

RESOLUTION NO. 3-71  
CITY OF CENTERVILLE, OHIO

A RESOLUTION ADOPTING RULES OF PROCEDURE FOR  
THE COUNCIL OF THE CITY OF CENTERVILLE, OHIO.

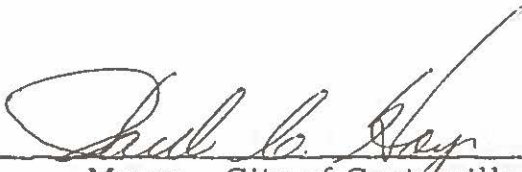
WHEREAS, Section 4.10 of the Charter of the Municipality of Centerville authorizes and directs the Council to adopt Rules to govern its Procedure; and

WHEREAS, the Council has prepared proposed "Rules of Procedure For the Council of the City of Centerville, Ohio" which are attached hereto marked Exhibit "A".


NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF CENTERVILLE:

That the "Rules of Procedure For the Council of The City of Centerville, Ohio" attached hereto, marked Exhibit "A" and incorporated herein by reference are hereby adopted as the Rules of Procedure of this Council and are hereby declared to be effective this 1st day of March, 1971, and are to continue in effect until amended or repealed by subsequent action of Council.

Passed this <sup>15th</sup> ~~1st~~ day of March, 1971.


  
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Mayor - City of Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of the Council of the  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of a resolution passed by the Council of the City of Centerville, Ohio, on the <sup>15th</sup> ~~1st~~ day of March, 1971.

  
\_\_\_\_\_  
Clerk

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.  
Department of Law  
Robert N. Farquhar  
Municipal Attorney

RULES OF PROCEDURE FOR THE COUNCIL OF THE CITY OF CENTERVILLE, OHIO

ADOPTED 1971

ARTICLE I. No provision or section of these rules which conflicts with, or restricts those rights provided by the Constitution of the United States, the Constitution of the State of Ohio, the general law, or the Centerville Charter shall have any force or effect.

ARTICLE II. Meetings.

- A. A regular meeting of the City Council shall be held on the first Monday of each month. Such meeting shall be called to order at 8:00 P.M. in the Council Chambers of the City of Centerville or in any other public place within the confines of the City of Centerville. A private caucus will be held at 7:30 P.M. preceding each regular meeting.
- B. Special meetings may be called by the Mayor, the Deputy-Mayor, or any four (4) members of Council provided that notice is given to all members of Council at least 24 hours prior to such meetings, stating clearly the time, place and purpose of the meeting. Council may, by motion, at any meeting of the Council, establish a special meeting. However, notice will be given only to those members of Council not present at the time. A private caucus may be held preceding each special meeting.
- C. When any regular meeting of the Council falls due on a legal holiday, or on an election day, the Council shall meet in regular session on a date to be set at the Council meeting preceding the holiday or election day.
- D. All meetings of Council shall be open to the public where official business is to be consummated.

ARTICLE III. Officers of Council. Council will, of its own initiative, select a Deputy-Mayor and a Clerk of Council.

- A. Deputy-Mayor and Temporary Chairman.
  1. The Deputy-Mayor shall serve as the President of Council when the Mayor is absent or unable to serve.
  2. The Deputy-Mayor, when he is presiding, shall have the same power and duties as may be prescribed by the Rules of Council and by law for Mayors.
  3. In the absence of both the Mayor and the Deputy-Mayor, the Council may appoint from its members a Temporary Chairman.
  4. The Temporary Chairman, when he is presiding, shall have the same power and duties as may be prescribed by the Rules of Council and by law for Mayors.

B. Clerk of Council.

1. The Clerk of Council shall serve at the discretion of the Council and Council shall provide reasonable compensation for the services provided.
2. The Clerk of Council shall:
  - a. Attend all Council meetings, regular and special.
  - b. Prepare a record of proceedings of all Council meetings which shall be termed the "minutes" and be a custodian of such records.
  - c. Prepare an agenda for each regular meeting of Council.
  - d. The Clerk of Council shall furnish all transcripts, orders; and certificates, which may be properly required of her, and shall be entitled to charge for all attested certificates and transcripts, the same fees that are allowed by law to county officers for similar services; provided, that the same shall be furnished free of charge when ordered by the Council or required by any Councilman or city officer, in the prosecution of his official duties.
  - e. Assign numbers, in their proper sequence, to all Ordinances and Resolutions.
  - f. Maintain a permanent record of all Ordinances and Resolutions, and, by appropriate notation, show subsequent repeal and amendment thereof.
  - g. Perform all clerical duties incidental to the office.
  - h. Perform such other duties as directed by Council.

