

# **RULES OF COUNCIL**

Ordinance 2014-04

Adopted March 3, 2014

## **111.01 RULES OF COUNCIL.**

### **RULE 1. MEETINGS OF COUNCIL.**

A. Time and Place. Meetings of Council shall be held only as authorized, pursuant to Section 3.3 of the Charter of the City of Grandview Heights ("the Charter"). The meetings of Council shall be held at the Municipal Building of the City of Grandview Heights, Ohio, or at such other place within the City as may, from time to time, be designated by either of the following methods:

1. The President of Council upon 24 hours' notice given to Council Members, or
2. Affirmative vote of a majority of the members present at any lawfully convened meeting of Council, taken 24 hours in advance of such subsequent meeting.

B. Meetings.

1. Regular Meetings. Council shall meet at least once a month, pursuant to Section 3.3 of the Charter. The calendar of regular meetings shall be determined by Council, and the Clerk of Council shall be responsible for notifying members of Council, the media and other persons as set forth in these Rules.

2. Special Meetings. Notice of any special meeting of Council called pursuant to Section 3.3 of the Charter shall be posted in a conspicuous place in the Municipal Building, and the Clerk shall give notice of such meeting at least 24 hours before the time scheduled for the meeting to every news organization that has filed with the Clerk pursuant to Section C of this Rule a written request for such notification.

The Clerk shall be notified as soon as practicable upon the scheduling of a special meeting of Council by the person(s) calling such meeting. The Clerk shall then notify the remaining members of Council at least 24 hours prior to the time fixed for such meeting by direct conversation, in person, by telephone, or by any other method reasonably calculated to provide the members with at least 24 hours prior notice.

3. At the discretion of Council, Department Heads shall be expected to attend any meetings at which their attendance is requested. In addition, Department Heads shall provide Council with monthly written reports.

C. Notice of Meetings.

The Clerk shall post in a conspicuous place in the Municipal Building a copy of the resolution adopted by Council pursuant to Section 3.3 of the Charter, establishing the dates, times and places of Council and Committee meetings.

D. Requests for Notification of Meetings.

1. Requests by news organizations of meetings. Any news organization that desires to be given advance notification of special meetings of Council shall file with the Clerk a written request therefore on a standard form to be provided by the Clerk. Such form shall specify the name of the news organization, such information which the Clerk reasonably feels is appropriate for the intended purpose, and at least one fax number for giving written

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notification to such organization and any other contact information that the Clerk may determine to be appropriate for providing notice to the requesting news organization. Any such request shall be effective during the calendar year for which it is filed. Such request shall be modified or renewed by filing a complete new request with the Clerk. The Clerk shall provide the news organization with a copy of its request form as filed with the Clerk, if requested.

2. **Advance Notification of Meetings.** Any other person or organization that desires to be given advance notification of regular and special Council meetings and/or committee meetings shall file with the Clerk a written request therefore on a standard form to be provided by the Clerk. Such form shall contain information which the Clerk reasonably feels is appropriate for the intended purpose. The Clerk may use whatever method is appropriate under the circumstances including requiring a sufficient number of pre-addressed, stamped envelopes, based upon the anticipated number of meetings to be held during the period for which the request is in effect. Any such request shall be effective during the calendar year for which it is filed.

Such request shall be modified or renewed for the succeeding calendar year only by filing a complete new request with the Clerk.

3. **Method of Notice.**

a. The Clerk shall give advance notification under this Rule by written, electronic, or oral notification, or both, as the Clerk determines.

b. Failure of the Clerk to give advance notification shall in no manner invalidate or otherwise affect or nullify the action taken at any meeting which is duly called pursuant to the provisions of the Charter of the City of Grandview Heights, Ohio.

4. **Open Meetings.** All meetings of Council or its committees shall be public, except executive sessions which may be held pursuant to State law.

### **RULE 2. COUNCIL AGENDA AND INTRODUCTION OF LEGISLATION.**

A. **Council Agenda.** Each proposed Council agenda shall be approved by the President of Council or a Council member designated in writing by the President of Council prior to publication.

