

ORDINANCE NO. 2991

AN ORDINANCE ADOPTING RULES OF COUNCIL FOR THE VILLAGE OF CRESTLINE, REPEALING RESOLUTION 08-09, AND DECLARING AN EMERGENCY.

WHEREAS, the transition of Crestline from a City to a Village requires amendments to the rules of Council so as to bring them into compliance with the statutes governing the Village form of government.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CRESTLINE, OHIO:

SECTION 1. That the Rules of Council hereafter set forth are hereby adopted:

RULES OF COUNCIL

I. MEETINGS

1. REGULAR MEETINGS

Regular Meetings of Council shall be held in Council Chambers at 6:30 p.m. on the second and fourth Monday of each month except that no meeting shall be held on the second Monday in the months of June, July or August. 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.

2. SPECIAL MEETINGS

Council shall hold such Special Meetings as may be found necessary which may be called by the Clerk of Council upon the request of the Mayor or three members of the legislative body upon 12 hours' notice served personally or left at the Councilperson's usual place of residence. Notice of the place, date, time and purpose of all special meetings shall be given to the media as required by law.

II. POWERS AND DUTIES

3. ROLL CALL

The Mayor, or in his absence the President Pro Tempore, shall take the Chair at the hour appointed for Council to meet, and immediately shall call the Council to order. The roll shall then be called by the Clerk of Council who shall enter in the minutes of each meeting the names of Members present thereat. 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 of Council to procure the attendance of absent Members.

4. TEMPORARY CHAIRPERSON

In case of the absence of the Mayor and the President Pro Tempore, the Clerk of Council shall, at the appointed time, call the Council to order. The Clerk of Council 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 Chairperson of the meeting until or if the Mayor or President Pro Temp arrives at the meeting.

5. SUBSTITUTE CHAIRPERSON

The Chair, i.e., Mayor, President Pro Tempore or Temporary Chairperson, may call another Member to take his place in the Chair, such substitution not to continue beyond adjournment.

6. APPEALS FROM DECISIONS OF THE CHAIR

The Chair shall preserve decorum and decide all questions of order, subject to appeal to Council. If any member transgresses the Rules of Council, the Chair shall, or any member may, call him to order and in the latter instance the Chair shall render a decision as to the point of order. In case of an appeal from a rule of the Chair, the question shall be, "Shall the decision of the Chair stand as the decision of Council?" The Chair shall be sustained unless overruled by a majority vote of the Members of Council present.

7. VOTES

All questions shall be stated and put by the Chair as follows:

- A. Roll Call Votes. The Chair shall declare the vote after the Clerk of Council has announced the number of votes on each side.

B. Viva-voce Votes. The Chair shall declare the vote without reference to the Clerk of Council; if in doubt about a viva-voce vote, the Chair may direct or any Member may call for a division of Council, which shall be taken by a roll call vote.

8. POWER TO VOTE

The Mayor shall not have the right to vote, except in the case of a tie on any issue before council. The President Pro Tempore has the same legal right to vote as a Member of Council, but may not thereafter vote to break a tie on the same issue. Any member of Council who is serving as Chairperson shall have the same legal right to vote as other Members, but may not thereafter vote to break a tie on the same issue.

III. **MEMBERS' DUTIES AND PRIVILEGES**

9. SEATING ARRANGEMENT

Seats in the Council Chamber shall be arranged in numerical order. If there is a dispute concerning seating arrangement, all members shall occupy said seats after drawing same by lot at the beginning of the term.

10. ADDRESSING CHAIR

Members, when about to speak to a question or making a motion, shall address the Chair as Mr. Mayor, Mr. President, or Mr. Chairperson, who shall pronounce the name of the Member entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personalities.

11. LIMITATION OF DEBATE

No Member shall be allowed to speak more than once upon any one subject until every Member choosing to speak shall have spoken, nor more than twice upon the same subject, nor for a time longer than five (5) minutes, without leave of the Chair.

12. VOTING

Every Member present when a question is put shall vote yea, nay, or abstain.

13. DIVISION OF A QUESTION

On demand of any Member, a question under consideration which covers two or more points shall be divided where the question admits of such division.

14. DEMAND FOR ROLL CALL
Any Member may demand a roll call vote upon any question before Council at any time before the decision of said question is announced by the Chair.
15. EXCUSING COUNCIL MEMBERS FROM MEETINGS
No Member shall be excused from attendance at a Council meeting except by a vote of a majority of the Members present.
16. EXCUSING COUNCIL MEMBER DURING MEETING
No Member shall be excused while Council is in session except upon permission of the Chair.

IV. ORDER OF BUSINESS

17. ORDER OF BUSINESS
 - A. Call to Order
 - B. Invocation - Pledge of Allegiance
 - C. Roll Call, to determine presence of quorum
 - D. Approval of Minutes of preceding meeting
 - E. Approval of this meeting's Agenda
 - F. Voters and Taxpayers to address Village Council
 - G. Report of Village Officials
 - H. Petitions, Memorials, and Communications
 - I. Reports of Committees
 - J. Reading of Resolutions
 - K. Reading of Ordinances
 - L. Unfinished Business
 - M. New Business
 - N. Adjournment

Upon motion of any Councilperson, the order of business at any meeting may be altered by affirmative vote of two-thirds (2/3) of the Members present.

V. COMMITTEES

18. APPOINTMENT OF COMMITTEES

Council shall, by a majority vote at a meeting held in January of each even numbered year, appoint the Chairperson to all Council committees, and two members to all Council committees, except finance. Each member of Council may submit to the Clerk of Council a written request listing in order of preference the first and second choice of the committees

the member would prefer to chair and the first, second and third choice of the committees upon which the member would like to serve. In the event of a vacancy on Council, the newly appointed Council member shall assume the Chair and memberships on committees of the member being replaced.

