

RULES OF COUNCIL OUTLINE OF DECISIONS

Reviewed with changes by Jon K. Burton 12/4/08

- At the first Council meeting of the year, Council will elect by secret ballot a President pro tempore of Council who will also serve as acting Mayor in the absence of the Mayor or in the case of his disability.
- The President pro tempore of Council shall consult with other members of Council to establish the regular meeting schedule of Village Council for the coming year. That schedule will be published to the media and publicly posted as the regular schedule for council meetings except for meetings that need to be re-scheduled due to national holidays, major local civic events, or for other reasons.
- The President pro tempore of Council shall appoint a Chairman and other members of each Council Standing Committee which shall include: Finance and Human Resources Committee; Community and Intergovernmental Relations, Annexation & Economic Development Committee; Parks, Buildings & Grounds Committee; Public Utilities Committee; Safety Committee; and Streets, Sidewalks & Storm Drainage Committee. Each member of Council shall chair one standing committee and shall serve as a member on two others.
- The Mayor or the President pro tempore of Council may, after approval of a majority vote of Council, appoint a Chairman and members to any other “Special Committee” or “Advisory Committee” created for some special purpose, and that committee will exist only until the work related to that purpose is accomplished.
- Committee meetings will be called by the Chairman of each committee, or may be called at the request of the Mayor or President pro tempore of Council. Notice of the date and location of the meeting shall be provided to all committee members and the media at least 24 hours in advance of the meeting. Minutes of the meeting shall be recorded by the Clerk of Council, or by a committee member assigned that task by the Chairman. Such minutes shall not be considered to be official public records until the minutes are accepted by the Chairman at the next regular council meeting.
- All meetings, including committee meetings and workshops, but excluding executive sessions, will be open to the public. Members of the public may listen to all discussions but may not speak or provide input without permission from the Chairman of the meeting. Council may provide feedback to residents at that meeting or may elect to provide a later response. The Village will comply with the Sunshine Laws of the State of Ohio and any other applicable laws relating to open meetings and open public records.
- At least four members of Council shall be present to constitute a quorum. No official council business may be transacted without a quorum present. At least five

council members must be present to suspend the rules to adopt emergency legislation.

- Council members may be removed from Council for unexcused absences that have continued for two months by a vote of five (5) members. Council members' absences may be excused for out of town business, personal or family illness, or other family emergencies. A vote of at least five (5) members of Council is needed to expel a member of Council for just cause, for disorderly conduct, or violation of its rules provided the member has been notified of the charge against him/her and has had the opportunity to be heard.
- The Village Fiscal Officer or his designated representative shall be the Clerk of Village Council, whose duties would be to prepare and distribute the council agenda, prepare the minutes of all council and committee meetings, handle all correspondence and provide certified village documents as needed, and handle notifications of Council and the media for all special meetings.
- The Minutes of all regular and Special Council meetings, Council committee meetings, and village Boards and Commissions shall be recorded and kept by the Clerk of Council, and all such minutes and other public records shall be open to the public in conformance with the Ohio public records laws and the rules of the Records Commission of the village. Such minutes serve as records of action and not as actions in themselves. Minutes are not intended to be legal transcriptions of a public meeting but need to provide a full and accurate record of official proceedings including sufficient facts and information to permit the public to understand and appreciate the rationale behind the official decision. Minutes do not become official public records until they are approved by Village Council at the next subsequent meeting.
- All legislation shall be sponsored by a member of Council, and all legislation except emergency legislation, shall be referred to the appropriate Council Committee for study and a recommendation before it is adopted. All legislation shall be prepared by the Village Solicitor to make sure it is in proper legal form and does not conflict with any Federal, State or Local law. Proposed legislation shall be delivered to the members of council at least 72 hours in advance of the Council meeting, preferably by e-mail. Drafts of proposed legislation prepared by the Village Solicitor that will only be referred to Committee for further work are acceptable.
- Special meetings of Council may be arranged by the Clerk of Council, at the request of the Mayor, by the President pro tempore of Council and at least one other Council person, or by at least three members of Council. Members of Council and the Media must be given written notice specifying the purpose of the meeting, by regular mail, e-mail, or personal service, at least 24 hours in advance. In the event of an emergency requiring immediate official action, the news media may be notified of the time and purpose of the meeting as soon as possible, and Council will be asked to waive the 24 hour meeting notice requirement.