B. **Introduction of Legislation.** Ordinances and Resolutions may be sponsored by any member of Council or the Mayor.

C. **Legislation Memorandum.** All legislation, when introduced, shall be accompanied by a cover memorandum, which shall be submitted by the sponsor of the legislation.

This cover memorandum shall contain:

1. The title of the legislation.

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2. The name of the individual (Mayor or individual Council member, etc.) sponsoring the legislation.
3. Contact person for questions.
4. The Department which will be charged with enforcing and/or administering the legislation.
5. The reason for the legislation.
6. Whether the legislation is desired to be passed as an emergency measure, and if so, why.
6. Whether suspension of the rules is desired, and if so, why.
7. Whether the legislation would repeal or amend a current Ordinance or Resolution, and, if it does, reference or attach a copy of such Ordinance or Resolution.
8. All proposed Ordinances and Resolutions will be reviewed by the City Attorney prior to being placed on the Agenda to assure the Ordinance or Resolution is in the proper form and to determine whether the legislation would repeal or amend a current Ordinance or Resolution and that it is not in conflict with the existing State or Federal law.
9. No proposed Ordinance or Resolution may be placed on the Agenda unless all requirements of Rule 2(C) 1-9 are satisfied.

### **RULE 3. ACCESS TO COUNCIL DOCUMENTS.**

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

B. Copying. The Clerk shall provide a copy of any ordinance or resolution to be considered as an item on any Council agenda or a copy of the minutes of any Council meeting to any person who requests the same. In the event of a voluminous document request the Clerk may charge the requesting party for the cost of copying the documents in accordance with the City's public-records policy.

### **RULE 4. OFFICERS OF COUNCIL.**

A. President of Council. Pursuant to Section 3.3 of the Charter, at the first regular meeting in January following a regular municipal election, Council, including its newly-elected members, shall elect one of its members as President. The President shall preside at

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meetings of Council and perform such duties as required by these Rules.

In the event of a resignation or removal leading to a vacancy in the office of Council President, then at the next regular meeting, the remaining members of Council shall select a new President by a majority of the remaining members (4/6).

B. Vice President of Council. A Vice President of Council shall be elected in the same manner as provided for the election of the President and shall preside in the absence of the President then exercising and discharging the powers and duties of the President. In the event that the Office of the Vice President becomes vacant, a new Vice President shall be elected as soon as possible.

C. President Pro Tem of Council. A President Pro Tem of Council shall be elected at the last regular meeting of the year in which a regular municipal election is held for the express, and limited, purposes of conducting the election procedure referenced in Section (E), infra.

D. Term of Office. The term of office for the President and Vice President shall be for a period of two years, beginning with the election of officers of a new Council and ending at the finish of the calendar year following a regular municipal election. There is no term limit.

E. Election Procedure. The election of officers will be held as the first order of business on the agenda at the first meeting of a newly formed Council following the regular municipal election. If there is no President's *Pro Tem* of Council, the City Attorney shall preside in the President's *Pro Tem*'s absence.

F. Removal from Office. The President or Vice President may be removed from such office for any significant reason by a three-fourths vote of all members of Council (6/7). Any such proposal shall be commenced by motion at a regular meeting and, if such motion is approved by a majority of all members of Council (4/7), shall be placed on the agenda for the next regular meeting as the first order of new business. The provisions of this rule may not be suspended.

### **RULE 5. COMMITTEES OF COUNCIL:**

A. Standing Committees. Council shall have four Standing Committees with areas of responsibility as herein designated. Each Standing Committee may review and advise Council on all matters or proposed legislation within its respective areas of responsibility and shall do so when any specific matter is referred to it by the President of Council.

1. Finance. All financial matters including budgets, appropriations, revenues, expenditures, taxes and assessments; general fiscal policy; budget and accounting procedures; administrative matters; insurance; and contracts.
2. Safety. Police, fire and rescue services, traffic safety and control; animal control; public health; disaster services; public transportation; building codes, inspections and enforcement; community relations; and other similar public service.
3. Recreation, Service and Public Facilities. Community public service and recreational activities; public parks, grounds, buildings and facilities including the municipal swimming pool and the senior citizens center; sanitation services; maintenance of the

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city infrastructure; and general civic improvement and beautification.

