

# **Rules of Council**

## **Village of Versailles, Ohio**

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## **RULE 1 - MEETINGS**

**A. The First Meeting-** The first meeting of the Council of the Village of Versailles each year shall be held on the first day of January, or as soon as possible thereafter, as called by the Mayor.

**B. Regular Meetings-** Regular meetings of Council shall be held in the Village Hall Community Room scheduled to begin at 7:30 p.m. on the second and fourth Wednesday of each month. Whenever the date of a regular meeting falls on a Village recognized holiday or a date that creates a conflict with the Village Council members, the regular meeting shall be held the next day, or by a majority vote of Council on the date that the matter is voted on, if the members present constitute a quorum.

**C. Special Meetings-** Council shall hold such special meetings as may be found necessary, which will be called by the Clerk of Council, upon the request of the Mayor or of three (3) Members of Council. Twenty-four (24) hours notice of such special meeting shall be given to each Member of Council and the Mayor by personal service or by delivery thereof at their usual places of residence or by telephone, but Members of Council may waive such notice by their attendance at such special meetings.

## **RULE 2 - OPEN PROCEEDING**

The Mayor, as President of Council, shall take the chair at the time appointed for the Council to meet, and shall immediately call the members to order; he/she shall then cause the minutes of the preceding meeting to be read and disposed of, unless otherwise ordered by Council. In the absence of the Mayor, the President Pro-Tempore of the Council shall perform such duties as are imposed upon the President. In the absence of both the Mayor and President Pro-Tempore of the Council, the Clerk of Council shall call the meeting to order at the prescribed hour. The first order of business shall be the election of a temporary presiding officer, who shall be elected by Council from the members present. Following election of a temporary presiding officer, he/she shall conduct the meeting pursuant to these rules of Council. On adjournment of the meeting for which he/she was elected temporary presiding officer, he/she shall relinquish the duties incumbent therein.

Such meeting shall not have business conducted unless there is a quorum of at least four (4) Council 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 cause the Clerk of Council to procure the attendance of absent Members.

## **RULE 3 - CLERK OF COUNCIL**

\_\_\_\_\_ Unless otherwise specified, the Fiscal Officer of the Village shall serve as Clerk of Council, and shall perform the duties of Clerk of Council under the general directions of the Ohio Revised Code.

#### **RULE 4 - MINUTES OF MEETINGS**

\_\_\_\_\_ A journal of the proceedings of each regular, special, or emergency meeting will be kept by the Clerk of Council and shall be signed by the presiding officer and Clerk of Council of the meeting and shall be open to public inspection. In absence of the Clerk of Council, the Mayor shall appoint a member of Council to take the minutes of the meeting. Minutes of any meeting shall not be open to public inspection until accepted by Council as the minutes of that meeting. Approved minutes will be available for inspection not later than three (3) business days after the meeting at which the minutes were approved. The minutes need only reflect the general subject matter of discussion in executive session as authorized by the Ohio Revised Code.

The minutes shall not be read at the meeting unless requested by a majority of the members present. Approval of the minutes of a preceding meeting may be by the method of a vote of a majority of the Council members present.

Any member of Council or Village Official desiring specific remarks to be included verbatim in the minutes must make such request therefore by notice at the meeting in which the remarks are made. It shall be out of order to amend minutes at a later date to include a verbatim comment(s) by a member of Council or Village Official when such notice was not made at the meeting wherein the verbatim comments were made.

The Clerk of Council may be furnished with a written copy of the prepared statement to be included in the minutes, after the same has been read by the member or official making the statement.

#### **RULE 5 - MAYOR'S DUTIES & PRIVILEGES**

**A. Presiding Officer**- The Mayor shall preserve order and decorum, and confine members in debate to the question. He/She may in common with any other member call to order who shall violate any of the rules, and shall, when in the chair, decide all questions of order, subject to any appeal to the Council on the demand of two (2) members. On such appeal there shall be no debate, but the member making the appeal may briefly state his/her reasons for the same, and the presiding officer shall have the same right to a similar statement.

**B. Assigning of Seating Arrangements**- The Village Council chambers shall be arranged so that no elected Member of Council shall have to sit with his/her back to the visitor's gallery. Seats shall be assigned at the January organization meeting by the Mayor, and each Member shall occupy said assigned seat for the term of his/her office.

**C. Limitation of Debate**- It shall be the Mayor's privilege to see that no Council Member is allowed to speak more than once upon any one subject until every Council 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 Council as expressed by a majority vote of the Council Members present.

