

**RULES OF PROCEDURE
CITY COUNCIL
CITY OF GREENFIELD
REVISED FOR 2008 & 2009**

*Adopted by motion
of Council 01/02/08*

*Amended by motion
of Council 06/17/08*

1. Election of Chairman and Vice-Chairman

At ten a.m. on the first day of January after its election, at which time the newly elected councilmen shall assume the duties of their office. At this meeting the council shall elect one of its members as chairman and one other member as vice-chairman. Thereafter the council shall meet in regular session at least twice each month, at such times and places as are fixed by ordinance. (ORC Sec. 705.53)

The Vice-Chairman shall preside in the absence of the Chairman. (ORC Sec. 705.53)

The Council shall appoint a clerk, treasurer, auditor and a city director of law. (ORC Sec. 705.56)

The Clerk of Council shall attend all meetings, regular and special, record all proceedings in the minutes, prepare an agenda for each meeting, attend to correspondence incidental to his/her office, and perform such other duties as may be assigned to him/her by a majority vote of Council.

2. Quorum

A majority of all members of the legislative authority of a municipal corporation constitutes a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members. The affirmative vote of a majority of the members of the legislative authority is necessary to adopt any motion, ordinance, or resolution, and on the passage of every ordinance or resolution the vote shall be taken by "yeas" and "nays" and entered upon the journal. (ORC Sec. 705.15)

3. Council shall determine its Own Rules, Rule upon the Expulsion of Members According to Law and Absence from Meetings.

- (a) The Council shall determine its own rules and keep a record of its proceedings. Rules shall be adopted or readopted each term of Council.
- (b) Council may punish or expel a Member for disorderly conduct in Council or violation of its rules, and absence for ten successive regular meetings shall operate to vacate the seat of a member, unless such absence is authorized by the legislative authority. No expulsion shall take place without the

concurrence of two-thirds of all the Members elected, and until the delinquent Member has been notified of the charge against him and has had an opportunity to be heard.(ORC Sec. 705.13)

- (c) Absences – For each absence from regular meetings of the legislative authority, unless authorized by a two-thirds vote of all members thereof, there shall be deducted a sum equal to two per cent of such annual salary. Absence for ten successive regular meetings shall operate to vacate the seat of a member, unless such absence is authorized by the legislative authority. (ORC Sec. 705.13)

4. Meetings

- (a) Regular – Council shall meet the first and third Tuesday of each month at 7:30 P.M. at the Council Chambers, City Hall. Whenever any regular meeting of Council falls on a holiday Council shall meet in session on the following Tuesday. A schedule of regular council meetings will be posted on the first floor bulletin board in the Greenfield City Building.
- (b) Special Meetings – The Chairman or any two Members of Council may upon written request to the clerk call a Special Meeting upon at least Twenty Four (24) hours of notice to each Member, served personally or left at his usual place of residence, have advance notification to all media that have requested such notification, as well as to people who have specifically requested such notice, (these people will need to supply a self-addressed stamped envelopes to receive such notice), of time, place and purpose of the special meeting, (ORC SEC 705.53) and post Special Meeting notice on the first floor bulletin board in the Greenfield City Building. .
- (c) Emergency Meetings – The Chairman or any two Members of Council may upon written request to the clerk call a Emergency Meetings upon at least Twenty Four (24) hours of notice to each Member, served personally or left at his usual place of residence, have immediately notification to all media that have requested such notification, as well as to people who have specifically requested such notice (these people will need to supply a self-addressed stamped envelopes to receive such notice), of time, place and purpose of the emergency meeting, (ORC SEC 705.53) and post Emergency Meeting notice on the first floor bulletin board in the Greenfield City Building. .
- (d) All meetings of Council shall be open to the public except as otherwise provided by law.

5. The City Manager

The City Manager may attend any meetings of Council except as otherwise provided by law for executive sessions and shall attend when requested by a majority of Council. The City Manager may make written or oral recommendations to the Council as he may from time to time see fit. On or before the last day of January the City Manager shall report to Council concerning the affairs of the City during the preceding year and make such general recommendations, as he feels appropriate for the following year.

6. Chairman of Council

The Chairman of Council or the Vice-Chairman acting in his absence shall preside at all regular, special and emergency meetings of such legislative authority, he shall have voting power, represent the city in intergovernmental relationships, appoints members of citizen advisory boards and commissions (with the advice and consent of council), assigns agenda items to committees, facilitates communication and understanding between elected and appointed officials, and assists the council in setting goals and advocating policy decisions and to see that business is properly brought before Council, that business is conducted in an orderly manner, that the Members of Council observe the Rules of Procedure adopted by Council and maintain order.

