

**GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA**

May 14, 2018

6:30 – Special Meeting

SERVICE: Mr. Berry

Resolution CR-23-18 Amend the Rules of Council and the Rules Governing the Agenda of Council.

Date: 05/07/18
Introduced By: Mr. Berry
Committee: Service
Originated By: Mr. Robinette
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-23-18
1st Reading: 05/07/18
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-23-18

A RESOLUTION TO AMEND THE RULES OF COUNCIL AND THE RULES GOVERNING THE AGENDA OF COUNCIL

WHEREAS, the Rules of Council and the rules covering the Agenda of Council were adopted by Resolution CR-44-63 and were amended by Resolutions CR-11-76, CR-28-87, CR-64-91 and CR-44-16; and were adopted in subsequent years at the Council's Organizational Meeting; and

WHEREAS, Council conducted a thorough review of its Rules and desire to make certain updates and changes.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. The Rules of Council and the Rules Governing the Agenda of Council is hereby amended and adopted as shown in Exhibit A, attached hereto and made a part hereof.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

Steven R. Robinette, President of Council

Richard L. Stage, Mayor

Passed:

Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this resolution is correct as to form

Stephen J. Smith, Director of Law

RULES GOVERNING AGENDA OF COUNCIL

As adopted by Resolution CR-44-63, amended by Resolution
CR-11-76, Resolution CR-28-87, Resolution CR-64-91 and by CR-44-16

1. All matters submitted for consideration by the City Council at a regularly scheduled meeting must be first placed on the Agenda.
2. The agenda shall consist of the ordinance number (if a number has been given), the subject matter (by descriptive title only) and the name of the committee chair of each item.
3. The President of Council, with the assistance of the Clerk of Council shall have exclusive control of assimilating and preparing the agenda subject only to the rules and regulations as prescribed by the City Council.
4. All matters to be put on the agenda shall be delivered to the Clerk of Council in writing or electronically via e-mail and be signed by the interested proponent except members of the City Council, who may submit matters to the Clerk orally. Matters submitted electronically via e-mail shall be deemed signed by the individual sending the e-mail. All matters submitted ~~by someone other than the Administration or Clerk of Council~~, must have a Council sponsor, unless provided for by Charter.
5. The Clerk of Council shall keep on file all written requests for agenda recognition until such requests have been addressed.
6. Matters submitted to be considered by the Council at its next regular meeting shall be given to the Clerk of Council no later than 12:00 noon, six working days before the next regularly scheduled meeting of Council.
7. The Clerk of Council shall prepare or cause to be prepared and deliver or cause to be delivered to the following officials, a copy of the agenda and all legislation at the place so designated prior to the end of the regular day of business on the Thursday prior to the next regular meeting of Council:

1. Mayor	City Hall
2. Council	City Hall
3. Administrative Assistant	City Hall
4. Director of Law	City Hall
5. City Consulting Engineer	Via E-Mail
6. Service Director	Via E-Mail
7. Safety Director	Via E-Mail
8. Finance Director	Via E-Mail
9. Chief Building Official	Via E-Mail
10. Chief of Police	Via E-Mail
11. Development Director	Via E-Mail
12. Parks & Rec. Director	Via E-Mail
13. Information Systems Director	Via E-Mail
8. The Clerk of Council shall have prepared a sufficient number of agenda's, complete with legislation for each representative of the press who will pick them up in the Clerk's office prior to the meeting and shall have copies of the cover agenda ready for the general public that will attend the regular council meeting.

RULES OF COUNCIL

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RULES OF COUNCIL

As adopted by Resolution No. CR-43-63

(amended by Resolution No. CR-10-76, Resolution No. CR-28-87, and Resolution No. CR-64-91)

I. MEETINGS

1. REGULAR Meetings

Regular meetings of Council shall be held in the Council Chambers at 7:00 p.m. on the first and third Mondays of each month. Council may, by majority vote, change the day and/or hour determined by a like vote of the members present if constituting a quorum. In cases of emergency, the President of Council may cancel a meeting.