4. Planning and Administration. Needs assessment and long range community planning; zoning and land use planning; industrial and commercial development; and Council administration including rules and procedures, Council appointments, supervision of the Director of Finance (in conjunction with input from the Chair of the Finance Committee), Clerk of Council, City Attorney and all other appointees and employees of Council, and the Council budget.
  
- B. Composition of Standing Committees. Standing Committees of Council shall consist of at least three (3) members of Council, appointed by the President of Council who shall also designate the chair of each Committee.
  
- C. Composition of Finance Committee. The Finance committee, in order to promote continuity of goals and purposes among the three other standing committees, shall be comprised of a member from each such committee (i.e., Safety Committee, Recreation, Service and Public Facilities Committee, and the Planning and Administration Committee).
  
- D. Special Ad Hoc Committee. The President of Council may appoint Special *Ad Hoc* Committees for limited purposes, establishing a specific length of time in which each such Committee shall complete its special purpose.
  
- E. Composition of Ad Hoc Committees. The Chair of any *ad hoc* committee designated by the Council President shall be a Council member appointed by the President of Council. The Chair, or the President of Council, appoints members of the *Ad Hoc* Committee which may include members of Council, residents, representatives of businesses within the community, or City staff members.
  
- F. The President of Council has the authority to assign specific issues to Standing and/or *Ad Hoc* Committees.
  
- G. Committee Meetings. All committees with unfinished business shall meet at such times as the Chair determines. In order to meet and conduct business, at least a majority of the members of the committee must be present.
  
- H. Committee Chair Responsibilities.
  1. The committee Chair shall keep track of all matters and proposed legislation pending before the committee.
  2. The committee Chair shall, as soon as is practicable, notify the Clerk of Council upon scheduling a committee meeting.
  3. The committee Chair shall preside over all committee meetings.
  4. The committee Chair shall keep minutes of each committee meeting and file them with the Clerk of Council, or the Clerk's designee, at regular intervals. The Clerk, or the Clerk's designee, shall distribute a copy to each Council member before the next scheduled Council meeting.
  5. The committee Chair shall, at each regular meeting of Council, report on the

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committee activities occurring since the preceding regular meeting of Council.

- I. Notice of Committee Meetings. The Clerk shall provide notice of a scheduled committee meeting in the same manner as required for a special meeting of Council.

### **RULE 6. VOTING.**

- A. Each ordinance and resolution shall be read by title only by the Clerk of Council, provided City Council may, by a majority of its members (4/7), require any reading to be in full.
- B. Each ordinance and resolution shall be read on three (3) different days; provided, however, that Council may dispense with this requirement by a three-fourths vote of all Council members (6/7) to suspend the Rules. The vote to suspend the rules must be taken by roll call vote on each individual ordinance or resolution and the result entered on the official minutes of Council. If the rules are suspended, Council may then immediately vote on the ordinance or resolution being considered.
- C. The vote on the passage of each ordinance shall be taken by individual roll call and entered upon the official minutes. The President of Council may direct that votes on resolutions be taken by voice vote, unless any member requests that it be taken by roll call.
- D. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of City Council (4/7).
- E. Any action by City Council not required by law to be made by ordinance or resolution, or otherwise by these Rules, may be taken by a motion approved by at least a majority vote of the members present at the meeting when the action is taken.
- F. In order to adopt any ordinance or resolution as an emergency measure, a two-thirds vote of all Council members is required (5/7).
- G. Any member may demand a roll call vote upon any question before Council at any time before the decision on said question is announced.
- H. When any roll call vote is taken, the Clerk of Council shall rotate the sequence of voting order among Council members by last name. The President of Council shall always vote last.

### **RULE 7. EXCUSED ABSENCE FROM REGULAR MEETING.**

A member of Council may request excused absence from attendance at Council meetings by notifying the President of Council prior to such meeting. Conditions and circumstances constituting good cause for absence shall include, but are not limited to: sickness of the Council member or sickness of a Council member's immediate family, previously scheduled family vacations, business conflicts or death of a family member. The President of Council shall report the request and acceptance of the request, for reasons other than stated above shall be within the discretion of Council.