ARTICLE IV.      Definitions.

- A. Quorum - A simple majority of the elected body.

ARTICLE V.      Elected Officials of the municipality as they relate to Council.

- A. Appointed officials may be requested to attend the Council meetings and answer any proper questions directed to them by Council.
- B. Mayor
1. The Mayor, Deputy-Mayor, or Temporary Chairman shall serve as the presiding officer of Council, and shall be responsible for the conduct and order of the meetings of Council.
  2. He shall determine which Committees shall consider new business, subject to challenge by a majority of Council.
  3. When a ruling of order has been made, it may be appealed to Council on the demand of two members. On such appeal

there shall be no debate, but the member making the appeal may briefly state his reasons for the same, and the presiding officer shall have the right to a similar statement. A vote of 2/3 in favor of overriding shall be necessary to override a ruling of order.

4. He shall sign for Council all Ordinances, Resolutions or other matters requiring the approval of Council.

ARTICLE VI.      Conduct of Council Business.

- A. The Agenda. An agenda of business to be considered by Council and copies of all Ordinances and Resolutions listed thereon and other pertinent material shall be prepared and mailed or delivered to each Council Member at least 72 hours prior to each regular meeting of Council.

The agenda for a regular meeting shall contain:

1. A listing by title of each Ordinance to be considered.
2. A listing by title of each Resolution to be considered.
3. A listing of known delegates of the public expecting to appear before Council.
4. Any other matters of known business.

- B. Order of Business. The Presiding Officer shall conduct the Council meeting in the order outlined by the agenda. The order of the agenda shall be as follows:

1. Call the meeting to order
2. Invocation and Pledge of Allegiance to the Flag.
3. Roll Call.
4. Excuse absent Members.
5. Action on minutes of previous meetings.
6. Session with Citizens in attendance.
7. Old Business:
  - a. Standing Committee Reports.
8. Official's Reports.
9. Communications.
10. New Business.
11. Poll of individual Council Members for comments.

12. Adjourn the meeting.

Any person may request that a matter of business be placed on the agenda provided sufficient notice is given the Clerk for its preparation. The Clerk will receive items for the agenda (not less complete than rough draft form) until 12:00 O'clock noon on Thursday preceding a regularly scheduled Council meeting. All officers of the municipality and members of the public are urged to cooperate with the Clerk in making the agenda complete and accurate. While nothing in this section will prevent the introduction of new business not listed on the agenda, Council may require additional time to study any matter not included on the agenda.

C. Committees. Council shall have the following standing committees:

1. Community Facilities and Planning.  
To which shall be referred legislation and other matters relating to City facility requirements, including land acquisition and future requirements with relation to land, structures and programs.
2. Community Relations and Promotion.  
To which shall be referred legislation and other matters relating to citizen understanding and involvement in City problems and programs, the promotion of civic pride and dissemination of information relating thereto.
3. Finance and Personnel.  
To which shall be referred legislation and other matters relating to budgets, appropriations, tax programs, bond and assessment programs and financing for capital improvements; personnel rules, manpower requirements and compensation and employee relations.
4. Public Health and Safety.  
To which shall be referred legislation and other matters relating to public health, environment and ecology, and safety.
5. Public Services.  
To which shall be referred legislation and other matters relating to all other services not otherwise covered by any other committee.

The committee members shall be appointed by the Presiding Officer for a one year term and must be confirmed by a majority of Council present and voting.

Standing committees will be composed of a minimum of two Council members who shall select their own Chairman. A committee may appoint as many citizen advisory members as the majority deem necessary. Citizen members shall not vote.