1.01 Caucus

Prior to each Regular meeting of Council, Council may hold a caucus session. The caucus session shall be an opportunity for Council to review and/or discuss the agenda prior to the Regular meeting. The general public shall be permitted to attend but shall not participate unless invited by Council. In the event that the Regular meeting of Council is cancelled, the caucus session shall also be cancelled.

2. SPECIAL Meetings

Council shall hold such special meetings as may be found necessary, which may be called by the Clerk upon the request of three (3) members of Council or as the President of Council deems necessary.

Any such vote or request for the calling of a special meeting shall state the subject or subjects to be considered thereat and no other subject or subjects shall be considered except upon the approval of four (4) or more of the members of Council in attendance at such special meeting. Twenty-four (24) hours notice of such special meetings called by three members of Council or the President of Council shall be given to each member of Council and to the Mayor and any other persons involved in the action to be taken.

3. Notice

The Clerk shall maintain in a conspicuous place in City Hall an announcement of the time, date and place of the regular meeting of Council and, upon receipt thereof of notice of any special meeting of Council, shall post an announcement thereof in a conspicuous place in City Hall and shall give notice at least 24 hours before the time scheduled for such meeting to every newspaper of the time, date, place and purpose of such special meeting. The Clerk shall provide a copy of the agenda for any regular or special meeting to any person who requests same and shall mail a copy of such agenda to any person requesting same and supplying the Clerk with a preaddressed, stamped envelope or e-mail address. The Clerk shall provide an electronic copy for free, or a hard copy of any ordinance or resolution to be considered as an item on any agenda to any person who requests same and who pays to the City the sum of \$0.05 per page of the ordinance or resolution requested.

4. Open Meetings

All meetings of Council shall be open to the public, ~~as per the provisions of the City Charter except for those exemptions set forth in the Ohio Revised Code and approved by two-thirds vote of all of the members of Council.~~ All official actions of the Council shall be taken in open session.

5. Minutes

Minutes of all regular and special meetings shall be open to the public for inspection, during business hours of the City, upon reasonable advance request to the Clerk to inspect the same.

6. Recordings

Meetings of Council shall be recorded electronically and placed on the City's website for public viewing. The recordings shall not constitute the official record of action for the meeting.

7. Executive Session

Pursuant to the City Charter, Council may enter into Executive Session.

II. CLERK OF COUNCIL

3. Clerk

Council shall elect a Clerk who shall act as Clerk of Council/City Clerk and appoint such number of Deputy Clerks as Council may determine to be advisable. The Clerk shall be present at all Council meetings and shall record the proceedings in the official journal, compile the agenda and other duties as prescribed by the Ohio Revised Code, the Charter and ordinances of the City, and as determined by Council.

Deputy Clerks shall follow the duties as determined by the Clerk. A Deputy shall attend such meetings as may be required by the Clerk, and in the absence of the Clerk at a regular or special meeting of Council, shall assume the duties of the Clerk for that meeting alone.

In the event that the Clerk or Deputy cannot attend a regular or special meeting of Council, the Director of Law shall record the proceedings for that meeting alone, or the Clerk may obtain such service from a retired or other community Clerk/Deputy.

Job descriptions for the Clerk of Council and Deputy can be found in Appendix A of the Rules.

III. THE CHAIR Powers and Duties

4. Roll Call

The President of Council shall take the Chair at the hour appointed for Council to meet and immediately shall call the Council to order. The roll shall then be called by the Clerk, who shall enter into the Journal of each meeting the names of members present thereat. In the absence of a quorum at the time appointed for a meeting, the members present may take a recess or recesses and cause the Clerk to procure the attendance of absent members.

5. Temporary Chair

The President of Council shall serve as Chair to preside over its sessions.

In case of the absence of the President of Council, the Clerk shall call the Council to order. The Clerk shall call the roll and if a quorum is found to be present, the Council shall proceed to elect, by a majority vote, a temporary Chair of the meeting until the appearance of the President of Council.

6. Substitute Chair

The Chair, i.e., President of Council or Temporary Chair, may call any other member to take their place in the Chair, such substitution not to continue beyond adjournment.