The following Standing Committees will consist of three (3) Members each, except the Finance Committee which will include all Members of Council.

Parks, Playgrounds, & Recreation
Finance
Legislation
Police, Fire and Health
Streets, Public Buildings and Grounds
Sewer, Water, and Public Utilities

Council may appoint such Special or Ad Hoc Committees as it 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.

19. COMMITTEE MEETINGS

Committees shall meet on call of the Committee Chairperson or on request of two (2) Members, communicated to the Clerk of Council or Village Administrator who will notify the media who have requested notice of such meetings.

20. QUORUM AT COMMITTEE MEETINGS

A majority of Members of a Committee shall constitute a quorum.

21. TEMPORARY CHAIRPERSON OF COMMITTEES

In the absence of the Chairperson, the Member named next on the agenda list under report of Committees shall act as Temporary Chairperson and may appoint another Councilperson to take the Chairperson's place at this meeting.

22. REPORTS OF COMMITTEES

Reports or Minutes of Committee meetings shall be in writing delivered to the Clerk of Council at or before the second Council meeting following the Committee Meeting.

VII. MISCELLANEOUS

23. PROCEDURE IN ABSENCE OF RULE

In the absence of a rule to govern a point of procedure, reference shall be made to Robert's Rules of Order dealing with parliamentary procedures.

24. AGENDA

The agenda needs to be delivered to the Council Members on Thursday before the Council meeting the following Monday.

25. DECORUM IN COUNCIL CHAMBERS

The Chair shall maintain decorum in Council Chambers during sessions. Persons other than Members of Council, Village Officials, and Members of the Press shall not be permitted upon the floor of the Council or to address Council except upon introduction by the Chair or a Member of Council. If anyone other than a Village Official desires to speak to a Member of Council while it is in session, the Member, if agreeable to the request, with permission of the Chair, shall leave his seat and retire to the rear of the Council Chambers or elsewhere until the conversation is finished.

26. RULES ON READINGS AND SUSPENSION OF RULES

No Bylaw, Ordinance, or Resolution of a general or permanent nature, or granting a franchise, or creating a right, or involving the expenditure of money, or the levying of a tax, or for the purchase, lease, sale or transfer of property, shall be passed, unless it has been fully and distinctly read on three different days, and with respect to any such Bylaws, Ordinance, or Resolution, there shall be no authority to dispense with this rule, except by three-fourths (3/4) vote of all Members serving on Council, taken by yeas and nays, on each Bylaw, Resolution, or Ordinance, and entered in the minutes. (See ORC 731.17.) All other rules may be suspended by a majority of Members of Council present without debate. All Ordinances and Resolutions shall be read by title only unless Council by a majority vote requires it to be read in its entirety.

27. EMERGENCY MEASURES

Chair will ask for emergency measure to be read. A motion to suspend the rules will be made. Vote on the suspension of rules will be taken. The vote to suspend the rules requires an affirmative vote of three-fourths (3/4) of the members on

Council. A vote shall then be taken on the emergency measure with a two-thirds (2/3) vote needed for adoption. An emergency measure must be clearly designated in the title and the reason for the emergency set forth in one section of the Ordinance or Resolution.

28. MAJORITY

Whenever the term Majority is used herein, otherwise unless expressly indicated, it shall be held to mean a majority of those Members serving on Council.

29. AMENDING RULES

A majority vote is required to alter, amend, rescind, or supplement these rules for one meeting only. Any proposed alterations or amendments or supplements shall be submitted in writing at a regular meeting and placed on the calendar for the next regular meeting under the order of new business. By unanimous recorded vote of all Members elected to Council, such proposed alterations, amendments, or supplements may be adopted at the meeting at which the same are submitted. Permanent amendments to these rules shall be by Ordinance.

30. QUORUM

Majority of all Members of Council shall constitute a quorum.

31. LAW DIRECTOR

The Law Director shall, when requested by a member of Council, give a verbal opinion on any question of law concerning Village affairs in open Council, but he may, if he deems the matter of importance, take a reasonable time to submit his opinion in writing.

32. EXECUTIVE SESSION

The Council shall enter into executive session for those purposes stated in R.C. 121.22(G) when a motion and a second are made and then a roll call vote is taken. The motion shall state the specific purpose of the executive session.

33. PRESIDENT PRO TEMPORE

At the first regular meeting in January each year, the members of the legislative authority shall elect a President Pro Tempore who shall preside at all Council meetings in the absence of the Mayor and shall serve until his successor is elected.

VIII. ADDRESSING VILLAGE COUNCIL

34. RULES FOR ADDRESSING COUNCIL

Addressing Council at Regular and Special meetings will be governed by the following rules. Each person will be allowed 3 minutes. They must fill out the sign-up sheet in order to be recognized by the Chair. All statements will be addressed to the Chair. The sign-up sheet will include the following:

<i>Date:</i>	<i>Name:</i>	<i>Name of Organization:</i>
<i>Subject of Statement:</i>		<i>Brief Explanation:</i>

Council Meetings are open to the public but they are not public meetings in that members of the public may not speak except in compliance with the above procedure and with the consent of the Chair.

SECTION 2. That Resolution 08-09 and all other Ordinances and Resolutions inconsistent with this Ordinance are hereby repealed.

SECTION 3. That it is hereby determined that this Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this Village and for the further reason that the immediate effective date of this Ordinance is necessary so that the Rules of this Council will be consistent with the statutory form of Village government at the first meeting in January 2012, and shall therefore go into immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

DATE: _____

Aye_____ Nay_____ Abstain_____

David Sharrock, Mayor

Attest:

Annette Johnston, Clerk of Council

Approved as to form:

Harry M. Welsh, Law Director