7. Order of Business

The following order shall be followed as an Order of Business, unless Council by a majority of those present shall see fit to alter the procedure. The Chairman of Council may alter the Order of Business, if there are no objects by a Member of Council.

- (a) Roll Call
- (b) Minutes of Preceding Meeting or Meetings
- (c) Introduction of Persons appearing before the Council and an opportunity for them to present matters to Council.
- (d) City Manager Report
- (e) Reading of Communications
- (f) Reports of Committees
- (g) Reading of Ordinances and Resolutions
The Clerk shall enter in minutes the vote on all Ordinances and Resolutions together with the names of those voting "yea" and those voting "nay". The Clerk shall enter the vote on all motions to suspend the Rules, or to adopt by emergency in the same manner. The vote on other motions may simply show the number voting for and against.
- (h) Old Business
- (i) New Business
- (j) Reference to Council acting as Committee of the Whole upon request of majority of the Members.
- (k) Adjournment

8. Agenda

The Clerk and City Manager shall prepare an annual legislative calendar for the Council. The Legislative Calendar shall include dates of all regularly scheduled Council meetings, dates for distribution of the Council Agenda and Information

Packet and the dates for the submission of materials to be considered by the Council at a regularly scheduled Council meeting.

A written Council Agenda and Information Packet shall be prepared for distribution to the Members of Council, City Manager, Department Heads, Law Director and such other persons as Council may from time to time designate, including news media. The agenda and information packet shall include all legislation, including memorandum and/or written reports explaining the legislation. The Council Agenda and Information Packet will also include other information, including departmental reports as requested by the City Council. The Council Agenda and Information Packets will be distributed to the Council approximately seven (7) days prior to the regularly scheduled Council meeting. Legislation to be considered by Council will be submitted to the Clerk and City Manager according to the Legislative Calendar adopted by Council.

This does not preclude items that are brought to the Council on an emergency or time sensitive manner. These items will be brought to the Council Agenda prior to the Council meeting with the approval of the Council Chair.

9. Rules for Conducting Discussion

No Member shall be allowed to speak more than once upon any subject, until every Member choosing to speak, shall have had an opportunity to be heard, no more than twice upon any subject, nor for a time longer than five minutes, without leave of Council, upon a majority vote.

10. Appointments of Committees

Appointments to standing Committees which are Finance, Ordinance, Health, Safety & Welfare, Parks & Properties, Planning & Zoning, Water & Sewer, Street & Street Lighting, Insurance, Cable Television, and Industrial Park shall be made by a majority vote of the Members of Council. Nominations shall be made from Members of Council.

11. Emergency Legislation

Ordinances to be adopted as emergency legislation shall state the reason for the emergency and the Committee requesting the drafting of such ordinance shall provide the reason for such emergency legislation to the Legal Counsel for the City.

Wherever possible Council will avoid the adoption of Emergency Legislation.

12. Receiving Motion when Question is before Council

When a question or a proposition is before the Council or under debate, or when a motion has been made, no motions shall be received except the following:

- (a) To adjourn.
- (b) To table the motion – lay it aside until later.
- (c) To request that discussion end, and that any motion being considered be voted on. (previous question, as it is usually called)
- (d) To postpone any action on a motion until some stated future time.
- (e) To refer the proposal to standing or special committee. (debate)
- (f) To amend the main motion. (debate)
- (g) To postpone any action for an indefinite time. (debate)

These motions shall have precedence in the order in which they are arranged. Motions listed as a, b, c, and d above shall be decided without debate.

13. Handling Motions for Reference to Committee

When a motion is made for a reference of any subject to a standing committee, and it is moved to substitute therefore a select or special committee, the question of reference to a standing committee shall be first.

14. Motions to Reconsider

A motion to reconsider a subject that may have been acted upon favorably must be made before adjournment of that session of council. A motion to reconsider any other subject may be made not later than the next regular meeting after such action was taken. A motion to reconsider may be made only by any Member who voted with the winning or prevailing side. A motion to reconsider shall be in order at any time except when a motion on some other subject is standing.

A motion to reconsider, being laid on the table may be taken up and acted upon at any time when the Council is engaged in the transaction of new or miscellaneous business.

