

Council Rules

City of
NORTON

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RULES OF COUNCIL

SECTION 1 – ORGANIZATION AND SET-UP

RULE 101: Pledge of Allegiance.

The President of Council, or in his or her absence, the Vice President of Council, shall call the meeting to order; all shall rise for the Pledge of Allegiance and a moment of silent prayer, or by the observance of not less than one minute of silence. (See Section 3.16 of the Charter of the City).

RULE 102: Nominations and Elections of President and Vice President of Council.

Within ten (10) days from the commencement of its term, Council shall hold an organizational meeting which shall be the first regularly scheduled meeting of the term or a special meeting called for organizational purposes. The Council shall elect from its membership, a President of Council and a Vice President of Council who shall serve until the next Organizational Meeting of Council.

- (a) The presiding President of Council shall call the meeting to order and begin the nomination process by accepting nominations from the floor for the position of President of Council. After no further nominations are offered, the presiding President of Council will close the nominations. Any member may nominate another member, no second shall be required.
- (b) The Clerk of Council shall call for a voice vote from each Council Member as to the candidate of their choice from the slate of nominated candidates.
- (c) A majority of the votes cast members elected and appointed to Council shall be required to elect the President of Council and Vice President of Council. The first candidate to receive a majority of the votes of the members elected and appointed to Council of Council present shall win gain the position for which he or she was nominated. In the case that no election results from the first vote, the candidate receiving the fewest number of votes from the first round shall be dropped from the list of nominees, and the same procedure shall be followed with each voice vote until an election results. In the event that no member receives a majority vote, the voice vote shall be repeated until the office is filled.
- (d) After the new President of Council takes the chair as President of Council from the outgoing President of Council, he/she shall then repeat the nomination process noted above for the election of the Vice President of Council.

RULE 103: Council Rules.

In January of each year, or as soon thereafter as possible, the current version of Council Rules may be reviewed and voted on for amendments if necessary. During this review process, Council Rules may be

amended by a majority vote of the elected and appointed Council members. However, if Council does not amend Council Rules, the version of Council Rules then in effect will remain in effect. Once the Council Rules are amended or otherwise approved in accordance with this Rule 103, the Council Rules may only be amended in accordance with Rule 601 herein.

RULE 104: Organization.

The President of Council, or in his/her absence, the Vice President of Council, shall, at the time appointed for the Council to meet, take the chair and immediately call the meeting to order. In the absence of the President of Council and Vice-President of Council, the Clerk of Council shall call the Council to order and a President- pro-tem of Council shall be elected, by a majority vote of the quorum of members in attendance, for the meeting. The roll shall then be called and the Clerk of Council shall enter on the minutes the names of the Council members present at each meeting. In the absence of a quorum at the hour appointed for the meeting, the Council members present may, by a majority vote, recess for a period not exceeding one hour.

RULE 105: Meeting - Times.

The hour of the meeting shall be 7:00 p.m., for all Regular Council and Committee Work Session Meetings. Special Meeting dates and times may differ with a twenty-four (24) hour prior notice. The Regular Council meeting shall have a Committee of the Whole time set to allow Council members to speak.

RULE 106: Meeting - Days.

The meetings may be held at such time and place as is prescribed by the Charter.

Regular Council Meetings shall be held on the 2nd and 4th Mondays of each month in Council Chambers in the City Administration Building. *Committee Work Sessions* shall be held on the 1st and 3rd Monday of each month. When any Council meeting falls on a Monday that is a Federal or State holiday, which is observed by the City, then Council, at the discretion of the Council President or the majority of Council, may meet on the following Tuesday at the same time, or at a Special Council Meeting if necessary. If Council Chambers are unavailable, Council may choose to move their meeting place with prior notification to the public. All meetings are open to the public; provided, Council may adjourn the meeting to enter into an Executive Session in accordance with the Ohio Revised Code and Section 3.12 of the Charter of the City of Norton.

