



RULES OF COUNCIL

CITY OF GROVEPORT, OHIO

Amended by Resolution No. 14-010
Adopted: July 28, 2014

Mission Statement

The Rules Committee shall form bi-annually, in the even years, to review the Rules of Council and if necessary, make a recommendation for changes.

ARTICLE I - COUNCIL MEETINGS

Section A: Regular Meetings.

1. Meeting Schedule

- a. The Council shall determine, by a majority vote of its members, the frequency, dates and times of regular meetings in order to properly conduct its business. [Charter Section 3.06 (A)]
- b. Any regular meeting of the Council may be adjourned or recessed to another time, date, or place without giving the notice required in Section C of this article. [Charter Section 3.06 (C)]
- c. All meetings of the Council, but not of the committees of the Council shall be held in accordance with the general laws of Ohio pertaining to requirements for open meetings of public bodies, except that action taken at a properly convened meeting of the Council or such committees of the Council, which are held in conformity to the open meeting law shall not be invalidated because of improper prior deliberations. [Charter Section 3.06 (D)]

Section B: Special Meetings.

1. Special meetings of the Council may be called, for any purpose, by the Mayor or any three members of the Council upon at least twelve hours notice to the Mayor and each member of the Council, which notice may be served personally or left at the usual place of residence. Members of the Council and the Mayor who attend special meetings of the Council or who are present at another regular or special meeting where a special meeting is announced by the Presiding Officer need not receive notice of the special meeting. Members of the Council and the Mayor may waive receipt of notice of a special meeting either prior or subsequent to the meeting. [Charter Section 3.06 (B)]
2. Any special meeting of the Council may be adjourned or recessed to another time, date, or place without giving the notice required in Section C of this article. [Charter Section 3.06 (C)]

Section C: Public Notice.

1. All meetings of Council shall be open to the public and the public shall be invited and encouraged to attend. Notice or schedule of meetings of Council shall be posted at the Municipal Building, Town Hall, and the Recreation Center.

ARTICLE II - OFFICERS

Section A: Mayor.

1. The Mayor shall serve as President of the Council. The Mayor may introduce ordinances and resolutions and discuss any matter before the Council, but the Mayor shall not vote on matters before the Council, except the Mayor shall vote on any and all matters where there is a tie vote among the members of the Council. The Mayor shall not be considered a member of the Council. [Charter Section 3.03]
 - a. The Mayor shall appoint members to Standing Committees with the approval of Council.

Section B: President Pro Tem.

1. Election of or Removal of
 - a. The Council shall elect one of its members as the President Pro Tem of the Council, to serve at the pleasure of the Council. The President Pro Tem may be removed, without cause, from his office of President Pro Tem at any time by a vote of a majority of the other members of the Council voting on the issue, however, at least three votes for removal (including the vote of the Mayor in the case of a tie vote) must be cast to remove the President Pro Tem. [Charter Section 3.04 (A)]
 - b. If the Council chooses to establish the Committee of the Whole, the Committee of the Whole shall organize at its first meeting of the year by electing a vice chair.
2. Acting Mayor
 - a. The President Pro Tem shall become the Acting Mayor and shall perform the legislative, judicial and administrative duties of the Mayor in the event of the absence or disability of the Mayor and during the period of any unfilled vacancy in the office of Mayor. The President Pro Tem, when serving as the Acting Mayor, shall continue to hold the office of member of Council and shall vote on any matter before the Council, unless otherwise provided in this Charter. [Charter Section 3.04 (B)]
3. The President Pro Tem shall serve as Chair of the Committee of the Whole and Chair of the Rules of Council Committee.

Section C: Clerk of Council.

1. The Clerk of Council or designee shall attend all meetings, regular and special, and shall meet the duties as prescribed in Charter Section 3.05 (C).
 - a. The Clerk of Council or designee shall give notice of regular and special meetings of the Council to its members, the Mayor and to the public as may be provided by the Charter, the Rules of Council or by ordinance or resolution. The Council, by ordinance or resolution, may require the Clerk of Council to serve as the secretary of one or more committees, boards or commissions provided for under the Charter. [Charter Section 3.05 (C)]
2. In the absence of the Clerk of Council *or designee*, an acting Clerk may be appointed by the Mayor or Administrator to serve in that capacity until the Clerk or designee is available.