No motion to reconsider shall be made more than once on any matter or subject, and the same number of votes shall be required to reconsider the action of Council, as was required to pass or adopt the same.

15. Motion to Take from the Table

A motion to take from the table shall be in order when that order of business is being transacted in which such matter to be taken up was laid upon the table, or under the head of new or miscellaneous business, and such motion shall be decided without debate, provided the mover may be permitted to state briefly his reasons for the motion.

16. Motion to Postpone Indefinitely

If the motion to postpone indefinitely be carried, the principal question shall be declared lost.

17. Motion for the Previous Question

Any Member may during debate or discussion on a particular motion or at the adoption of an ordinance or resolution, which is before council, request a vote on the question before Council. If there is no objection, vote shall be upon the principal question before the Council. If an objection is raised by any Council Member then the question shall be put "shall the main question now be put?" A majority of a quorum shall sustain or reject a motion.

18. Motion to Amend

A motion to amend is susceptible of but one amendment thereof. An amendment once rejected may not be moved again in the same form.

19. Motion on Question of Privilege

Question of privilege shall be first: those affecting the rights of the Council collectively, its safety, dignity, and the integrity of its proceedings; second: the right, reputation, and conduct of the Members of the Council individually, in their capacity as such Members. A question of privilege shall have precedence of all questions except a motion to adjourn.

20. Motion that Matter be Taken from Committee

When any ordinance, resolution, petition, or other matter has been referred to a committee, and said committee to which such has been referred, fails within a reasonable time to report, or to offer a valid reason for its failure to report, any Member of Council shall have the right to make a motion that such ordinance, resolution, petition, or matter be taken from the committee to which such matter has been referred; that the same may be laid before Council for action. Such motion shall be decided without debate provided that the Member making the motion may briefly state his reasons for the motion.

21. Majority Defined; Three-Fourth Defined

Whenever the term "majority", is used herein, unless otherwise expressly indicated, it shall be held to mean a majority of those elected to Council; likewise,

whenever a two-thirds or three-fourths vote is indicated, it shall mean two-thirds or three-fourths of the Members elected to Council. Thus, in a Council of five, a majority shall be three, and three-fourths shall be four.

22. Ordinance or Resolution Granting Franchise, Creating Right, Etc., Rules Governing.

No ordinance or resolution granting a franchise or creating a right, or involving the expenditure of money, or the levying of any tax, or for the purchase, lease, sale, or transfer of property, shall be passed, until the same shall have been read by title only, unless Council requests on three different days, and there shall be no authority to dispense with this rule except by a three-fourths vote of the members.

No ordinance shall be passed by Council without the concurrence of a majority of the Members.

23. Suspension of Rules Relating to Reading By-laws, Resolutions and Ordinances

By-laws, resolutions and ordinances of a general or permanent nature shall be read on three different days, unless the rules are dispensed with, upon vote of three-fourths of the Members. The vote on such suspension shall be taken by yeas and nays, separately on each by-law, resolution, or ordinance, and the Clerk shall enter such vote on the journal or minute book, together with the names of Members voting yea and those voting nay.

23 A Resolutions not in conflict with 22 and 23 shall be passed by a majority vote of Members at a single reading.

24. Amending Resolution or Ordinance

It shall be in order to amend a resolution or ordinance at any time, but if such ordinance or resolution be of a general or permanent nature, and such amendment is made after the second reading, it shall again be read as amended, as the second reading, and laid over the next meeting for final action.

25. Ordinances or Resolutions to be presented to Chairman or two Council Members for Signature.

Every ordinance or resolution passed by the council shall be signed by the chairman or two members, filed with the clerk within two days, and shall be recorded by him. (ORC Sec. 705.54) Effective Date: 10-01-1953

26. Legal Counsel

The Legal Counsel shall, when requested by any Member of Council provide a written opinion on a matter of law. The Legal Counsel to the City, when requested by a Chairman of a committee, or the Chairman or Vice-Chairman of Council, shall assist in the drafting of ordinances and resolutions and shall assist in examination of any other ordinances or resolutions referred to Council.

27. Amendment of Council Rules

These rules may be amended, altered, or new rules adopted at any time but in case of any amendment, alteration, or adoption of new rules, the matter shall be referred to the proper committee for report, and any such amendment, alteration, or new rules shall be read on three different days unless the rules shall be suspended by a three-fourths vote of the Members. Any alteration or adoption of new rules shall be upon a majority vote of the Members.