Upon request by the Mayor, or the presiding officer, a Council Member may be asked to address the Chair and shall confine himself/herself to the question under debate, avoiding all personalities and indecorous language.

**D. Mayor's Power to Vote**- The Mayor shall have no veto power, and shall have no vote except in the event of a tie vote of members of Council present, in which case the Mayor shall have the power to vote and his/her vote shall have the same legal effect as a vote of a member of Council. Any member of Council who is serving as Acting Mayor or Council President shall have the same power to vote as other members.

#### **RULE 6 - STANDING COMMITTEES & COUNCIL REPRESENTATIVES**

**A. Appointment**- At no later than the first regular meeting of the Council after its organization, the Mayor (or Council, by a majority vote) shall appoint standing committees each consisting of three (3) members (the first named to be chairperson), of the four (4) following named subjects: Street & Safety; Finance & Audit; Personnel & Policies; and Facilities Committee. At such first regular meeting, the Mayor (or Council, by a majority vote) shall appoint a separate member to represent Council to each of the four (4) following named bodies: Park Board; Cemetery Board; Planning Commission; and Tree Commission.

**B. Removal & Replacement**- The Mayor (or Council, by a majority vote) may at any time remove any member, members, or Council representative of any committee appointed by him/her and appoint a new member or members of such committee to serve in place of such member or members so removed.

**C. Special Committees**- The Mayor (or Council, by a majority vote) may appoint any special committee of three (3) Council Members as he/she deems necessary to investigate and make recommendations on specifically designated subjects, provided the 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.

#### **RULE 7 - EXPULSION OF COUNCIL MEMBERS AND ABSENCE FROM MEETINGS**

\_\_\_\_\_ Council may punish or expel any member for disorderly conduct in Council or a violation of its rules, and declare his/her seat vacant for absence without valid excuse where such absence has continued for two (2) months. No expulsion shall take place without the concurrence of two-thirds (2/3) of all members elected, and until the delinquent member has been notified of the charge against him/her and has had an opportunity to be heard.

## **RULE 8 - ORDER OF BUSINESS**

**A. Regular Meetings-** The business of the regular meetings of Council shall be transacted in accordance with the following agenda format:

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes of preceding meeting(s)
5. Approval of List of Bills
6. Public Discussions/Requests/Decisions
7. Old Business
8. New Business
9. Administrative Reports
10. Committee and Board Reports
11. Announcements
12. Final Comments from the Mayor, Council, Fiscal Officer, Village Administrator, and/or Village Attorney.
13. Adjournment

The Mayor may at any time permit a member to introduce an ordinance, motion or resolution out of the regular order for the same, unless the same be objected to by a majority of the members present.

**B. Special Meetings-** The business of any special meeting called by the Mayor, or three (3) members of Council, shall be transacted in accordance with the following agenda format:

1. Call to Order
2. Roll Call
3. Discussion/Decision (on issues which were previously designated as reason for calling such special meeting)
4. Adjournment

When any such special meeting is called for, there shall be at least twenty-four (24) hours notice of such given to the Mayor, Clerk of Council, and all Council Members, with such notice also being given to a local newspaper and other news media designating an interest in being so notified.

## **RULE 9 - VOTING**

Every member present shall vote on any question on the call of the yeas and nays. Further, no member shall vote on any question in which the member is financially interested or be required to vote when the same is excused by statute. Any member present, unless so excused, who refuses to vote upon any question relating to the Village Government, upon which the member may vote, when the yeas and nays are being taken, shall be guilty of contempt of the Council, and may for such contempt, be censured by a majority vote of the Council.

Only for reasons of personal conflict of interest, where the Council Member involved will receive some individual benefit/loss from a decision made, shall such Council Member be permitted to abstain from voting on an issue. A Council Member abstaining to vote who does not have such a conflict of interest, as afore defined, shall be subject to being found in contempt of Council. Any Council Member who abstains from voting must state the reason for abstaining. A Council Member(s) and/or Village Attorney may ask for clarification on the reason given for abstaining.

#### **RULE 10 - REPORTS OF COMMITTEE OR BOARD**

\_\_\_\_\_The report of any committee or board of the Council, or municipal officer, upon matters referred to by the Council, shall be verbally made, or in writing where needed, and shall be accompanied by the original papers upon which such report is based, unless otherwise ordered by Council.

If any matters referred by the Council to any committee, or officer, be not reported upon within four (4) weeks from the time of such reference, such matter shall be brought by the Clerk of Council to the attention of the Council, which shall take such further action in the premises as it may deem best.