7. Appeals from Decisions of the Chair

The Chair shall preserve decorum and decide all questions of order, subject to appeal to Council. If any member transgresses the Rules of Council, the Chair shall, or any member may, call to order and in the latter instance, the Chair shall render a decision as to the point of order. In case of any appeal from a ruling of the Chair, the question shall be "Shall the decisions of the Chair stand as the decision of the Council". The Chair shall be sustained unless overruled by a majority vote of the members of Council present.

8. Chair's Power to Vote

Any member of Council who is serving as Chair shall have the same power to vote as other members.

9. Annual Budget

The President will prepare the Annual Budget for Council with the input from Members of Council and the Clerk, and the agreement of member of Council.

10. Evaluation of the Clerk of Council

The President will prepare the Annual Evaluation of the Clerk of Council with the input and consent from the Members of Council. The President will conduct the evaluation meeting with the Clerk.

IV. MEMBERS DUTIES AND PRIVILEGES

11. Seating Arrangement

The President of Council may, if it is deemed it advisable, arrange the seating of the members of Council in the Council Chamber, and all members shall occupy said seats so designated during the time of their term of office.

12. Addressing the Chair

Members when about to speak to a question or make a motion, shall address the Chair as "Mr./Madam President", who shall pronounce the name of the member entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personalities.

13. Limitation of Debate

No member shall be allowed to speak more than once upon any one subject until every member choosing to speak shall have spoken, and no more than twice upon the same subject, nor for a time longer than five (5) minutes, without leave of Council as expressed by a majority vote of the members present. No person other than members of Council and Mayor of the City may be heard or enter into the debate of question or other matter before Council during the regular or special session except with leave of Council as expressed by a majority vote of the members present, or by being allotted time and being placed on the agenda as provided in Rule 17(c) and (d).

The Chair shall be limited in debate in the same manner as Members of Council.

14. Voting

Every member present when a question is put shall vote on same, unless Council, shall, for special reasons, excuse them from voting. Said excuse shall be granted only if the members states reasons for the request before voting begins and the Council by majority vote of the members present accepts them. There shall be no debate upon this question.

Upon the opinion of the Director of Law or a Formal Opinion of the Ohio Ethics Commission, a Member shall be exempt from voting when such action may result in the violation of any State or Local law.

15. Roll Call

The roll call on each vote shall be rotated, so that the members whose name was called first on the last preceding roll call vote shall be called last; the members whose name was called second on preceding roll call vote shall be called first, etc., and each member shall cast a vote when their name is called.

16. Demand for Roll Call Vote

Any member may demand a roll call vote upon any question before Council at any time before the decision on said question is announced by the Chair.

17. Excusal from Attendance

No member shall be excused from attendance at a Council meeting, except upon request to and permission by the President of Council prior to such meeting or by a vote of a majority of the members present. Refer to ORC 731.45 for being unexcused for two (2) months.

18. Excusal During Meeting

No member shall be excused while Council is in session except upon permission of the Chair.

V. ORDER OF BUSINESS

19. Order of Business

The order of business at meetings of Council shall be as follows:

- A. Roll call, to determine presence of a quorum.
- B. Reading of the Journal of the preceding meeting unless such reading shall be dispensed with by consent of a majority of the members present. If no objection is made to the Journal, the same shall be approved.
- C. Consideration of agenda:
 1. Assignment by chair of each item on the agenda to respective committee chair.
 2. Each item shall be heard in the order as printed on the agenda with the committees being listed in the order below.
Land Usage and Zoning Committee
Safety Committee
Service Committee
Finance Committee
 - a. Upon motion of any Council member, the order of business at any meeting may be altered by affirmative vote of a majority of the members present.
 3. Each Agenda Item shall be given its reading, public hearing and opened for discussion by the Council, Administration and the general public. There shall be three opponents & three proponents permitted to speak on each item, for no more than three minutes.
- D. After completion of the agenda items, the Chair shall request that any business to be brought to the attention of Council by anyone present in the Council Chambers be done so at that time. This is the time for any open discussion from the floor. Comments shall be limited in time to three minutes unless otherwise allowed by a majority vote of the members present.
- E. Reports and communications from the Mayor and other city officials, the Clerk and the Council.
- F. Adjournment.

