

## CITY OF MONROE

### Rules of Council

#### A. Compliance – Sunshine Rule

At the time of adoption of these Rules of Council, it is the intent of Council to be in full compliance with “The Sunshine Rules of the State of Ohio”. Any subsequent amendments to the State statutes which creates conflict with these Rules shall take precedence and shall be considered affective upon passage by the State.

#### B. Meetings.

1. Special Meetings: Council shall hold such special meetings as may be found necessary. Such meetings will be called by the Clerk of Council upon the request of the Mayor or two or more members of Council. Any such vote or request for the calling of a special meeting shall state the subject or subjects to be considered there at, and no other subject or subjects shall be discussed except upon the approval of three or more members of Council in attendance at such special meeting. Twenty-four hours notice in writing of such special meeting shall be prepared by the Clerk and delivered to all members of Council and the Manager, and the news media shall be given at least twenty-four hours advance notice. In the event of an emergency requiring immediate official action, the news media shall be contacted as soon as the time and place of the meeting is known and Council members shall sign that they have agreed to waive the twenty-four hour notice requirement.
2. Advance Notification: Any person may, upon request to the Clerk of Council and payment of a reasonable fee to be established by Council, obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. The exact provisions of such notification shall be established by Council by motion.
3. Posting: This rule shall be permanently posted in the Municipal Building.

#### C. The Chair, Powers and Duties

1. Roll Call: The Mayor shall take the chair at the hour appointed for Council to meet and shall immediately call the meeting to order. The roll shall be called by the Clerk, who shall enter into the Minutes of the Meeting the names of the 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 direct the Clerk to procure the attendance of absent members.
2. Temporary Chairman: In the absence of the Mayor, the Vice Mayor shall call the meeting to order and chair the meeting. In the absence of both the Mayor and Vice Mayor, the Clerk or Clerk Pro-tem shall call the Council meeting to order and call the

- roll. If a quorum is found to be present, Council shall proceed to elect, by a majority vote, a temporary chairman for the meeting.
3. Appeals from Decision of the Chair: The Chair shall preserve decorum and decide all questions of order subject to appeal to Council. In case of an appeal from a ruling of the Chair, the question shall be: “Shall the decision of the Chair stand as the decision of Council?” If a member transgresses the Rules of Council, the Chair shall call him to order, in which case he shall relinquish the floor, unless permitted to explain.
  4. Votes: All questions shall be stated by the Chair. In case of a roll call vote, the roll call shall be taken by the Clerk. Upon completion of the roll call, the Clerk shall announce the results by stating the total in favor of the question and the total opposed to the question. The result of viva voce votes shall be declared by the Chair without reference to the Clerk. Where the results of a viva voce vote is in doubt, the Chair may, and on the demand of any member shall, call for a roll call vote. It shall not be in order for members to explain their votes during the call of the roll.
  5. Presiding Officer Leaving Chair: The presiding officer at a meeting may call any other member to take his place in the Chair, but the substitution shall not extend beyond adjournment. By presiding officer is meant either Mayor, Vice Mayor, or a temporary chairman.

D. Members, Duties and Privileges

1. Seating Arrangement: Seats in the Council Chamber shall be arranged at the discretion of the Mayor.
2. Addressing the Chair: Members, when about to speak to a question or make a motion, shall address the Chair as “Mayor”, 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.
3. Limitation on 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 longer time than three minutes each, without leave of Council as expressed by a majority vote of the members present.
4. Voting: Council shall vote in rotation, (starting with a different member for each vote) each member voting by use of the word “yea” or “nay” or “yes” or “no”. Any member who abstains from voting shall be deemed to have voted with the majority on the issue at hand, unless said member was prohibited from voting by the provisions of the Ohio Revised Code, Section 733.78, or was compelled to abstain by circumstances which in his opinion and the opinion of the remaining members of Council give rise to a conflict of interest.

5. 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.
6. Personal Privilege: The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character, or motives are assailed, questioned, or impugned.
7. Dissents and Protests: Any member shall have the liberty to dissent from or protest against any Council ordinance, resolution, or decision and have the reason or reasons thereof entered upon the journal. Such dissent may be made in writing, in respectful language, and presented to Council not later than the next regular meeting following that of the passage of such ordinance, resolution or decision.
8. Demand for Roll Call: Any member may demand a roll call vote upon any question before Council at any time before the decision on said question is announced by the Chair.
9. Excusal from Attendance: Members who will be absent from a Council meeting shall notify the Mayor, Clerk of Council or Manager of such absence as soon as possible prior to such meeting. (Reference Section 4.06 of the Charter of Monroe) Absences reported shall be brought before Council for approval and inclusion in Council minutes.
10. Excusal During Meeting: No member shall be excused while Council is in session except upon permission of the Chair.

