

CITY OF PATASKALA

COUNCIL RULES OF ORDER

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COUNCIL RULES OF ORDER

1. DEFINITION OF TERMS

- 1.01 Charter – the Charter of Pataskala, Ohio effective January 1, 1997, and its amendments, if any;
- 1.02 Member – a member of Council;
- 1.03 Clerk – the Clerk of Council;
- 1.04 Meeting – any regular, alternate or special meeting of Council;
- 1.05 Quorum – a majority of the members of Council;
- 1.06 Standing Committee – a permanent committee created by Council by motion, usually composed of three members; and
- 1.07 Ad Hoc Committee – a temporary committee created by Council motion, composed of a number of members as determined appropriate;
- 1.08 *Consent Agenda Items*, to be defined as “any matters established from time to time by Council not otherwise prohibited by Charter, Ordinance or other Rule intended generally to cover the approval of minutes, departmental reports, motions, resolutions, proclamations and the like specifically excluding matters addressed required to be adopted by ordinance.

2. APPLICATION OF RULES

- 2.01 Except as otherwise provided by the Charter or laws of the State of Ohio, the functioning and proceedings of Council shall be governed by these Council Rules of Order.
- 2.02 On matters involving parliamentary procedure not provided for in these Council Rules of Order, the Clerk’s latest revised edition of “Robert’s Rules of Order” shall be referenced by the Mayor as persuasive, rather than binding, and the Mayor’s determination shall be final.
- 2.03 The Law Director shall act as parliamentarian and, when applicable, shall interpret “Robert’s Rules of Order”.
- 2.04 These Rules of Order shall not be altered except by a vote of a majority of all members of Council, and at a regular or alternate meeting. The proposition to make an amendment shall be in the form of a motion, and shall be submitted and read to Council at a meeting preceding the one at which it is acted upon. These Rules of Order may be suspended, when appropriate, by a majority vote of all Council members.

3. COUNCIL COMMITTEES

- 3.01 Ad hoc committees may be created by Council to review, study and make recommendations on specific matters. The Mayor shall appoint each ad hoc committee, give it a charge, and establish the time frame within which the committee is to report to Council. When an ad hoc committee has completed its charge, the existence of the committee shall terminate.
- 3.02 Pursuant to Charter Section 3.06 Council may from time to time, establish new standing committees, assign the functions of standing committees, add, combine, expand, contract or eliminate certain standing committees as it deems necessary for the proper functioning of council.
- 3.03 Membership and chairship of each standing committee shall be determined by Council President, taking into consideration the preferences, willingness, and experience of each Council member.
- 3.04 The Standing Committees of Council have been established as the Agriculture Committee, Building & Grounds Committee, Streets and Transportation Committee, Safety/Tech Committee, Finance Committee, Utilities Committee, Development Committee, and Human Resource Committee.

The Human Resources Committee is comprised of Council President, Council Vice President and a third council person to be selected by Council President. The duties of the Human Resources Committee would be to review, research and make recommendations to council as a whole for the following items:

- Review of contracts to which Council is the hiring or firing authority.
 - Manage written reviews from Council for employees as called for in employment contracts or the Charter.
 - Review of the Codified employee policy manual including but not limited to recommendation for modification to policies and implementation of new policies.
 - Evaluation of creation and/or elimination of positions as proposed by administration.
 - Any other employee related issues that are deemed appropriate for this committee by a majority of Council.
- 3.05 The Clerk of Council shall provide for the electronic recordings of all ad hoc and standing committee meetings and will maintain these recordings as the permanent record of these meetings.

- 3.06 The Clerk of Council shall provide twenty-four (24) hour written and/or verbal notice of any and all standing and ad hoc committee meetings to each and every member of Council.