VI. COMMITTEES

20. Appointment of Committees.

The following Standing Committees are hereby authorized:

- (a) Land Usage and Zoning Committee
- (b) Safety Committee
- (c) Service Committee
- (d) Finance Committee

Appointment of a member to chair each committee shall be made by the President of Council at the Organizational Meeting subject to approval by a majority vote of Council.

The President of Council may appoint such Special Committees as deemed necessary provided that matters referred to or pending before a Standing Committee may not, without consent of its members, be referred to or considered by a special committee.

21. Temporary Chair

A Temporary Chair appointed by the President of Council shall preside when Council resolves itself into the Committee of the Whole. These Rules of Council shall govern the Committee of the Whole. All questions shall be decided by a majority vote of those members present. When this Committee arises, any measure, together with any amendments thereto, reported out, shall receive the immediate consideration of Council unless otherwise ordered and placed upon the calendar or agenda.

22. Meetings

Committees shall meet on call of the Chair of the Committee.

23. Quorum

A majority of members of Council shall constitute a quorum.

24. Temporary Committee Chair

In the absence of the Chair, the member named next shall act as Temporary Chair.

25. Secretary to Committees

The Clerk or Clerk's designee shall act as secretary to each Committee and shall keep a record of attendance and business transacted at meetings thereof.

VII. MOTIONS

26. Motions

When a motion is made, it shall be stated by the Chair before debate. A motion shall not be withdrawn by the mover without the consent of Council. Unless otherwise required by law, a motion shall be deemed passed if it receives the affirmative vote of a majority of the members present.

27. Order of Precedence

When a question is before Council, no motion shall be entertained except the following:

- a. To adjourn
- b. To lay on the table
- c. The previous question
- d. To postpone to a time certain
- e. To refer
- f. To amend
- g. To postpone indefinitely

Said motions shall have precedence in the foregoing order.

28 Motion to Adjourn

Motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion.
- b. When made while another member is speaking.
- c. When the previous question has been ordered.
- d. While a vote is being taken.

29. Motion to Lay on the Table

A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of the majority of the members present.

30. Previous Question

The previous question shall be stated in these words: "Shall debate now close?" The motion shall pass if a majority of the members present shall favor it. If the said motion is ordered, there shall be no further amendment or debate, but the question shall be put immediately.

31. Motion to Postpone

Motions to postpone may be amended as to time, excepting a motion to postpone indefinitely. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

32. Motion to Amend

A motion to amend shall be susceptible of but one amendment. An amendment once rejected may not be moved again in the same form.

33. Motion to Suspend Rules

A motion to suspend the Rules of Five Day Notice (Sec. 36-F) must receive the affirmative vote of four-fifth (4/5) of the members elected to Council and shall be open to debate. All other rules may be suspended by a majority of the members present without debate.

34. Motion to Reconsider

A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the session of Council at which the vote was taken. A motion to reconsider any proposal that has been acted upon unfavorably by Council may be made no later than the next regular meeting after the vote of Council thereon. In either case, such motion may be made only by a member who voted with the prevailing side. The concurrence of a majority of the members present shall be sufficient for reconsideration of a vote. If a motion to reconsider is lost, it shall not be entertained again.

VIII MISCELLANEOUS

35. Procedures in Absence of Rules

In the absence of a rule to govern a point of procedure, reference shall be had to the practice set forth in Robert's Rules of Order, or if it cannot there be found, then to approved practice in other parliamentary bodies. The Clerk and/or Law Director shall be the Parliamentarian.

36. Decorum in Council Chambers

The Chair shall maintain decorum in Council Chambers during the session.

37. Rules on Reading and Suspension of Rules

Ordinances: Every action of the Council establishing any offense and providing for the imposition of any penalty, or providing for the levy of any tax or assessment or for the expenditure of any public funds or for the contracting of any indebtedness, as well as all actions required by Charter shall be taken by ordinance. Each ordinance shall contain but one subject which shall be clearly set forth in its title.