ARTICLE III - DEFINITIONS

Section A: Abrogate

1. From Webster's Dictionary
 - a. To cancel or repeal by authority; annul

Section B: Dilatory

1. From Webster's Dictionary
 - a. Causing or tending to cause delay; meant to gain time, defer action, etc.
 - b. Inclined to delay; slow or late in doing things

Section C: Member

1. Member shall mean any duly elected or appointed member of Council.

Section D: Person

1. Person shall mean any individual present at a meeting of Council that is not a duly elected or appointed member of Council.

Section E: Quorum.

1. A quorum at any meeting of Council shall consist of four (4) members of Council.

Section F: Majority.

1. Four (4) members of Council shall constitute a majority for the normal transaction of business.

Section G: Two-thirds (2/3) Majority

1. A two-thirds (2/3) majority shall mean four (4) members of Council.

Section H: Three-fourths (3/4) Majority

1. A three-fourths (3/4) majority shall mean five (5) members of Council.

Section I: Revision of Definitions.

1. The definitions contained in Article III, Sections E through H shall be revised immediately upon any change in the number of Council members by resolution of Council amending this article.

ARTICLE IV - POWERS

Section A: Powers of Council.

1. All legislative power of the Municipality shall be vested in the Council, except as otherwise provided by the Charter and the Constitution of the State of Ohio. Without limitation of the foregoing, the Council shall have and possess the following powers:
 - a. The power to levy taxes and assessments and incur debts subject to the limitations imposed thereon by the Charter.
 - b. The power to adopt and to provide for the enforcement of local police, sanitary and other similar regulations as are not in conflict with the general laws.
 - c. The power to provide for the exercise of all powers of local self-government and utility powers granted to the Municipality by the Constitution of the State of Ohio in a manner not inconsistent with the Charter or the Constitution of the State of Ohio.
 - d. The power, by ordinance or resolution, to establish or authorize the number of officers and employees in the various offices, departments, divisions, bureaus, committees, boards and commissions of the Municipality and to establish or authorize the establishment of the rate of their compensation, hours of work, and to provide such other fringe benefits and conditions of employment as deemed proper by the Council.
 - e. The power to require such bonds as in the opinion of the Council are necessary for the faithful discharge of the duties of the officers and employees of the Municipality. The premium for said bonds shall be paid by the Municipality.
 - f. The power to establish, by ordinance or resolution, the rates or charges made of consumers of all municipal utilities and services.

- g. The power to acquire and to sell or otherwise convey interests in real property; and to lease, as lessor or lessee, or otherwise grant or receive interests in real property.
- h. The power to provide for an independent audit of the accounts and records of the Municipality, which may be in addition to audits by state offices and agencies as may be required under the general laws of Ohio. [Charter Section 3.01 (A)]
- i. To exercise all other powers granted to the Council by the Charter and by the Constitution and laws of the State of Ohio. [Charter Section 3.01 (A)]

ARTICLE V – COMMITTEES

Section A: Committees.

- 1. The Council may choose each year to establish the Committee of the Whole or Standing Committees. Such choice should be made by the last meeting in November each year to avoid any delay in committee activity.
- 2. If the Council chooses to establish individual committees, they should form the following Standing Committees by December 31, to avoid any delay in committee activity. (It is to be noted that this Section is directory in nature and not mandatory and is subject to the discretion of the Council.)
 - a. Administration
 - 1.) Community Affairs
 - 2.) Engineering
 - 3.) Planning and Development
 - 4.) Public Works
 - 5.) Parks and Recreation
 - 6.) Law
 - 7.) Golf
 - 8.) Facilities Management
 - b. Finance
 - c. Police and Public Safety
 - 1.) Environmental
 - 2.) Lighting
 - 3.) Mayor’s Court
 - 4.) Safety
 - 5.) Signs
 - 6.) Streets
 - 7.) Community Resources
- 3. If the Council chooses to establish individual committees, the Mayor shall appoint members to Standing Committees with the approval of Council.

Section B: Composition of Committees.

1. Committee of the Whole

- a. If the Council chooses to establish the Committee of the Whole, said committee shall consist of all members of the Council. The President of Council (Mayor) shall be an ex-officio member of this committee.
- b. The President Pro Tem shall serve as Chair of the Committee of the Whole.