4. COUNCIL MEETINGS

- 4.01 Regular meetings shall be held on the first and third Mondays of each month. Meetings shall be convened in the Council Chamber of the City of Pataskala at 7:00 PM, or in an alternate public place within the City of Pataskala corporate limits, provided that a public notice shall be posted in the lobby of the Administrative Offices 24 hours prior to the meeting time. In the event that a regular meeting date of the Council coincides with a legal holiday, that meeting shall be held on the following day, at 7:00 PM. In the event that a regular meeting presents a conflict for a majority of members, Council or the Mayor may establish an alternate date, or cancel the regular meeting as provided for in the "City of Pataskala Rules for Notification of Meetings to the Public and News Media". Pursuant to Section 3.06 of the Charter, the first meeting in January shall be an organizational meeting and there shall be held an election of President of Council and Vice President of Council.

- 4.02 The Mayor and the City Administrator shall confer regularly regarding the agenda for Council meetings, after which the Mayor shall determine the agenda. Upon concurrence that a meeting may become unduly lengthy due to the content and/or number of items on the agenda, the Mayor may divide the agenda and defer items to the following regular meeting, or call a special meeting.

- 4.03 Special meetings are governed by the revised Charter, Article III, Section 3.05.

- 4.04 Members shall be present during all regular and special meetings. Excused absences may be granted by the Council when a member is ill, there is sickness or death in a member's family, when a member is absent from the City, when job requirements demand immediate attention, or special leave.

5. COUNCIL MEETING AGENDA

- 5.01 Except for emergency matters or other special matters requiring the immediate attention of Council, a listing of business to be considered by Council shall be prepared and delivered to each member at least 48 hours prior to each regular Council meeting.

- 5.02 Any person may request that a matter of business be placed on the agenda provided sufficient notice is provided to either the Mayor, City Administrator, or the Clerk of Council. All proposed agenda items must

be delivered to the Clerk of Council prior to 4:00 PM on Wednesday preceding the meeting.

5.03 It is the responsibility of the Clerk to prepare and deliver the agenda and all supporting documentation under the general supervision and direction of the Mayor and the City Administrator. The agenda and supporting information may be transmitted electronically or delivered by alternate methods. In the absence of specific request by a Council Member, all items will be delivered by electronic transmittal. Those members who do not wish to receive agenda items and supporting documents by electronic transmittal may pick up such items at their respective desks in Council Chambers on the Friday immediately preceding a normally scheduled Council Meeting. All members of the City organization and members of the public are encouraged to cooperate with the Clerk in making the agenda complete and accurate. While nothing herein will prevent the introduction of new business not listed on the agenda, Council may require additional time to study any item not included on the agenda.

5.04 Other than *Consent Agenda* matters, Council may, upon a majority vote of its members, modify the order or contents of the agenda at the beginning of the Council Meeting. *Consent Agenda* matters shall be prepared as are other Agenda items under these *Rules*. Any Council member may, however, request that an item be removed from the *Consent Agenda* and placed upon the regular Agenda. Any such request is effective upon request and deemed to be agreed to by Council. Notwithstanding any other *Rule* or procedure to the contrary, such requests shall not require a second nor be subject to debate or vote.

6. NOTICE OF MEETINGS

Refer to the City of Pataskala, Ohio, Rules for Notification of Meetings to the Public and News Media.

7. AVAILABILITY OF MEETING AGENDAS

Agenda Packets for the Public and Press/Media

The Clerk shall make available a copy of the agenda for any regular, alternate or special meeting to any person requesting same. The agenda will include copies of new ordinances and resolutions and other materials which will be made available at the discretion of the City Administrator. The Clerk will make every effort to make these agenda packets available to the public by use of the City's Web Site at least 48 hours prior to the regular or alternate meetings and as soon as practicable prior to special meetings. Hard copies will be made available during regular work hours. It is the responsibility of the individual requesting the agenda packet to reimburse the City for any associated copying expenses and costs. It is understood that failure of the Clerk to comply with this section for any reason does not invalidate any lawful action taken by this Council at a regular, alternate, or special council meeting.

8. ORDER OF BUSINESS

The Mayor shall take the chair at the hour appointed for the meeting of Council and shall call the meeting to order and direct the Clerk to call roll. If a quorum is present, the meeting shall continue. Citizens' Comments at Special Meetings are permitted and limited to agenda items.

