

Sponsor: Vice Mayor Jeannie Stinson

First Reading: June 24, 2019  
Second Reading: Suspended 2019  
Third Reading: Suspended, 2019  
Adopted: June 24, 2019

**VILLAGE OF LINCOLN HEIGHTS  
HAMILTON COUNTY, OHIO  
RESOLUTION NO. 2019-R- 17**

**RESOLUTION DECLARING VACANT THE SEAT OF COUNCILMEMBER PHYLLIS  
BABER FOR PERSISTENTLY FAILING TO ABIDE BY THE RULES OF COUNCIL**

**WHEREAS,** Section 38.074 of the Rules of Council states that any member who fails to attend three meetings of Village Council without the excuse of the Village Council is subject to removal pursuant to Section 2.10 of the Charter;

**WHEREAS,** Section 2.10 of the Charter provides that "Council may also declare vacant the seat of any member who persistently fails to abide by the Rules of Council ... but such action shall be taken only upon the concurrence of five members of Council at a regular meeting of Council after service of notice upon such member of such proposed action at least seventy-two hours in advance of such meeting, at which he/she may present a defense";

**WHEREAS,** Councilmember Phyllis Baber failed to attend Council's regularly scheduled meetings on May 13, 2019, May 28, 2019 and June 10, 2019; and

**WHEREAS,** Village Council did not excuse Ms. Baber for failing to attend said meetings.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council for the Village of Lincoln Heights, Hamilton County, Ohio, that:

**SECTION I.** Council hereby declares vacant the seat of Councilmember Phyllis Baber.

**SECTION II.** This Resolution is hereby declared to be an emergency measure necessary for the health, safety and general welfare of the Village of Lincoln Heights. The reason for said emergency is the need to have a full complement of Councilmembers at regularly scheduled meetings to address the affairs of the Village.

Passed this 24th day of June, 2019.

Ruby Kinsey Mumphrey  
Mayor, Village of Lincoln Heights

Attested:

Ruby Kinsey Mumphrey  
Clerk of Council

**RECORD OF VOTES CAST**

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Mayor Ruby Kinsey-Mumphrey	X	—	—
Vice Mayor Jeannie Stinson	X	—	—
Phyllis Baber		X	—
Linda Childs-Jeter	X	—	—
Daronce Daniels	X	—	—
Kathy Goodwin-Williams	X	—	—
LaVerne Mitchell	X	—	—

**CERTIFICATION OF PUBLICATION**

I hereby certify that I have published the foregoing legislation beginning on July 5<sup>th</sup> 2019 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) Seven Hills Seniors; 3) Friendship Plaza; 4) Centennial Apartments; and 5) Oak Park.

Ruby Kinsey Mumphrey  
Clerk of Council