E. Order of Business

1. Upon motion of any Council member, the order of business at any meeting may be altered by affirmative vote of a majority of the members present. The Clerk shall prepare the Meeting Agenda and make available to each Council member and the Manager, copies thereof, along with copies of items of business filed by Council members, ordinances, resolutions, petitions, correspondence, reports, or any other item placed on the meeting agenda. These packets will be made available to each member not later than 24 hours prior to said meeting. Deadline for filing of agenda items shall be no later than 12:00 noon on the Friday prior to the meeting, unless otherwise approved. Copies of the Agenda will be available in the Council Chambers for the use of visitors. The order of business at meetings of Council shall be in accordance with the Agenda as follows:
  - a) Roll Call to determine presence of a quorum and excused absence of those not in attendance.
  - b) Approve Minutes of Prior Meetings. Reading of minutes of the previous Council meeting may be dispensed with if each Council member has been provided with a copy of the minutes at least 24 hours prior to the meeting. Otherwise, the minutes of the previous Council meeting shall be read by the Clerk.

- c) Receive Visitors. Any items brought before Council by a citizen, of an administrative nature, shall be referred to the Manager for a report at the next regular meeting. Any matter of a policy nature shall be placed on the agenda of the next regular Council meeting. Visitors desiring to address City Council must complete a visitors card and submit the card to the Clerk prior to the beginning of the meeting. Comments are limited to three (3) minutes. Large groups are encouraged to select no more than three spokespersons.
- d) Committee Reports. Following roll call and the approval of the minutes of the preceding meeting, the business of regular meetings shall commence with reports of standing committees of Council. At special meetings the purpose named in the call shall have precedence over any other business.
- e) Old Business. Old business shall consist of any legislation or other previously discussed items which have not been addressed previously in the meeting and shall commence at the point where the order of business at the preceding meeting was interrupted by the adjournment.
- f) Proposed Legislation. Proposed legislation shall be presented for consideration of Council action.
- g) New Business. New business includes correspondence, emergency legislation, reports and communication introduced for the first time from Council members, the Manager, the Clerk, and other municipal officials.
- h) Administrative Reports. Administrative reports shall include those from the Manager, Treasurer, Law Director, etc.
- i) Adjournment. Adjournment shall be done by the proper vote.

F. Motions

1. Passage of Motions: When a motion is made it shall be stated by the Chair before debate. Any member may demand that it be reduced to writing. A motion shall not be withdrawn by the mover without the consent of Council. A motion must be seconded in order to be brought to a vote and the motion shall be deemed passed if it receives the affirmative vote of a majority of the members of Council per Section 7.06 of the Charter of Monroe.
2. Order of Procedure: When a question is before Council, no motion shall be entertained except for the following:
  - a) To adjourn.
  - b) To lay on the table.
  - c) The previous question.

- d) To postpone to a certain time.
- e) To refer.
- f) To amend.
- g) To postpone indefinitely.

Said motions shall have precedence in the foregoing order.

3. Motion to Adjourn: Motion to adjourn shall be in order at any time except as follows:
- a) When repeated without intervening business or discussion.
  - b) When made while another member is speaking.
  - c) When the previous question has been ordered.
  - d) While a vote is being taken.

A motion to adjourn is not debatable, except as to time to which the meeting is adjourned.

4. Motion to Lay on the Table: A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If motion prevails, the consideration of the subject may be resumed upon motion of a member voting with the majority and the consent of the majority of the members present.
5. Previous Question: The previous question shall be stated in these words: "Shall debate now close?" The motion shall pass if a majority of the members present shall favor it. If the said motion is ordered, there shall be no further amendment or debate, but the question shall be put immediately.
6. Motion to Postpone: Motions to postpone may be amended as to time, excepting a motion to postpone indefinitely. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.
7. Motion to Amend: A motion to amend shall be susceptible of but one amendment. An amendment once rejected may not be moved again in the same form.
8. Motion to Suspend Rules: Except as provided in Section 7.05 of the Charter of Monroe, all other rules contained herein may be suspended by a majority of members of Council present without debate.
9. Motion to Reconsider: A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the session of Council at which the vote was taken. A motion to reconsider any other action taken by Council may be made not later than the next regular meeting after the vote of Council thereon. In either case such motion may be made only by a member who voted with the prevailing side. The concurrence of a majority of the members present shall be sufficient for reconsideration of a vote. If a motion to reconsider is lost, it shall not be entertained again.

10. Motion to Pass Ordinance or Resolution: Each ordinance or resolution is required to be read fully and distinctly on two separate days unless the Council, by motion, suspends the requirement that it be read on two separate days and authorizes its adoption on the first reading. In addition, Council may also authorize by motion that the ordinance or resolution be read by title only. Each of these motions to suspend the rule must be separately stated and a separate vote must be taken on each motion. In a non-emergency situation, the ordinance or resolution will then go into effect 30 days after it has been passed. In the case of an emergency ordinance or resolution where the rules have been suspended, it will take effect immediately. Each motion requires the vote of five members of Council. Suggested statement of motion is as follows:
- a) “I move to dispense with the reading of the (ordinance or resolution) on two separate days and authorize adoption on the first reading.” (This motion may be made by the Chair or any other member of Council.)
  - b) “I move that the (ordinance or resolution) be read by title only.” (This motion may be made by the Chair or any other member of Council.)
  - c) “I move for adoption of the (ordinance or resolution).”

