

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. RECORDS.

Most village records are public records and open to public inspection. Those not subject to public inspection are defined in ORC 149.43.

RULE 3. ORGANIZATIONAL MEETING.

The organization of the council shall be the first order of business at the first meeting in January of each year.

RULE 4. REGULAR MEETINGS.

Regular meetings of council shall be held in the Council Chambers. The time and date will be set at the organizational meeting held in January of each year. Council may, by Majority vote, change the day and hour of holding any regular meeting, or adjourn the same to a day and hour determined by a like vote of the members present if constituting a quorum. (ORC 731.46)

RULE 5. SPECIAL MEETINGS

Council shall hold such special meetings as may be found necessary, which may be called by the Mayor or on request of three members of council. 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 members of council in attendance at such special meeting. Twelve hours notice in writing of such special meeting, if called by the Mayor or by three members of council, shall be given to each member of council and to the Mayor by personal service or by delivery thereof at their usual place of residence. Members of council may waive such notice by their attendance at such special meeting. The Mayor or any member of council who is present at any meeting at which a special meeting is announced need not receive notice of the special meeting. (ORC 731.44)

RULE 6. RECESSED MEETINGS

All legal meetings of the village council may be recessed to a specific time and place. A recessed regular meeting is a continuation of regular meeting, and any regular or general business may be considered. A recessed special meeting is a continuation of the specially called meeting and only the specific business for which the meeting was originally called can be considered except by unanimous consent of all members. Any member not present at the regular or special meeting should be notified of the meeting being recessed, in writing, if possible.

RULE 7. EXECUTIVE SESSIONS

Executive sessions of the village council may be called at such time and place as allowed by Ohio Law.

RULE 8. QUORUM

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

RULE 9. ROLL CALL

The Mayor, or in his absence, the President Pro Tempore of Council, shall take the chair at the hour appointed for council to meet and shall call the council to order. The roll shall then be called by the Clerk, who shall enter in the journal of each meeting 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 Clerk to contact absent members (ORC 733.24, 731.10)

RULE 10. TEMPORARY CHAIRMAN

In case of the absence of the Mayor and the President Pro Tempore, 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 Chairman to conduct the meeting.

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

RULE 11. 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 council present, in which case his vote shall have the same legal effect as a vote of a member of council. A special exception to the above occurs on any matter which requires 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 12. 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 Chairman may vote.

RULE 13. ORDER OF BUSINESS

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

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Approval of Minutes
5. Communication from 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. Other Business
14. Adjourn

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

RULE 14. MINUTES.

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

RULE 15. MOTIONS.

When a motion is made, it shall require a second and shall be stated by the Chair or Clerk 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 16. MEMBERS' DUTIES AND PRIVILEGES. (revised 01-07-2013)

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

RULE 17. LIMITATION OF DEBATE.

No guest addressing council shall be allowed to speak more than once on any one subject until every guest choosing to speak shall have spoken. No guest shall be permitted to speak for more than five minutes on any one subject. More than one guest discussing the same subject shall be limited to a maximum of ten minutes total.

RULE 18. VOTES.

All questions shall be stated and put by the Chair to roll call votes. The Chair shall declare the vote after the Clerk has announced the number of votes on each side.

RULE 19. VOTING.

Every-member present when a question is put to vote shall vote on the question unless council shall for 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 majority vote of the members present accepts them. All votes of council will be taken those present at the meeting. An absent council member may not vote on any resolution or ordinance at a later date. *(Revised 09-19-01)*

RULE 20. COMMITTEES. *(Revised 2015)*

1. Appointment of committees. The following standing committees consisting of three members each are authorized. Appointment of members to these committees shall be made by the President of Council

- a. Finance and Personnel
- b. Streets *(amended 02-1-99)*
- c. Fire and Police *(amended 02-1-99)*
- d. Codes and Regulations
- e. Village Development and Zoning
- f. Utilities *(amended 02-1-99)*
- g. Long Range Planning *(amended 2015)*

2. The Mayor, with the consent of council, may appoint such special committees as he deems 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. The Mayor shall also designate a person to chair each committee, and shall be an ex-officio member.

3. Committees shall meet on call of the Mayor, Chairman, or on request of two members.. Two members must be present to constitute a quorum.

4. The Chairman of the committee shall act as secretary to each committee and shall keep a record of attendance and business transacted at meetings thereof.

RULE 21. MEETING AGENDAS.

An agenda for each regular and special meeting shall be prepared by the Mayor with the assistance of the Fiscal Officer. When possible, an agenda should be delivered to the home of each council member at least two days before each regular meeting. Agenda items for special meetings shall be included with the notice of the meeting.

Council members are encouraged to advise the Mayor or 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 22. ORDINANCES AND RESOLUTIONS.

1. Ordinances and resolutions may be placed on the agenda by the Mayor, Fiscal Officer, a council member, a committee of council, or by council.

Normally, a proposed ordinance should be considered by the appropriate committee, and checked to determine if it requires funding and if any required ordinances should be reviewed and/or funds are available. In addition, most ordinances should be 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 in the records. (ORC 731.17)

4. It shall be in order to amend an ordinance or resolution at anytime. 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 23. 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 24. 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 25. SUSPENSION OF RULE OF PROCEDURE.

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

RULE 26. SPOKESMAN FOR COUNCIL MATTERS

Henceforth no other personnel or employee of the village shall serve in the capacity of official spokesman for council unless so designated by council. (*Ord. 121.03 - Passed 11-02-64*)

RULE 27. 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*)