- Any person, organization, or member of the media who wishes to be notified of any Special Council Meetings or any Council Committee meeting may supply the Clerk of Council with stamped, self addressed post cards or shall provide an e-mail address where such notices shall be posted. Persons should be specific regarding which meetings they have an interest in, and for which notices should be sent.
- The Mayor shall take the chair at the hour appointed for Council meetings to commence and shall call the meeting to order. The roll call shall be the first item on the agenda and the Clerk shall call the roll and enter the names of those present into the minutes. Motions to excuse absent members of Council may be made at this time.
- In the absence of a quorum, the members may, by a majority vote, take a recess and direct the Clerk to attempt to procure the attendance of absent members.
- In the absence of the Mayor, the President pro tempore of Council shall call the meeting to order and assume the chair. In the absence of both the Mayor and President pro tempore of Council, the Clerk may call the meeting to order and call the roll. If a quorum is present, Council may proceed and select by a majority vote, one of its members to act as temporary Chairman for that meeting only.
- The Mayor may call his/her successor to preside at the meeting during his/her temporary absence, but the substitution shall not extend beyond adjournment.
- Agenda: The official Council agenda shall include copies of all legislation to be considered by Council that evening along with any other written reports or other documents requiring official Council action. The Order of Council Business shall be as follows:
 1. Invocation and Pledge of Allegiance
 2. Roll Call (to determine quorum)
 3. Excuse absent Council Members
 4. Establish time for Adjournment
 5. Approval of Minutes of Previous Meeting(s) (If Minutes mailed 24 hours before meeting, minutes may not need to be read, except if there is a motion for Clerk to read minutes approved by a majority vote of those present.)
 6. Communications from Village Residents
 7. Reports from Admin. Staff
 - Mayor
 - Village Administrator
 - Finance Director
 - Village Engineer
 - Village Solicitor
 8. Reports from Standing Committees and approval of Committee minutes
 9. Pending legislation
 10. Old Business
 11. New Business
 12. Motion to Adjourn

- The Mayor shall be responsible for preserving decorum and order, and shall decide all questions of order subject to appeal. In the event of an appeal regarding a ruling from the Mayor, the question shall be “shall the decision of the Mayor stand as the decision of Council.” In the event that a member of Council transgresses these Rules of Council, the Mayor shall call him/her to order and explain the nature of his/her transgression., after which that person shall relinquish the floor.
- No member of Council shall be permitted to indulge in personal attacks, use language that is vulgar or otherwise offensive, arraign the motives or agenda of another member, charge deliberate misrepresentation of an issue, or hold a member up to public ridicule or contempt.
- All questions before Council shall be clearly stated by the Mayor. All votes shall be by roll call vote, and the results shall be recorded by the Clerk who shall then advise the Mayor of the total votes for and against the question and whether the question received sufficient votes to pass.
- Council members wishing to speak to an issue or to make a motion or call for a question shall address the Mayor and request to be recognized. Once given the floor, members shall confine their conversations to the issue under discussion or to the question under debate, and avoid any personal attacks.
- No member of Council shall be allowed to speak for more than five minutes on any given subject or question until every member of Council has been given the opportunity to speak, and not more than twice on the same subject or issue without the permission of the Council as expressed by a majority vote of its members present.
- When a question is before Council for discussion, no motion shall be proper except for the following:
 1. Motion to refer to a standing Committee
 2. Motion to amend the motion under discussion
 3. Motion to adopt legislation under consideration
 4. Motion to table until a stated future time
 5. Request that discussion end and call for a vote
 6. To postpone action on the issue indefinitely
 7. Motion to adjourn
- A motion requesting that discussion end and calling for a vote will not be considered until all members have had an opportunity to speak to the issue at least once. Once this has been accomplished, the Mayor will call the vote on the motion to end discussion and bring the issue up for a vote.
- A motion to amend is subject to only one additional amendment. A motion to amend, once defeated, may not be moved again in the same form.
- A motion to remove any issue or legislation from the table, or to return any issue or legislation from committee may be offered at any succeeding meeting. Such motion

shall go to a vote without discussion except for a brief explanation by the member making the motion.