#### **RULE 11 - MOTIONS; WHEN DEBATABLE; WITHDRAWAL**

\_\_\_\_\_When a motion is made and seconded, it shall be stated by the presiding officer before any debate shall be in order. Any such motion, and any amendment thereto may be withdrawn by the movers thereof at any time before decisions, if a majority of the members then present shall agree thereto.

#### **RULE 12 - DIVISION OF QUESTION**

\_\_\_\_\_Any member may call for a division of the questions, or the presiding officer may direct the same, and in either case, the same shall be divided if it comprehends questions so distinct that one being taken away, the other will stand as an entire question for decision.

#### **RULE 13 - TO ADJOURN**

The motion to adjourn shall always be in order, unless the Council is engaged in voting, and the motion to adjourn or to lay on the table, or for the previous question, shall be decided without debate.

#### **RULE 14 - ACCEPTABLE MOTIONS; ORDER OF PRECEDENCE**

\_\_\_\_\_When a question or proposition is before the Council, or under debate, no motion shall be received except the following:

1. To Adjourn
2. To Lay on the Table
3. For the Previous Question
4. To Postpone to a Certain Day
5. To Commit
6. To Amend
7. To Postpone Indefinitely

The several motions shall have precedence in the order in which they are herein arranged.

#### **RULE 15 - INTRODUCTIONS**

\_\_\_\_\_ Ordinances and resolutions shall be introduced only by members of the Council present, with their names endorsed thereon, except such ordinances and resolutions as may be presented to the Council upon recommendation of some committee of the Council, or by the Village Administrator, or as may have been prepared by the Village Attorney through requests by Council, Mayor, or the Village Administrator.

Ordinances and resolutions shall be read by title only on their first and second readings, and may, upon motion and approval of Council, be read by title on their third readings, if Council has been provided a copy of the proposed ordinance or resolution prior to the meeting at which the third reading of the ordinance or resolution is to be heard.

#### **RULE 16 - REFERENCE TO COMMITTEE ON RULES AND ORDINANCES**

\_\_\_\_\_ All ordinances of a general nature, except the ordinances for appropriation, before their final passage, may be referred to a specially designated committee, or the Village Administrator or Village Attorney to review. It shall be the duty of said special committee, Village Administrator, or Village Attorney to carefully compare the same with all existing ordinances, upon the subject matter, and it shall report thereon any discrepancy or conflict which may exist therewith. If any amendment shall be made to any ordinance, they shall recommend the change necessary to remedy such discrepancy or conflict or to correct error in form. If any new or additional amendment shall be made to any ordinance after such comparison was originally conducted, it shall be recommended back to said committee, Village Administrator, or Village Attorney for further report thereon.

#### **RULE 17 - REFERENCE TO COMMITTEES**

\_\_\_\_\_ Any report, resolution, ordinance or matter before the Council for consideration (except appropriation ordinance), before their final passage may be referred either to the standing committee to which the subject matter is most closely related; or to a committee specially appointed by the Mayor. Any such committee shall consider the matter thus referred to it and report thereon to the Council without unnecessary delay.

Any matter referred to a committee may by a two-thirds (2/3) vote of Council at any time prior to report of such committee, be taken from the hands of such committee for consideration.

**RULE 18 - LIMITATION ON DEBATE OR DISCUSSION**

\_\_\_\_\_ No member of the Council while Council is in session shall engage in debate or discussion with anyone other than another member of Council or the president of the Council or some person who has either been granted by the Council the privilege to address the Council or its present at a Council meeting on invitation of the Council. All such debate or discussion shall be governed by Robert’s Rules of Order, updated version.

**RULE 19 - ADDRESSING THE COUNCIL**

\_\_\_\_\_ Any person or group desiring to address the Council by oral communication shall first secure the permission of the presiding officer provided; however, that preference will be given to those persons who have notified the Clerk of Council by noon on the Thursday preceding the next scheduled Council meeting of their desire to speak in order that their name may be placed on the agenda, along with the specific reason for their addressing Council; and they will be recognized by the presiding officer without further action. A group may reserve time without indicating a specific speaker.

**RULE 20 - MANNER OF ADDRESSING THE COUNCIL - TIME LIMIT**

\_\_\_\_\_ A. Each person or group addressing the Council shall stand in front of the Council table, shall give their name and address in an audible tone of voice, and unless further time is granted by the Council, shall limit his/her address to five (5) minutes.

B. All remarks shall be addressed to the Council as a body and not to any member thereof.

C. No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer.

D. No question shall be asked a Council Member except through the presiding officer.

**RULE 21 - DECORUM**

\_\_\_\_\_ While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council or disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.

Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be for with, by the presiding officer, barred from further audience before the Council, unless permission to continue be granted by a majority vote of Council.

**RULE 22 - NO SMOKING POLICY**

\_\_\_\_\_The use of all tobacco products while Council is in session is prohibited.

**RULE 23 - COMPLAINTS**

\_\_\_\_\_A complaint to an individual member of Council concerning services, or an employee, of the Village, shall be referred to the Village Administrator and/or Mayor. A member of Council may assist the complainant in the referral process.

The Council shall not honor requests by individuals or groups to discuss specific complaints concerning services or employees unless the matter has first been investigated by the Village Administrator and/or Mayor.

**RULE 24 - HEARINGS BEFORE COUNCIL**

\_\_\_\_\_If any elector or electors or taxpayers of the Village or any other person or persons desire a hearing on any matter pending before the Council, application may be made therefore to the Council by a two-thirds (2/3) vote grant such public hearing by arranging for a special time and place therefore, which may be during or not during a regular or special meeting of the Council.

**RULE 25 - EXECUTIVE SESSIONS**

\_\_\_\_\_A. **Purpose-** The Council may meet in executive session for the consideration of any item permitted under the Ohio Revised Code. No action may be taken or business transacted in any executive session. Upon return to an open meeting from executive session, the presiding officer shall certify into the minutes of the meeting, the general nature of the matter or matters taken under discussion in the executive session.

B. \_\_\_\_\_**Confidentiality-** Council Members or other participants in an executive session may not disclose, or use for personal profit, any information gathered as the result of an executive session. All information discussed, except the general topic, in an executive session shall be considered confidential.

C. \_\_\_\_\_**Recording Prohibited-** Executive sessions of the Council shall not be recorded through the use of a tape recorder, minutes, or any other device.

**RULE 26 - RESIGNATION**

\_\_\_\_\_The resignation of a member of the Council shall not take effect until the same has been accepted by a vote of the majority of the members exclusive of the person tendering the resignation.

## **RULE 27 - VILLAGE ATTORNEY**

\_\_\_\_\_The Village Attorney shall, when requested by any member of Council, give a verbal opinion on any question of law concerning Village affairs, in open Council, but he/she may if he/she deems the matter of importance take a reasonable time to submit his/her opinion in writing. Should the Village Attorney receive an inquiry from a private citizen regarding Village affairs, the Village Attorney shall not respond to the same without prior authorization from the appropriate Village Officials unless otherwise required by law. He/She shall not be required to draw any ordinance or resolution except upon a majority vote of the members.

The Village Attorney, when requested by the Village Administrator or by the chairman of a committee to which any ordinance or resolution has been referred, shall assist in the examination of such ordinance or resolution.

## **RULE 28 - AMENDMENTS**

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

## **RULE 29 - SUSPENSION OF RULES**

\_\_\_\_\_These rules or any of them may be temporally suspended at any meeting of the Council, by a concurrent vote of the majority of all members elected, except when a greater number is required by law or by these rules. The vote on such suspension shall be taken by the yeas and nays and entered in the minutes. In any case where a rule herein shall not have been adhered to by the Council, the same shall be regarded as having been suspended.

## **RULE 30 - TRAVEL ON OFFICIAL BUSINESS**

\_\_\_\_\_State sponsored conventions, such as the Ohio Municipal League and others, necessitate some rule of compensation for Village Officials whose attendance would enable them to be more effective and efficient in the respective positions. Recognizing this need, we propose that advance authorization be secured from Council, along with full disclosure regarding the content and purpose of the respective association meeting.

**A. Travel-** Automobile transportation costs will be reimbursed at the IRS allowable rate per mile. Each Village Official who drives a personal vehicle on Village business must have liability insurance on said vehicle.

**B. Lodging-** If overnight lodging is required for any convention meeting occurring in or out of the State of Ohio, the Village Official shall be reimbursed for the actual cost of the lodging, but not to exceed the lowest rate available in the most reasonable accommodations available. The name and address of the establishment and the amount claimed shall be required with the expense reimbursement form. Reimbursement shall not be allowed for staying in a private home.

C. **Meals**- Where official Village business requires meal expense, the Village Official shall be allowed food and drink (non-alcoholic) allowances at the actual cost involved, but not to exceed seven and 50/100 dollars (\$7.50) for breakfast, and ten dollars (\$10.00) for lunch, and seventeen and 50/100 dollars (\$17.50) for dinner.

**RULE 31 - 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", updated version.