning Code or Subdivision Regulations.
3. Council will generally promote the establishment of conservation easements if they serve a public purpose.
4. Council will review requests for conservation easements from property owners considering issues including, but not limited to:
 - a. Value to the neighborhood and community;
 - b. Future financial burden to the city;
 - c. Tax consequences; and
 - d. Potential liability to the city.
5. Council will consider each easement proposal on its own merits.

Adopted on January 9, 2023.

CITY EMPLOYEE APPOINTMENTS TO COUNCIL COMMITTEES

Recognizing the importance of keeping City Council's official interaction with city staff limited to communications with and through the City Manager, it is Council's policy to not appoint any staff members, with the exception of the City Manager, to Council-appointed citizen committees. This policy applies for all city employees, whether or not they live in the city of Oakwood. This policy does not prohibit the City Manager from assigning city employees to serve in the capacity of staff liaison to Council-appointed committees, or from assigning city employees to serve on committees that are not Council-appointed. Such employee assignments shall be at the sole discretion of the City Manager.

Adopted on January 9, 2023.

RIGHT-OF-WAY OBSTRUCTION POLICY

Council previously adopted a policy for the placement of certain obstructions within the public rights-of-way of the City. (*See* Council meeting minutes of January 18, 1968, and June 19, 1978.) A revised and updated version of that policy was adopted by motion at Council's meeting of January 9, 2023.

The current version of Council's policy is now set forth in the format of a Right-of-Way License Agreement, a copy of which is appended hereto and incorporated by this reference.

Yard debris pads are a special type of right-of-way obstruction, unique in that they help to facilitate the city's yard debris collection program while keeping debris out of the stormwater sewer system. For these types of obstructions, Council will not require a neighbor petition or a formal, recordable agreement for yard debris pads. Instead, Council authorizes the City Manager and/or Building Commissioner to develop a streamlined form that residents may use to apply for yard debris pads located in the public rights-of-way.

Adopted on January 9, 2023.

RIGHT-OF-WAY LICENSE AGREEMENT

This *Right-of-Way License Agreement* is entered into by the city of Oakwood (the “City), an Ohio municipality, and all owner(s) of record (collectively, “Owners”) for the property located at:

_____, Oakwood OH 454_____

which abuts a public right-of-way owned by the city of Oakwood.

Background: The owner(s) whose signature(s) appear below have requested permission from the City to install an obstruction within the public right-of-way abutting their property.

Type of Obstruction: _____

In order to facilitate these types of installations, Oakwood City Council has adopted a policy for the approval of right-of-way obstructions. The policy has been updated by Council at their meetings of January 18, 1968; June 19, 1978; and January 9, 2023. Pursuant to that policy, an object may only be installed in the public right-of-way pursuant to the terms and conditions set forth in this agreement, to which the Owners must agree.

In consideration of the foregoing, the parties agree as follows:

1. The City Manager or Building Commissioner, on behalf of the City, may only approve the installation of an obstruction within the public right-of-way if all terms and conditions set forth herein are met. (If the Owners desire to deviate, then application must be made to the Planning Commission for their recommendations to Council after a Public Hearing. Council will approve or reject in the manner set up by them.) Upon approval, indicated by the City’s signature below, Owners are hereby granted a revocable, non-exclusive license to utilize the public right-of-way consistent with the approved plans and specifications submitted, subject to the terms and conditions of this agreement.

2. Petition requirement: Along with this agreement, a petition from the neighboring property owners abutting the Owners’ property must be filed with the Building Commissioner indicating that they are familiar with your proposed installation and have no objection to it. (Defining abutting, we mean all property owners whose property touches your property or would touch your property if there were not a street, alley, or other public property or easement between them. This definition does not include those houses abutting an interior lot on its rear property line alone.). The petition will be retained in your house file at the City’s offices and will not become part of the recordable agreement.

The only exceptions to the petition requirement are:

