

# MOUNT GILEAD VILLAGE COUNCIL

## RULES OF PROCEDURE

### **RULE 1. PUBLIC MEETING.**

All official meetings of the village council are open to the public. This does not, however, prohibit the council from meeting in executive session to discuss items permitted by law when this may become necessary. All action by the council shall be taken at an open session. (ORC 731.46)

### **Rule 2 ORGANIZATIONAL MEETING.**

The council's organization shall be the first order of business at the first meeting in January of each year. First item on the agenda shall be the election of the President Pro Tempore. Nominations from the floor of council members shall be opened. Any council member who is a viable candidate may be nominated. When nominations are complete, they may be closed. The Fiscal Officer will proceed with the roll call of council members to select the President Pro Tempore.

If there is only one viable candidate for the role of President Pro Tempore, that person may be named President Pro Tempore by rule of acclamation according to the ORC 735.10.

### **Rule 3. REGULAR & SPECIAL MEETINGS.**

Regular council meetings shall be held in the Council Chambers. The council will set the time and date at the year's last meeting. By majority vote, the council may change the day and hour of any regular meeting or adjourn to a day and hour determined by a like vote of the members present if constituting a quorum. The mayor or any three council members may call a special meeting upon at least twelve hours notice to each member, served personally, or left at his/her usual residence. Such vote or request for the calling of a special meeting shall state the subject to be considered, and no other subject shall be considered except on the approval of two-thirds of the council members in attendance at such special meeting. The mayor or any council member present at any meeting at which a special meeting is announced need not receive notice of the special meeting. (ORC 731.44 & 731.46)

### **RULE 4. QUORUM**

A majority of elected council members (4) constitutes a quorum.

### **RULE 5. ROLL CALL**

The mayor, or, in his/her absence, the President Po Tempore of Council shall take the chair at the hour appointed for the council to meet and shall call the council to order. The Fiscal Officer shall then call the roll, who shall enter the journal of each meeting with

the names of members present. In the absence of a quorum at the time appointed for a meeting, the members present may, by a majority vote, take a recess or recesses and cause the Fiscal Officer to contact absent members. (ORC 733.24 & 731.10)

**Rule 6. TEMPORARY CHAIRPERSON**

In case of the Mayor or the president pro tempore’s absence, the Fiscal Officer shall call the council to order. The Fiscal Officer shall call the roll, and if a quorum is found to be present, the council shall elect, by majority vote, a Temporary Chairperson to conduct the meeting.

By the election, the Temporary Chairperson is authorized to chair the meeting until the appearance of the Mayor or President po Tempore but may not continue beyond adjournment.

**Rule 7. MAYOR’S VETO POWER AND POWER TO VOTE.**

The mayor shall have no veto power but shall vote when there is a tie vote of members of the council present, in which case his/her vote shall have the same legal effect as a vote of a member of council. A notable exception to the above occurs on any matter requiring the council to approve or concur in an action of the mayor. In this case, the mayor may not cast a tie-breaking vote.

**Rule 8. PRESIDENT PRO TEMPORE’S AND TEMPORARY CHAIRMAN’S POWER TO VOTE.**

1. The President Pro Tempore may vote when serving as acting Mayor.
2. A Temporary Chairperson may vote.

**Rule 9. ORDER OF BUSINESS**

The business of the council shall be conducted in the following order:

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
5. Introduction of Guests
6. Police Department Report
7. Fire Department Report
8. Committee Report
9. Administrator’s Report
10. Mayor’s Report
11. Solicitor’s Report
12. Fiscal Officer’s Report
13. Good of the Order
14. Adjourn

On the motion of any councilperson, the order of business at any meeting may be altered by an affirmative vote of two-thirds of the members present.

**Rule 10. MINUTES**

Unless a council member requests a reading of the minutes, they may be approved and accepted without reading if each council member has been previously furnished a copy.

**Rule 11. MOTIONS.**

When a motion is made, it requires a second and is stated by the Chair or Fiscal Officer before debate. Unless otherwise required by law, a motion shall be deemed passed if it receives the affirmative vote of a majority of the members present, including the Chair, in case of a tie vote of the members.

**Rule 12. GUEST PRIVILEGES AND DEBATE.**

Guests addressing the council shall confine themselves to the question under debate and avoid personalities. No guest shall be privileged to disturb or interrupt another guest on the floor.