- D. Special Committees. The Presiding Officer may from time to time create special committees for limited purposes. Such special committees shall be composed of a minimum of three Council members. The appointments of the Presiding Officer must be confirmed by a majority of Council.

Special committees will exist only for that length of time required to complete their purpose.

Special committees may appoint such citizen advisors as they deem necessary.

- E. Committee Meetings. Committee meetings will be called by the Chairman of such committee. He shall give notice of the meeting to all members of the committee.

Any action of a committee without notice to all members of such committee shall not be received by Council.

Each committee may adopt its own rules of order. In the absence of written rules, the ordinary parliamentary rules will prevail, as outlined by Robert's Rules of Order.

- F. Committee Reports. Each standing and special committee shall make a final report, in writing, of its recommendations to Council including minority reports, if any. Interim reports may be given orally or in writing.

When an Ordinance or Resolution is reported on by a committee for the purpose of being introduced to Council, such prepared legislation must be approved by the Municipal Attorney as to form consistency with existing ordinances, the Charter and constitutional provision.

## ARTICLE VII.     Introduction of Legislation.

All proposed Ordinances and formal Resolutions shall be sponsored by a member of Council. All such proposed legislation shall be presented in writing and shall bear the name of the sponsor.

The Presiding Officer shall, subject to challenge by a 2/3 vote of Council, present and voting, refer proposed legislation to a committee for study.



ARTICLE VIII.    Voting.

Voting on all proposed legislation shall be oral and in open Council. The Clerk shall call the roll and each present Council member shall respond "yes", "no" or "abstain". No other comment shall be considered proper during the voting. The order of voting by the Council members shall rotate with each successive meeting. After the voting is completed, the Presiding Officer shall announce the result.

Except as otherwise provided in these rules, or by law, a simple majority of members present shall carry any motion, Ordinance or Resolution.

The vote of any member of Council shall not be questioned.

ARTICLE IX.    Debate. The Presiding Officer may control debate according to the following rules:

- A. No person shall be permitted to speak longer than ten minutes on any motion.
- B. While members of Council may yield to other persons, the limitation outlined in item 1 still prevails.
- C. The Presiding Officer may refuse the floor to any person when the tactics are obviously dilatory and not in the best interest of Council.
- D. The above rules may be waived in the normal manner of challenge to the Chair.

ARTICLE X.    Motions.

- A. When a question is before Council or under discussion, or a motion has been made, no motion shall be proper except the following, and in the order listed:
  1. Motion to adjourn.
  2. Motion to table until stated future time.
  3. Request that discussion end and a vote be called.
  4. Motion to refer to standing or special committee.
  5. Motion to amend motion under discussion.
  6. Motion to postpone action for an indefinite time.

- B. Vote without Discussion.  
Relative to the motions listed under A, motions will go immediately to a vote without discussion, except for a brief explanation by the person making such motion.
- C. A motion requesting that the discussion end and a vote be taken will not be proper until all members have had the opportunity to be heard on the motion in main. Once this has been accomplished, the motion will go to a vote without discussion, except for a brief explanation by the person requesting the motion.
- D. A motion to amend is susceptible to but one amendment. An amendment, once rejected, may not be moved again in the same form.
- E. If a motion to postpone action for an indefinite time is carried, the principal question shall be declared lost.
- F. Motion to reconsider. A motion to reconsider may be made only by a member who had voted with the prevailing side.
- G. A Motion to remove any matter from the table, or to remove any matter from committee, shall be in order at any succeeding meeting. Such motion shall go to a vote without discussion except for a brief explanation by the members so moving.
- H. All motions shall require a second.
- I. A motion to suspend the rules shall require a 2/3 majority vote of Council members present.

AMENDMENT:

These rules may be amended or altered or new rules adopted by a vote of the majority of all members elected at any meeting of the Council, or the report of a committee to which the subject has been referred at a previous meeting.

ROBERT'S RULES OF ORDER:

In the absence of any rule upon the matter of business, the Council shall be governed by "Robert's Rules of Order".

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Mayor - City of Centerville, Ohio

ATTEST:

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Clerk of the Council of the  
City of Centerville, Ohio