- a. Sprinkler systems: A petition is not required when placing, at or below grade, a sprinkler system only. This agreement will suffice without the petition.
 - b. Yard debris pads: A petition is not required for the installation of a yard debris pad, and applications should be made on a separate form developed by the Building Commissioner for that purpose. This agreement will not be required for yard debris pads; however, they must meet the following requirements:
 - i. Acceptable materials for yard debris pads include concrete, properly bedded pavers or brick, or approved equals. (The approval of other materials shall be at the discretion of the Director of Public Works, based on compatibility with city yard debris collection equipment and methods.) All concrete work requires separate form and final inspections, and shall provide a minimum concrete thickness of 4 inches.
 - ii. Any yard debris pad must be constructed at grade, *i.e.*, it may not be an elevated pad. Allowable dimensions are a maximum depth of 5' (measured perpendicular to the street) and a maximum width of 5' or 1/10th of the property's street frontage, whichever is greater.
 - iii. Yard debris pads must be situated at or within 2' behind the curb (or street edge, if no curb is present). The location must be at least 3' away from any visible utility infrastructure, including but not limited to curb stop water valves, fire hydrants, utility poles, and utility pedestals. Yard debris pads may not abut a service walk if the effect is to expand the service walk beyond dimensions permitted by the Oakwood Zoning Ordinance.
 - iv. The applicant must agree to the representations set forth in Council's right-of-way obstruction policy as to maintenance, assessment of costs, liability, removal, and indemnification, although the requirement to produce recordable documents shall be waived. In developing a form for yard debris pad applications, the Building Commissioner may summarize or restate the representations in whatever format is convenient for that purpose.
3. Plot plan requirement: A plot plan indicating what you plan to erect must be submitted with this agreement showing location from the paved portion of the street; distance from the right-of-way line; location of your residence; and a plan view of your improvement. The plot plan must be to scale and will become part of this agreement.
 4. If installation of an obstruction in the right-of-way would enclose or tend to enclose a portion of a right-of-way within your lot, your signature(s) below is/are your agreement and representation that neither you nor your heirs or assigns will claim adverse possession of said land at a later date.
 5. The Owners' signature(s) below is/are your further agreement and representation, on behalf of you as the current Owners and your heirs or assigns, that:

- a. The property owner will maintain said object(s) at no expense to the City; and if the owner fails to do so, the City may, at its option, perform or have such maintenance performed and assess the full cost thereof against the real estate as a direct benefit thereto.
- b. The owner will not hold the City liable for any damages to said object resulting from any of the City's operations. Further, the owner, recognizes the right of the City to remove said objects when they interfere with a public purpose as may be defined or redefined by Council now or in the future.
- c. The owner will remove said object when it interferes with the use of the right-of-way by the City or its authorized representatives including its franchisers, and will allow the City and its authorized representatives including its franchisers the right to maintain their existing facilities or install new ones in said location as if the objects to be installed were not there.
- d. Nothing shall be erected or maintained that would violate present or future zoning laws or other safety laws or rules. The property owner shall bear the cost of complying with present or future requirements of the City as to zoning and safety matters.
- e. If your installation includes a sprinkler system in the vicinity of any sidewalk, either now or hereafter constructed, water must be aimed away from the sidewalk so as not to preclude the use of said walkway or create any hazardous condition. Any adjustment that may be needed to satisfy this obligation, and any other change mentioned herein or throughout this agreement, shall be at the property owner's expense.
- f. No wall, bush, fences, objects or like structures in the right-of-way (but not including trees) shall exceed 42" in height or otherwise interfere with traffic vision. All vegetation (not including trees) shall be maintained as required by City ordinances.
- g. If a water meter, valve, or other City owned object is existing within the area delineated, provisions shall be made for allowing City personnel to get to said object conveniently.
- h. If a fire hydrant is located in the area concerned, special provisions to allow for its unrestricted use will be shown and guaranteed, to the City's satisfaction.
- i. Nothing shall be erected or maintained that would violate present or future zoning laws or other safety laws or rules. The property owner shall bear the cost of complying with present or future requirements of the City as to zoning and safety matters.
- j. The Owners acknowledge that the City's action in granting permission for placement of objects in the right-of-way shall not cause the City to be liable for any damages arising therefrom; and the property owner agrees to indemnify and hold the City harmless from any and all such damages and from all direct and indirect expenses which might otherwise be incurred by the City in defending damage claims.
- k. The Owners will bear the expense of preparing all documents referenced herein, and of satisfying any obligation stated herein, as part of process of applying for City approval via this agreement. The Owner understands that this agreement, if approved, will be recorded in the chain of title for the subject property as a covenant

running with the land, signed by every owner of the property together with his or her spouse. The form and content of such recordable documents must be approved by the City in advance, and if rejected for any reason by the county recorder, the Owners understand that they must cure any defect at their own expense. Permission to place such objects in any right-of-way will not be granted by the City until the property owner has delivered all required documents to the City together with any fees necessary for the recording.

1. If an application or request filed with the City requires analysis or other services by persons or organizations not part of the City staff, such as outside engineering review and the like, any costs incurred by the City for such third party services shall be the obligation of the Owners.