RULE 107: Meeting - Vacation.

Council may be on vacation from the middle of the month of July to the middle of the month of August.

RULE 108: Meetings – Regular, Committee Work Sessions, and Special Meetings:

Regular Council Meetings - The Regular Council Meeting is to take legislative action on agenda items and matters before Council. **Committee Work Sessions** - Council shall schedule two (2) Committee Work Session Meetings each month. The Council President, in his/her discretion, may choose to cancel any Committee Work Session Meeting. The Committee Work Session is to discuss items on the agenda and other items that a Council member may bring to the table. **Special Council Meetings** – The President of Council or any three members of Council may call a Special Meeting with at least twenty four (24) hours prior notice to each Council member and the Mayor. Written notice of any such meeting shall be emailed by the Clerk of Council to each Council member and the Mayor, via their city email address, with confirmation requested for a follow up returned email to the Clerk of Council. Service of notice shall be deemed to have been completed upon sending of said notice by the Clerk of Council via email to the City email address of each Council member and the Mayor. If City email is unavailable or not functional, all other attempts of notification fail, notices shall be served personally upon each Council member and the Mayor or left at the usual place of residence at least twenty four (24) hours prior to such meeting. Service of notice of any Special Meeting shall be deemed conclusively to have been waived by the Mayor or by any Council member who shall be present at such meeting. All Special Meetings of Council shall be held at the Council Chambers and shall be open to the public.

RULE 109: Appoint Committees/Define Committees.

It shall be the duty of the President of Council at the first meeting of Council, as directed by the City Charter for organizational purposes, to appoint regular standing Committees, consisting of at least three (3) members for all standing Committees. The first named member of the Committee shall be considered the Chairperson thereof for a one-year term. The second named member of the Committee shall be considered the Vice Chairperson thereof for a one-year term. The standing Committees shall be:

1. Finance
2. Personnel/Rules
3. Safety
4. Planning & Economic Development
5. Property & Mine
6. Utilities
7. Service

A description of each Committee’s duties is attached to these rules as Appendix “A.” Each Council member is to chair one of the standing Committees. Each Council member is to serve on at least two (2) other standing Committees, other than the Committee, which he/she chairs. Each Committee shall be

made up with different members. Where there is a conflict as to which Committee is to receive an assignment, the conflict will be resolved by the President of Council making the assignment to the Committee. The President of Council shall be empowered to revise committee assignments at such times as he or she deems necessary.

RULE 110: Committee Meetings.

All Committee Meetings shall regularly occur during the Council Work Sessions or may be set by the Chair of the Committee at such other times as the Committee Chair shall deem necessary with the President of Council's approval. All Matters Referred items should be addressed at the Committee Work Session Meeting within the appropriate standing committee and with input from all Council members present.

RULE 111: Agenda.

The Clerk of Council shall prepare the agenda under the supervision of the President of Council. Any Council member may have an item placed on the agenda.

RULE 112: Quorum – Committee Work Sessions.

A majority of four (4) of all Council members elected and appointed to Council shall constitute a quorum for a Committee Work Session Meeting. For the purpose of referring a matter to the Council agenda, at least three (3) Council members must vote in the affirmative.

RULE 113: Quorum – Standing and Special Committees.

A quorum of two (2) shall be sufficient for all Standing and Special Committees of Council (as described in Appendix "A" of the Council Rules) For purposes of referring a matter to the Council agenda, two (2) members of the said committee must vote in the affirmative

RULE 114: Monthly Financial Reports

Upon receipt of the City's financial reports from the Director of Finance, the President of Council shall place, on the agenda for the next Regular Council Meeting, a Council acknowledgement that the financial reports were received.

SECTION 2 – ORDER IN COUNCIL

RULE 201: General.