The order of any regular or alternate meeting shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Citizens Comments
5. Introduction, Discussion and Approval of Consent Agenda Matters
6. Unfinished Business
7. Reports
 - Committee Chair Reports
8. New Business
9. Additional Citizens Comments
10. Executive Session if required
11. Committee Meeting Announcements, Scheduling Issues & General Comments
12. Adjournment

9. REQUEST TO SPEAK

9.01 Members' Right to Speak

- a. While each member has the right to speak, the member must request this right by addressing the chair. Upon being recognized, the member may proceed.
- b. No member may filibuster. No member may speak for more than five (5) minutes continuously, except by leave of the Mayor. The decision by the Mayor in this matter is final. Reference to personalities shall be avoided by all speakers.
- c. A member may speak a second time on any one question only after all members have been given an opportunity to speak.
- d. The Mayor shall regulate debate in any other manner that he/she deems necessary, provided that the rights of all persons to express their views are respected.
- e. By the concurrence of a majority of Council members present or by a Motion duly made, seconded, and passed by a majority of members present, the Council may overrule any limitation of debate by the

presiding officer and allow a member to continue for an additional period of time beyond that period set forth in §9.01(b). A member, once recognized as set forth in §9.01(a), may request such a motion at the beginning of his or her comments or at any time during the period of those comments.

9.02 Residents/Interested Parties' Duties

Any resident or interested party desiring to address the Council shall be first recognized by the chair during the time designated by agenda for citizen Comments. After recognition by the Chair, the individual so recognized shall then step to the floor microphone and state her/his name and address in an audible tone for the Clerk's record. Remarks shall be limited to the question under discussion. All provisions of 9.01 apply. All provisions of 9.01 including the 5 minute limitation on comments apply. All citizens that wish to address Council must sign in on the sheet provided and will be recognized in the order set forth on the sign-in sheet unless otherwise specifically identified on the agenda as a scheduled speaker.

The comments of any individual recognized to speak in the second period of "Citizens Comments" shall be limited to three, (3), minutes.

9.03 City Employees

The City Administrator and any other appointed, administrative level official shall be entitled at all times to any privilege of the floor for the purpose of speaking upon any question that pertains to their duties, responsibilities and authority. All provisions of 9.01 apply.

10. VOTING PROCEDURES

10.01 Every member present, when a question is put, shall vote unless the member has an ethical conflict of interest. Any member requesting permission to abstain may make a brief statement of the reason for making such a request. The question shall then be immediately taken without further debate.

10.02 Voting on all legislation shall be oral and in open Council. No proxy votes are permitted. When the Clerk calls roll, each member shall respond "yes" "no," "here," or "abstain". No other comment is permitted during voting. The order of voting shall rotate in a random manner by issue.

- 10.03 The Mayor shall announce the results of the voting and state whether the matter voted upon passed or failed.
- 10.04 No vote of a member shall be questioned. Any member so desiring may briefly comment upon the vote personally cast after the roll call and announcement of the result. The Mayor shall decide upon the propriety of the comments and monitor the length of same.

11. LEGISLATING PROCEDURE

Inquiries to Law Director and Investigations

- a. An individual Councilperson may direct an inquiry to the Law Director.
 - b. If the inquiry can be satisfied with an immediate response from the Law Director, no consultation with other Councilpersons is required.
 - c. If the inquiry requires research of law or search of records on the part of the Law Director, then the inquiry must be reduced to writing and signed off on by at least two other Councilpersons before the Law Director proceeds.
 - d. Any request from an individual Councilperson that the Mayor authorize an investigation into any matter must be endorsed by a majority of Council before forwarded to the Mayor.
 - e. This provision does not prevent the Mayor from initiating an investigation as he deems necessary as provided for in the City Charter.
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- 11.01 All ordinances and resolutions introduced but not yet acted upon shall automatically carry over at the end of the calendar year to the next calendar year.
 - 11.02 The introduction, passage and amendment of ordinances and resolutions shall be governed by Charter of the City of Pataskala, Article IV, Sections 4.02, 4.05, 4.10.
 - 11.03 A member may speak on any legislation; call for questions; ask for a statement of the question (which the Mayor shall render); call for a division of the questions (the Mayor shall render a decision regarding the divisibility of any question and said decision shall be subject to appeal as is a question of order); and question the City Administrator. Any two members may demand the previous question.
 - 11.04 Any member may introduce such legislation, as the member deems appropriate. Legislation can be prepared and recommended by the Administration, a Standing Committee of Council, an ad hoc committee of

council, or a City Board or Commission; all such legislation must be introduced by a member.