6. This agreement shall run with the land and be binding upon successive owners, and shall not be removed or modified except by the City of Oakwood, in writing.

REVIEWED, AGREED, AND APPROVED:

CITY OF OAKWOOD

By: _____
City Manager or Building Commissioner

Printed name: _____

DATE OF APPROVAL AND AGREEMENT: _____

STATE OF _____, COUNTY OF _____ } ss:

On the _____ day of _____, 20____, before me, a Notary Public in and for the above-named State and County, personally appeared

_____, with satisfactory proof of his/her identity, and did acknowledge his/her signature on the foregoing agreement as his/her free act and deed in his/her official capacity on behalf of the City of Oakwood for the purposes described therein.

Notary Public

Commission expires: _____

AGREED TO AND UNDERSTOOD BY:

OWNERS (All owners of record and their respective spouses must sign below, attaching additional pages as necessary.)

OWNER

Printed name:_____

STATE OF _____, COUNTY OF _____ } ss:

On the _____ day of _____, 20____, before me, a Notary Public in and for the above-named State and County, personally appeared

_____, with satisfactory proof of his/her identity, and did acknowledge his/her signature on the foregoing agreement as his/her free act and deed for the purposes described therein.

Notary Public

Commission expires:_____

OWNER

Printed name:_____

STATE OF _____, COUNTY OF _____ } ss:

On the _____ day of _____, 20____, before me, a Notary Public in and for the above-named State and County, personally appeared

_____, with satisfactory proof of his/her identity, and did acknowledge his/her signature on the foregoing agreement as his/her free act and deed for the purposes described therein.

Notary Public

Commission expires:_____

NOTICE to Applicant: This petition must be submitted with your request to place an improvement/object within the right-of-way.

It must be signed by ALL property owners whose property touches your property, or would touch your property if there were not a street, alley, or other public property or easement between them.

Signatures are NOT required for owners whose property abuts your rear property line only.

Applicant name(s): _____

Applicant/project address: _____

Type of project proposed: _____

Abutting Property Owner Petition

By signing below, you are indicating that you are familiar with the project proposed by the Applicant, which is described above, and have no objection to it.

	OWNER SIGNATURE	ABUTTING PROPERTY ADDRESS
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____

(Attach pages if additional signatures are required.)

RIGHT-OF-WAY OBSTRUCTION POLICY

Council previously adopted a policy for the placement of certain obstructions within the public rights-of-way of the City. (*See* Council meeting minutes of January 18, 1968, and June 19, 1978.) A revised and updated version of that policy was adopted by motion at Council's meeting of January 9, 2023.

The current version of Council's policy is now set forth in the format of a Right-of-Way License Agreement, a copy of which is appended hereto and incorporated by this reference.

Yard debris pads are a special type of right-of-way obstruction, unique in that they help to facilitate the city's yard debris collection program while keeping debris out of the stormwater sewer system. For these types of obstructions, Council will not require a neighbor petition or a formal, recordable agreement for yard debris pads. Instead, Council authorizes the City Manager and/or Building Commissioner to develop a streamlined form that residents may use to apply for yard debris pads located in the public rights-of-way.

Adopted on January 9, 2023.

COUNCIL WORK SESSIONS AND EXECUTIVE SESSIONS

This policy sets forth the process by which agendas are set for city council work sessions and executive sessions. It also sets forth the process to be followed in regard to extending invitations to any persons other than City Council and city staff to attend work sessions or executive sessions.

Chapter 111.08 of the Administrative Code reads as follows:

111.08 AGENDA; DUTIES OF MANAGER.

To enable the Council to review a proposed order of business, the City Manager at each meeting shall furnish the Council a written agenda for that meeting. The agenda shall list business expected to come before Council at that meeting in the order in which it is to be taken up as required by Section 111.13. A reasonable number of copies of the agenda shall be available for use by persons attending public meetings of Council.

The City Manager has the discretion to include on work session and executive session agendas any and all business that he deems necessary, pertinent and timely to address the needs of the city. City Council members interested in adding items to work session and executive session agendas may do so by notifying the City Manager by any method desired. This may be done with or without the consent of other City Council members.

Work sessions are public meetings and anyone may attend in an observational capacity, whether on their own initiative or by invitation of a City Council member or the City Manager. However, for persons other than City Council members and city staff, work session attendance in a participatory capacity, and executive session attendance in any capacity, shall require (a) the invitation of a City Council member or the City Manager and (b) the consent of a majority of City Council. Such consent shall be obtained in a work session or executive session.

Adopted on February 5, 2024