Debate by guests shall be limited to the section Introduction from Guest, section five, under the order of business and not interspersed throughout the council meeting. No guest addressing the council shall be allowed to speak more than once on any subject until every guest chosen to speak shall have spoken. No guest shall be permitted to speak for more than five minutes on any subject. More than one guest discussing the same subject shall be limited to a maximum of ten minutes.

**Rule 13. VOTING.**

All questions shall be stated and put by the Chair to roll call votes. The Chair shall declare the vote after the Fiscal Officer has announced the number of votes on each side. Every member present when a question is put to a vote shall vote on the question unless the council shall, for a special reason, excuse him/her from voting. The excuse shall be granted only if the member states reasons for the request before voting begins and the council, by the majority of the members present, accepts them. All council votes will be taken. Those present at the meeting. An absent council member may not vote on any resolution/ordinance at a later date.

**Rule 14. COMMITTEES.**

1. The following standing committees, each consisting of three members each are authorized. Appointment to these committees and the chairman of these committees will be made by the President of Council.
2. Finance

- a. Finance
  - b. Human Resources
  - c. Long Range Planning
  - d. Economic Development
3. Safety
- a. Fire Department
  - b. Police Department
4. Service
- a. Utilities
  - b. Streets
5. Rules
- a. Codes and Regulations
  - b. Zoning
6. Committees shall meet on the call of the Mayor or chairman or at the request of two committee members. Two members must be present to constitute a quorum.
7. The Chairman of the committee shall submit an agenda for each meeting to the Administration at least three days prior to the meeting.
8. The Chairman shall act as secretary to each committee and shall keep a record of attendance and minutes for the business transacted at meetings thereof.

**Rule 15. MEETING AGENDAS.**

The Fiscal Officer shall prepare an agenda for each regular and special meeting. Council members are encouraged to advise the Fiscal Officer of items they desire to have placed on the agenda. However, any member of council, the Mayor, and the Fiscal Officer shall have the privilege to present legislation at a regular session of council.

**Rule 16. ORDINANCES AND RESOLUTIONS.**

1. Ordinances and resolutions may be placed on the agenda by the Administrator, Mayor, or Fiscal Officer and reviewed and/or prepared by the Village solicitor.

2. Each ordinance and resolution shall be read by title only. The legislative authority may require any reading to be in full by a majority vote of its members (ORC 731.17)
3. Each ordinance or resolution shall be read on three different days. This rule may be suspended by a vote of at least three-fourths of the members. After the rule requiring the reading on three different days has been suspended, the second and third readings are not required. The vote must be taken on each ordinance or resolution and entered into the records. (ORC 731.17)
4. It shall be to amend an ordinance or resolution at any time. However, if such ordinance or resolution is of a general or permanent nature, and such amendment is made after the first reading, then the amended ordinance or resolution shall be read again as the first reading. (ORC 731.19)
5. The council may declare an ordinance or resolution to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the village, and as such shall be in force immediately upon its passage provided it receives an affirmative vote of at least two-thirds (2/3) of all members elected to council. (ORC 731.30)

#### **Rule 17. ROBERT'S RULES OF ORDER.**

The latest edition of Robert's Rules of Order shall govern all proceedings by council except those matters covered in this chapter or otherwise expressly controlled by the constitution of this state, applicable state statutes, or other ordinances or resolutions of this Village.

#### **Rule 18. RULES OF PROCEDURE.**

Rules of procedures of a council of a municipal government operating under a statutory form of government do not continue from term to term but must be readopted by succeeding councils. (1964 OAG 898)

#### **RULE 19. SUSPENSION OF RULE OF PROCEDURE.**

A rule of procedure may be suspended by two-thirds (2/3) of the council at any meeting if such suspension does not violate state law or village ordinance.

#### **RULE 20. SPOKESPERSON FOR COUNCIL MATTERS.**

Henceforth, no other personnel or employee of the village shall serve as the official spokesperson for the council unless so designated by the council. (ORD 121.03- *passed* 11-02-64)

#### **Rule 21. COMPENSATION-UNEXCUSED ABSENCE.**

No member shall be compensated for a meeting from which said member is absent unless said absence is excused in writing by the mayor upon written or oral request of the absent member. (Ord. 968, *Passed* 02-22-83)