No person shall be allowed to have a seat in Council or be permitted in the area forward of the railing in the Council Chambers, except the Mayor, members of the Board of Control, Directors of City Departments, a City of Norton Police Officer and members of the press. The President of Council shall determine all chamber arrangements and seating. Any person who violates the mandates of Rule 202 may be held in contempt of Council, as defined in Norton Codified Ordinance 648.05, and may be ordered

removed by a majority vote of Council or by the President of Council. Removal from the Council Chambers will be effected by a member of the City of Norton Police Department.

RULE 202: Addressing Council.

Regular Council Meetings: Any individual who wishes to address Council at a Regular Council Meeting is required to sign in on the public comment form, prior to the commencement of the Council. The individual shall approach the podium when recognized and state their full name and address for the record. Public comment is not limited to agenda items, but public comments shall be limited to five (5) minutes. The answering of questions directed to the speaker by Council members shall not be considered part of the five (5) minute rule. Speakers shall have the right to complete their public comment without interruption from members of Council, except in the case of the necessity to preserve decorum.

Committee Work Session Meetings: During the Public Comment section on the agenda, discussion is not limited to agenda items; the individual shall approach the podium when recognized and state their full name and address for the record. Any individual wishing to address the Committee during a work session discussion outside of the Public Comment section shall raise their hand and wait to be recognized. When recognized, the individual shall approach the podium and state their full name and address for the record. Public comment during discussion shall be limited to the agenda items then under discussion. A five-minute (5) time limit on public comment shall apply at all meetings, unless otherwise approved by the members of Council. The answering of questions directed to the speaker by Council members shall not be considered part of the five (5) minute rule. Speakers shall have the right to complete their public comment without interruption from members of Council, except in the case of the necessity to preserve decorum.

Special Council Meetings: The purpose of Special Council Meetings shall be to address specific item(s) or issue(s). Public comments will not be permitted during Special Council Meetings unless approved by a majority vote of a quorum of Council.

RULE 203: Decorum (Members).

The President of Council or Presiding Officer shall preserve decorum and decide all questions on order, subject to an appeal to the Council by any Council member.

RULE 204: Recognition to Speak – Members of Council.

When a Council member wishes to speak at any meeting of Council, he/she shall stay seated or arise if he/she so desires, and address the President of Council as Mr./Madam President, and shall not commence speaking until recognized. While a Council member is speaking, no one shall pass before him/her or otherwise interrupt him/her, except by the recognized Council member's leave.

RULE 205: Order – Reading Communications to Council.

No anonymous communications shall be read at any Council meeting. The President of Council or, in his or her absence, the Vice President of Council must approve communications addressed to Council before being publicly read by the Clerk of Council. Letters from Department Heads to the City to Council shall be referred to the appropriate committee before being read in Council. No letter of a personal nature shall be published or read publicly without the approval of the President of Council and the person involved.

RULE 206: Order – Threatening Person Removed.

Any person who, during any gathering which constitutes a formal meeting of Council, threatens a Council member or any citizen of this municipality or threatens damage to property within this municipality, may be charged with violation of Section 648.05 of the Codified Ordinances of the City of Norton, and may be ordered removed by a majority vote of Council or by the President of Council. Removal from the Council Chambers shall be effected by a member of the City of Norton Police Department.

RULE 207: Attendance by Members.

Any Council member unable to attend any Regular, Committee Work or Special Meeting must notify the President of Council, Clerk of Council, or Presiding Officer and state the reason for the absence.

SECTION 3 – REFERRAL

RULE 301: Refer Matters from Administration, Department Head or Council Member.

All requests from any Department Head, the Administration, or Council member, shall be made in writing, to the President of Council with copies to all Council members and the Clerk of Council. The Clerk of Council will note all requests made by the Administration, Council member, or Department Head on matters referred as provided in Council Rule 304. The date of the referral for purposes of the Council Rules will be the date of the letter. If no date appears on the letter of referral, the President of Council shall date the letter on the date of its receipt by the President of Council.

RULE 302: Presenting Matters to Council.