Ordinances shall be introduced in writing and shall conform to the following procedures:

- A. Council may reject such ordinances at the time of its first introduction.
- B. Those ordinances not rejected shall be given a first reading ~~at length~~ by title.
- C. Seven days shall lapse between the first reading and any further action by Council.
- D. This waiting period may be waived by 4/5 of the elected members of Council in an emergency.
- E. If the waiting period is waived, Council shall immediately vote on whether or not the ordinance shall be adopted, with or without amendments, or rejected.
- F. During the waiting period and not less than five days before a second reading, the Clerk shall cause to be published ~~in a newspaper of general circulation~~ on the City's website, a summary of the contents of the proposed ordinances, together with a notice of the time and place of the Council meeting at which it will be next considered, inviting interested citizens to be present and to express their opinions thereon.
- G. Council must convene at the time and place so advertised in the public notice described in (F) above and shall give a second reading. This reading may be by title only.
- H. Should any person be present who desires to be heard for or against the adoption of the ordinance, such person shall address the respective committee to which the ordinance has been referred to upon leave of the Chair of the respective Committee.
- I. Written arguments and briefs for or against the ordinance may be filed with the Clerk at the hearing or thereafter, within twenty-four hours. Such time may be extended by a majority vote of Council.
- J. After the hearing and the report of the Committee, Council shall vote on the ordinance.

However, Council need not vote at this particular meeting. Final action may be postponed to such time as Council desires.

- K. A favorable vote of three (3) members of Council shall be necessary to adopt any ordinance.
- L. Final passage shall be attested by the President of Council and the Clerk and shall be presented for the Mayor's signature.
- M. After passage, public notice shall be given by publication, by summary only, ~~one time, in a newspaper of general circulation in~~ for ten days on the City's website and a prominent location in City Hall. Such summary shall consist of a brief statement of the purpose and effect of the ordinance. A copy of the full text of the ordinance shall be posted for not less than ten (10) days after passage in a public place in City Hall.
- N. All ordinances except as below described shall take effect thirty (30) days after passage of Council being signed by the Mayor.
 - (1) Ordinances raising revenue, making appropriations for current expenses, and those declared to be an emergency by 4/5 vote of Council shall go into effect upon passage, approval of the Mayor, attestation and publication by the Clerk. Posting of Ordinances and publication by summary in a prominent location at City Hall and on the City's website ~~newspaper of general circulation~~ shall be deemed publication.
- O. The Annual Appropriation Ordinance is exempt from the above procedure and shall conform to the following procedures:
 - (1) The annual appropriation ordinance shall be prepared by the Mayor with the assistance of the Administrative Assistant and the Director of Finance and shall be forwarded to Council not later than ~~December 7th~~ November 15th.
 - (2) Council shall cause five (5) days public notice to be given of the meeting at which it proposes to consider and adopt the ordinance.
 - (3) The appropriation ordinance shall be adopted not later than December 24th and shall take effect on January 1 whether or not such action has been taken by Council.
 - (4) Copies of the appropriation ordinance shall be supplied to the head of each department, to such County, State and Federal officials as is required by law.

38. Resolutions: Action by Council which is not required by Charter to be by ordinance, and which is not of general public application or interest, may be taken by resolution. Such a resolution shall be introduced in writing, by a member of Council, and may be adopted by voice vote of a majority of ~~a quorum~~ Council.

39. Amending Rules

A majority vote is required to alter, amend, rescind or supplement these rules. Any proposed alterations, or amendments or supplements shall be submitted in writing at a regular meeting and placed on the agenda or calendar for the next regular meeting with the order of new business. By unanimous recorded vote of all members elected to Council, such proposed alterations, amendments or supplements may be adopted at the meeting at which the same are submitted.

40. Quorum

A majority of all members elected to Council shall constitute a quorum.

41. Director of Law

The Director of Law shall, when requested by a member of Council, give a verbal opinion on any question of law concerning City affairs in open council, but they may deem the matter of importance and take a reasonable time to submit their opinion in writing. They shall not be required to draw any ordinances or resolution except upon a majority vote of the members.

42. Resignation

The resignation of a member of the Council shall not take effect until the same has been accepted by a majority vote of members of Council, exclusive of the member tendering the resignation.

43. Community Organization Liaison

A Community organization who desires a Council Member to be a liaison, shall submit a written request to the Clerk and the President shall appoint a member.