### **RULE 8. VACANCIES ON COUNCIL.**

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Within seven (7) calendar days of a vacancy on Council, the Clerk shall arrange notice of such vacancy to be placed in a newspaper of general distribution in the City. Such notice shall request applications for the vacancy to be filed with the Clerk, or the Clerk's designee, at such time as determined by Council. Subsequent notices in other publications shall refer to the deadline established by the initial publication.

The Clerk shall keep a file of all applications, which are public records. Council shall review the applications and interview the most qualified applicants during a regular or special meeting in executive session. Council may deliberate in executive session but shall vote to fill the vacancy in public. The candidate receiving a majority vote of the remaining members of Council shall fill the vacancy. Any vacancy remaining for more than 45 days shall be filled by the Mayor.

### **RULE 9. APPOINTMENTS.**

A. All Council appointments shall be made by a majority vote of all Council members (4/7).

B. The Chair of the Planning and Administration Committee will be the responsible contact person and shall have the responsibilities to notify candidates of any Council or committee decision and to contact all applicants who sought and/or interviewed for an appointment by Council. The President of Council has the same responsibility for those who sought and/or interviewed for a Council vacancy.

### **RULE 10. ETHICS LAW COMPLIANCE.**

The Clerk of Council shall be responsible for providing elected or appointed members of Council with ethics law information pursuant to State Law. Council members shall consult the requirements of Ohio's Ethics Commission and comply therewith.

### **RULE 11. PUBLIC COMMENT.**

A. Access to Floor. Public comment shall be permitted at the time appointed in the published agenda, or at another time, at the discretion of the President of Council. Any speaker must file with the Clerk or the President of Council a Request for the Floor, in the form adopted by Council.

B. Form of Request for Floor. A Request for the Floor shall state:

1. The name, address and telephone number of the speaker.
2. The item of business, issue or subject to be addressed.
3. Whether the speaker represents self, a group, or an organization.

C. Selection of Speakers and Length of Debate. Speakers shall be limited at the discretion of the President of Council. No public comment or debate shall be permitted after the question has been put to the floor by motion except upon majority vote of the quorum to dispense with this rule.

D. Questions from Speakers. All questions shall be directed to the President of Council.

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### **RULE 12. AMENDMENT OF RULES.**

A majority vote of all Council members (4/7) is required to alter, amend, rescind or supplement these rules. Any proposed alterations, amendments, rescissions, or supplements shall be submitted in writing at a regular meeting and placed on the agenda for consideration for passage at the next regular meeting under the order of new business. Changes and amendments to Council rules shall not require three readings for implementation and will be considered by Council upon motion.

### **RULE 13. INTERPRETATION.**

It is the intent of Council in adopting these rules to set guidelines and procedures for its general operations. These rules are to be interpreted in light of all circumstance existing at the time using common sense and reasonableness. On matters involving procedure not provided for in these Council Rules, the Clerk's latest revised edition of Robert's Rules of Order shall be referenced by the Council President as persuasive, rather than binding, and the council President's determination shall be final. The failure to follow these rules in any manner shall not invalidate any action of Council so long as the provisions of the City Charter and state law have otherwise been satisfied.

### **RULE 14. DURATION OF RULES.**

These Rules are to remain in full force and effect until amended or repealed by Council.



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**Legislative Memorandum  
As required by 111.01 Rule 2**

**DATE:**

1. Title of the Legislation:
2. Name of the Sponsor:
3. Department charged with enforcement or administration:
4. Reason for the Legislation:
5. Is the Legislation to be passes as an emergency measure? If yes, state the reason.
6. Is a suspension of the rules being sought? If so why?
7. Does the legislation repeal or amend a current Ordinance or Resolution, and, if it does, reference or attach a copy of such Ordinance or Resolution.
8. Reviewed by the City Attorney, prior to being placed on the Agenda, to assure the ordinance or resolution is in the proper form and to determine whether the legislation would repeal or amend a current Ordinance or Resolution and that is not in conflict with existing State or Federal law.

Date reviewed:

1<sup>st</sup> Reading: \_\_\_\_\_

2<sup>nd</sup> Reading: \_\_\_\_\_

3<sup>rd</sup> Reading: \_\_\_\_\_