G. Standing Committees

In order to facilitate the functioning of Council and to coordinate Council’s operations with the Manager and administration, the following committees of Council are hereby established with their respective areas of responsibility. These committees are intended to complement and not conflict with the duties of the Manager and the administration as developed in the Charter. All committees are developed to assist the administration and to provide Council with information regarding the functions of the City.

- 1) Public Works Committee. One Member of the Public Works Committee shall also be the Council liaison to the Park and Recreation Board. The Public Works Committee shall be responsible for:
  - a. Review of the utilities of the City, including presentation of any legislation pertaining to the Utility Department;
  - b. Providing information to Council on the condition of City utilities;
  - c. Review and development of improvement projects relating to City utilities;
  - d. Review and development of long range utility plans for the City;
  - e. Review of all street improvement and maintenance programs;
  - f. Provide recommendations to Council regarding the maintenance and improvement programs for streets, including budget recommendations;
  - g. Development and implementation of a master street improvement program. This function shall include the priority, type of work necessary, and method of financing;
  - h. Review all Park use rules and regulations;
  - i. Development and implementation of a park Development and Open Spaces Master Plan. This function shall include the priority and method of financing;
  - j. Review of all Cemetery rules and regulations; and

- k. Review of the Storm Water Master Plan.
- 2) Finance Committee. The Finance Committee shall be responsible for:
  - a. Review of budget and appropriation ordinances;
  - b. Presentation of all budget and appropriation ordinances to Council;
  - c. Reporting the financial condition of the City to Council with any recommendations toward the improvement of the City financial condition;
  - d. Developing recommendations to Council regarding the financing of any capital improvement projects; and
  - e. Review all rates and fees charged by the City, including, but not limited to, rates for water, sewer service, storm water, trash collection, street lights, and miscellaneous permits and licenses; and
  - f. Providing Council with recommendations for any rate or fee increases.
- 3) Administrative Liaison Committee. The Mayor shall serve as the only member of the Administrative Liaison Committee. The Administrative Liaison Committee shall be responsible for:
  - a. Providing general contact with the City Manager and providing such assistance to the Manager in any areas when specifically requested by the Manager; and
  - b. Providing contact between Council, the Board of Zoning Appeals, and the Personnel Board.
- 4) Technology Committee. The Technology Committee shall be responsible for:
  - a. Review of emerging technology and how such technology can be implemented for the betterment of business and residential community, as well as, the operation of the City. Review may include, but not be limited to, cable television upgrades, wireless, fiber optic, satellite services, and cell based services; and
  - b. Review of website design and development with specific direction towards “E-Government” and “E-Business.”
- 5) Public Involvement Committee. The Public Involvement Committee shall be responsible for:
  - a. Directing of special events of the City; and
  - b. Public Art Festivals, Events, etc.
- 6) Public Safety Committee. The Public Safety Committee shall be responsible for:
  - a. Review and make recommendations concerning the operation of the Departments of Fire and Police.

Temporary Committees. Council may from time to time, by motion, appoint a temporary committee for involvement in a certain project that does not fall under the duties of the committees set forth above.

H. Record of Council Proceedings

1. The Clerk of Council shall maintain a written record of all meetings of Council which shall be approved at the following regular meeting.
2. In order to assist the Clerk in reviewing the proceedings and maintaining the record of Council meetings, tape recordings shall be taken and maintained for a period of two years.

I. Miscellaneous

1. Procedure in Absence of Rule: In the absence of a rule to govern a point of procedure, reference shall be made to the approved practice in the current Roberts Rules of Order.
2. Decorum in Council Chambers: The Chair shall maintain decorum in Council Chambers during sessions. Persons, other than members of Council, Municipal 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 Municipal Official, desires to speak to a member of Council while it is in session the member, if agreeable to the request, shall leave his seat and retire to the rear of the Council Chambers or elsewhere until the conversation is finished.
3. Amending Rules: A majority vote is required to alter, amend, rescind, or supplement these Rules. Any proposed alterations, amendments, or supplements shall be submitted in writing at a regular meeting and placed on the agenda for the next regular meeting under the order of New Business. By unanimous recorded vote of all sworn members of Council, such proposed alterations, amendments or supplements may be adopted at the meeting at which the same are submitted.
4. Law Director: The Law Director shall, when requested by a member of Council, give a verbal opinion on any question of law concerning Municipal affairs, in open Council, but he may if he deems the matter of importance, take a reasonable time to submit his opinion in writing.