All petitions to Council must be received by and/or presented to the Clerk of Council. All other matters, which include but are not limited to ordinances and resolutions, shall be introduced by a Council member. Such matters shall be assigned a number by the Clerk of Council when presented. All ordinances and resolutions shall be known by their assigned number.

RULE 303: Ordinances/Resolution Assignment.

When an ordinance or resolution is recommended by Committee or in any other manner allowed by these Rules, it shall be assigned a number and title by the Clerk of Council. The ordinance or resolution shall also bear the name(s) of the sponsor(s). Resolutions providing for improvements shall be accompanied

by the Municipal Engineer's, the Administrative Officer's and/or the Finance Director's estimate of the cost thereof.

RULE 304: Matters Referred List.

It shall be the duty of the Clerk of Council to provide all Council members, the Mayor and the Administrative Officer, with a brief list of all matters before all Committees, together with the date the matter was referred to the Committee. The Committee Chair shall advise the Clerk of Council, in writing or by email, of any changes in the matters before their Committee, by the Wednesday prior to any regularly scheduled Council Meeting. The list of Committee referrals shall then be prepared and distributed with the Committee Work Session agenda.

SECTION 4 – COMMITTEE WORK AND MOTIONS

RULE 401: Resolution or Ordinance – Time Limit in Committee.

All recommendations of Committees and all matters pertaining to the legislative function of Council shall be referred to the President of Council in the form of a proposed resolution, or proposed ordinance by motion as the case may require. Council shall not hold any proposed legislation in Committee for more than ninety (90) days, after referral to Committee, as defined in Rule 402. After ninety (90) days, any Council member may take legislation out of the Committee by motion. Said motion must be approved by a majority vote of the legislative body present at the time the motion is made. However, when time is of the essence or any emergency exists, any three (3) Council members may take legislation out of Committee by motion after the expiration of fourteen (14) days from the time the matter was referred to Committee. Said motion must be approved by a majority vote of the Council members present when the motion is made.

RULE 402: Time for Delivering Material or Ordinance.

All requests for legislation which are to be prepared by the Solicitor shall be presented to him/her no later than 12:00 PM (noon) on the Tuesday preceding the meeting at which such legislation is to be presented. All proposed legislation shall be forwarded to the President of Council, who will confer with the Solicitor and the Clerk of Council in preparation of the agenda. The Council Packet, including all ordinances and resolutions, shall be ready for distribution to all Council members, the Mayor and Department Heads no later than 3:00 PM on the Friday preceding the Regular Council Meeting. All cover memos and supporting documents for Committee Work Session discussion must be submitted to the Clerk of Council, and received no later than 4:00 PM on Wednesday in order to be included in the packet for distribution that Friday; provided that no cover memo shall be required for legislation requested by Council.

RULE 403: Motions.

At all meetings, all motions shall be stated by the President of Council, and polled by the Clerk of Council. Roll call votes shall be recorded as “yes” or “no”. An abstention is not a vote and is not counted as a vote but shall be recorded by the Clerk of Council.

SECTION 5 – MINUTES

RULE 501: Minutes.

The Clerk of Council shall be responsible for the minutes, including Regular, Committee Work Sessions and Special meetings of Council.

RULE 502: Approval of Minutes

At each Regular Council Meeting, the President of Council shall address the Council members in order to request corrections and/or modifications to the minutes of the last Regular Council Meeting, Committee Work Session, or Special Council Meeting. If there are no corrections or modifications, the President of Council shall declare the minutes accepted as written without a formal vote. If there are any corrections or modifications to the minutes, the President of Council may declare the minutes accepted as corrected or modified, without a formal vote, unless there is an objection to proposed modifications from any Council member. In the event of an objection as aforesaid, the President of the Council shall refer the matter back to the Clerk of Council for review of the tape or put the matter to a formal vote of Council.

RULE 503: Corrections to the Minutes.