11.05 Every motion shall be reduced to writing if the chair or a member so requests.

11.06 When a motion is offered and seconded, it shall be read back by the Mayor before debate.

11.07 After a motion has been read by the Mayor, it shall be deemed to be in Council's possession and may be withdrawn only by leave of the Council.

11.08 Ordinances and resolutions shall be read by title only unless there is an objection from one of the Council members at which time the Council shall meet the requirements of the Charter, Article IV, Section 4.04.

11.09 Form of ordinances/resolutions

a. All ordinances and resolutions shall continue to be written in the same format and style as was in use at the time these rules were enacted by Council. All such legislation shall be assigned a number by the Clerk, prior to its first reading before Council. Said number shall be assigned according to a system that reflects the sequential order and year.

b. Each ordinance/resolution shall contain not more than one subject, which shall be fully described in the caption in easily understood terms.

11.10 Order of Consideration of Questions

a. All questions shall be considered in the order in which they are made.

b. Roll Call Vote shall be called only on the third and final reading of ordinances / resolutions.

11.11 Motion Made – Additional Proper Motions – When a question is before Council or under debate, or a motion has been made, no other motion shall be proper, except the following ~~and these~~ take precedence according to the order listed:

1. to adjourn
2. to table until future stated time
3. request cessation of debate and vote be taken
4. to refer to a standing or ad hoc committee
5. to amend the matter under discussion

6. to postpone action for an indefinite time or to a date certain.

11.12 Question Without Debate – the following question shall be considered without debate:

1. to adjourn
2. to lie on the table
3. to take from the table
4. all questions relating to priority

11.13 Motion to Postpone – Adjourn

- a. A motion to postpone (to a day certain or indefinitely) shall not again be allowed at the same reading of the ordinance or resolution under consideration.
- b. A motion to adjourn shall always be in order, but if decided in the negative, it shall not be entertained again until some motion, order, or decision has taken place.

11.14 Motion to take From the Table – A motion to remove any matter from the table shall be in order after consideration of one question succeeding the tabling. This is not debatable.

11.15 Motion to Strike Out – A motion to strike out and insert shall be deemed divisible and a refusal to strike out equivalent to agreeing to the matter in the form but shall not preclude further amendment by way of addition.

11.16 Appeal Decision of the Chair – On appeal from the decision of the chair, no member shall speak more than once, and the chair shall have preference.

11.17 Call to Order – If any member, in speaking or otherwise, violates the rules of Council, the chair or any member may call her/him to order and the member so called shall cease speaking until the question of order is decided.

12. MISCELLANEOUS

12.01 Council Courtesies

No member shall privately confer while Council is in session with anyone other than a fellow member, the City Administrator, the Clerk, or the Law Director. Such discussions as are permitted shall be brief and shall be conducted in a tone and manner so as not to disturb the proceedings.

12.02 Confidentiality

- a. On matters where public knowledge of same could be detrimental to the City's position on legal, fiscal, property acquisition, personnel or other matters deemed by Council or the City Administrator to require confidentiality, all members shall limit and/or restrict discussion and/or dissemination of the confidential information unless and until Council or the City Administrator decides such matters may be discussed publicly.
- b. No member may speak for the Council as a body unless specifically authorized to do so by Council.

12.03 Enforcement of Rules

The Mayor shall conduct all Council meetings in accordance with these rules and shall preserve order at all meetings, and shall enforce the rules of Council, either by private or public reprimand. The question of order shall be decided without debate, at the Mayor's discretion.

12.04 Violation of Rules

If any member, in speaking or otherwise, shall violate any rule of Council, the Mayor shall call the member to order. If such member is speaking when called to order, the member immediately cease speaking unless permitted to explain. The question of order shall be decided without debate, at the Mayor's discretion.