- A motion to adjourn may not be made while a member is speaking, or when a previous question has been called for a vote.
- All motions shall require a second before they are brought to a vote.
- Votes on any question or motion before Council shall be called by the Mayor, starting with the councilman who made the motion, next the Councilman who seconded the motion, then in a random rotation for the other members present. Members shall respond in a clear voice with a Yea or Yes , or Nay or No. If any member abstains from voting, his/her vote shall be recorded as a non-vote.
- In the absence of any rule upon a particular issue, Council will follow the procedures specified in the most recent available edition of Robert's Rules of Order. Roberts Rules of Order shall also be complied with in the conduct of all Council committee meetings, and meetings of Village Boards and Commissions.
- Public hearing may be held by Village Council in conformance with other regulations of the village and the Ohio Revised Code such as zoning, budget meetings, etc.

The Mayor shall preside over these hearings and generally follow the rules set forth herein:

1. The purpose of a public hearing is to solicit comment on both sides of an issue, and the Mayor shall attempt to provide equal time for citizens on either side to be heard. Courtesy shall be extended to all speakers, and unruly outbursts or interruptions will not be tolerated.
 2. Speakers must limit their comments to the issue before Council. No more than five minutes will be allocated to any individual speaker until all who wish to speak have been heard at least once.
 3. All questions regarding a particular issue shall be directed to the Mayor. The Mayor may respond directly, or may redirect the question to a more appropriate member of the administration or Council. Council may choose to respond during the Hearing, or they may elect to respond at a later time after researching the issue and forming their response.
 4. The Mayor shall not allow vulgar or profane language, personal attacks on other residents, Members of Council or the Administration. Unruly persons may be ejected from the meeting by the Police if necessary.
- An Executive Session may only be held after a majority vote of a quorum of Council determines by a roll call vote that such a session is necessary for the discussion of any of the following matters. In all these matters, R.C. 121.22 shall be the final authority.
 1. To consider the appointment, employment, dismissal, discipline, demotion, promotion, or compensation of a public employee or other public official, or the investigation of charges or complaints against a public employee of

- official, unless the public employee or official is entitled to and requests a public hearing. Except as otherwise provided by law, Council may not hold an executive session for the discipline of an elected official for conduct related to the performance of his/her official duties or for removal from office.
- 2. To consider the purchase of property for public purposes, or for the sale of public property at competitive bidding, if premature disclosure of information would give an unfair advantage to a person whose private interest is adverse to the general public interest. If the minutes of Council show that all meetings and deliberations have been conducted in compliance with this provision, any instrument executed by Council purporting to convey, lease or otherwise dispose of any right, title, or interest in public property shall be exclusively presumed to have been executed in compliance with this provision insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.
 - 3. Conferences with the Village Solicitor or other attorney concerning legal disputes with the Village that are the subject of pending or potential court action
 - 4. Preparing for, or conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation, benefits or other terms and conditions of their employment.
 - 5. Matters that are required to be kept confidential by Federal or State rules or statutes.
 - 6. Details of security arrangements where disclosure may reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of the law.
- A resolution, ordinance or rule adopted, or formal action of any kind is invalid unless adopted in an open meeting of Council, in an open committee meeting or open meeting of a board or commission. A resolution, ordinance, rule or other formal action adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid unless the deliberations were for one of the specific topics allowed to be discussed in an Executive Session.
 - These rules may be amended, rescinded, or supplemented by an ordinance submitted and approved at any regular meeting of Village Council by a vote of at least four members of Council.