All corrections to the minutes shall be directed to the Clerk of Council prior to the meeting for approval. The Clerk of Council shall adopt any correction, which in the opinion of the Clerk of Council improves the accuracy of the record. The Clerk of Council shall advise the President of Council of all corrections requested but not adopted by the Clerk of Council. The President of Council shall have the authority to instruct the Clerk of Council to make any corrections, which the President of Council deems to improve the accuracy of the record. Any Council member who has submitted corrections that are not adopted by the Clerk of Council may raise the matter at the Consideration of Minutes, as set forth in Rule 502, for discussion by Council.

RULE 504: Broadcasting and Recording of Meetings.

All broadcasting and recording of meetings shall be in accordance with Charter Section 3.20.

RULE 505: Archiving of audio/video recordings.

All audio recordings shall be archived until the hard copy of the minutes have been approved and signed by the President of Council and the Clerk of Council. All video recordings shall be archived and maintained by the Clerk of Council for a minimum of two years after the date of such meeting.

SECTION 6 – RULES

RULE 601: Amend Rules.

Except as otherwise provided in Rule 103, these rules may be amended at any Regular Meeting by a two-thirds (2/3rds) vote of the elected and appointed Council members.

RULE 602: Suspension of Rules.

These Rules may be suspended, for the time being, at any meeting of Council, by concurrent vote of two-thirds (2/3) of all Council members elected and appointed.

RULE 603: Refer to Robert's Rules.

All questions arising concerning the sessions of Council and the transaction of business therein, not provided for in the foregoing Rules, shall be decided, held, and governed by the statutes of the State of Ohio, the ordinances of the City of Norton, The Charter of the City of Norton so far as provisions for the same are therein made, and upon all other matters Robert's Rules of Order shall be the standard for Parliamentary Procedure.

SECTION 7 – MISCELLANEOUS

RULE 701: Use of Council Chambers for Mayors Court & Boards and Commissions.

The Council Chambers shall be used for Council purposes and temporarily used by the Mayor's Court. Council Chambers may be used by the Boards and Commissions or any other group at any time with a written request received by the Clerk of Council or designee, as long as no conflict exists and with the consent of Council President.

RULE 702: Clerk of Council.

The Clerk of Council and the Deputy Clerk of Council shall be under the direct supervision of the Council President and shall serve all Council members.

APPENDIX "A"

DESCRIPTION OF COUNCIL COMMITTEES

FINANCE: This Committee is responsible for all legislation involving appropriation, transfer, or expenditure of funds, and for all budget and pay ordinances.

PERSONNEL/RULES: This Committee is responsible for ordinances setting salaries and numbers of employee, and Ordinances authorizing contracts with municipal service unions. This Committee also has responsibility to develop rules, which govern how Council governs and conducts itself. When there are questions on the floor of Council, the President of Council may call upon this Committee to resolve disputes of order or disputes concerning how Council is governing itself.

SAFETY: Police, Fire and EMS Divisions are the primary responsibility of this Committee. This Committee is also responsible for all legislation concerning the traffic and criminal offenses section of the Norton City Codified Ordinances.

PLANNING & ECONOMIC DEVELOPMENT: The Planning & Economic Development Committee deals with all matters relating to the Planning Commission and works on all subdivision/zoning changes or subdivision/zoning text amendments. The Planning & Economic Development Committee is responsible for Building Code legislation. The Planning & Economic Development Committee is responsible for identifying and promoting economic growth opportunities that benefit residents, and businesses within the City.

PROPERTY & MINE: The Property & Mine Committee is responsible for all matters concerning any City owned property and buildings, including City parks. The Property & Mine Committee is also responsible for all matters relating to the PPG mine as determined by Council.

UTILITIES: This Committee is responsible for matters concerning water, sewer, and trash; for all legislation authorizing bids for public works and improvements; and for all matters relating to electric gas, telephone, cable, and public utilities.

SERVICE: This Committee is responsible for all matters relating to street maintenance and for recommendations for the purchase of equipment for the Service Department.