2. Standing Committees

- a. If the Council chooses to establish individual Standing Committees, those committees shall consist of not less than three and shall not exceed four elected members of Council who shall select their own chair. The committees may appoint as many citizen advisory members as may be necessary, however, no citizen advisory member shall vote on the recommendations of the committee, but may concur in either majority or minority reports. The President of Council (Mayor) shall be an ex-officio member of all committees. The Chairs of the Administrative and Police and Public Safety Committees are automatic members of the Finance Committee. The third and fourth members of the Finance Committee shall be appointed as per Article II, Section B. 2, of the Rules of Council.
- b. No Standing Committee shall duplicate the function or purposes of another Standing Committee.

3. Organization

- a. If the Council chooses to establish the Committee of the Whole, the Committee of the Whole shall organize at its first meeting of the year by electing a vice chair.
- b. If the Council chooses to establish individual Standing Committees, then said committees shall organize at their first meeting of the year by electing a chair and vice chair.
- c. The Clerk of Council or designee shall serve as the secretary. The secretary shall keep an accurate and complete record of the proceedings of the committee and shall maintain the original proceedings as required for public inspection.

Section C: Committee meetings.

- 1. Meetings of all committees of Council shall be public meetings and whenever possible shall be held in public buildings, however, each committee by a majority of its voting members may elect to hold meetings wherever it deems necessary to properly further its assigned purposes.
- 2. All special meetings of the Committee of the Whole or other Standing Committees will be called by the Chair of such committee or by two voting members giving notice of date, time and place to all members of the committee and the Clerk of Council or designee. The

Clerk of Council or designee shall notify all members of Council of all committee meetings.

3. Any member of Council shall have the right to sit with any committee, present information, take part in any discussion and question witnesses; however, members of Council shall have a vote only when regularly assigned to such committee. Quorum is a majority of the appointed members.
4. A Quorum must be present in order to convene a meeting of the Committee of the Whole.

Section D: Special Committees of Council

1. The President of Council (Mayor) may from time to time appoint special committees for limited purposes, subject to the approval of the majority of Council. The statement of purpose for all special committees shall contain a section setting forth the length of time required to complete their special purpose. Special Committees shall not duplicate the function or purposes of the Committee of the Whole, or other Standing Committee(s).

Section E: Subcommittees

1. The Chair of any Committee may from time to time appoint special subcommittees for limited purposes, subject to the approval of the majority of the Committee. The statement of purpose for all special subcommittees shall contain a section setting forth the length of time required to complete their special purpose. Subcommittees shall not duplicate the function or purposes of the Committee of the Whole, Standing Committees, Special Committees, or any other Subcommittees.

Section F: Other Boards and Commissions

1. Established Committees, Boards, and Commissions shall continue until they are revised or abolished. The Council may create, change and abolish other committees, boards and commissions as it determines to be necessary, and may provide for their organization, membership, terms of office of members, powers, duties and functions by ordinance or resolution. [Charter Section 8.05]

ARTICLE VI – AGENDA

Section A: Form.

1. Before an ordinance or resolution has its first reading, a statement by the Director of Law should accompany it stating that it has been reviewed and is correct as to form and legality of purpose.

Section B: Preparation.

1. The agenda for all meetings of Council shall be prepared by the Clerk of Council under the guidance of the Mayor with the input of the City staff.

2. A member of Council or the Mayor may place an ordinance or resolution on the agenda of a regular or special meeting.
3. No Department Head Report may be placed on the agenda later than noon Wednesday; all other items requiring action must be placed on the agenda no later than noon Friday before a regular meeting and not less than 12 hours prior to the time of a special meeting.
4. Agendas will be available to Council and media by the close of business on the Friday, before a regular meeting. When a holiday falls within packet week, the Administrator may decide when packets will be released.

Section C: Changes.

1. Any change to the published agenda shall not be made other than by a majority vote in Council on a motion to amend which shall not be debatable except for a brief statement of necessity by the maker of the motion. Such motion shall require no second.

Section D: Order of Business for Council Agenda.

1. The agenda shall reflect the following order of business:
(It is to be noted that this Section is directory in nature and not mandatory and is subject to the discretion of the Presiding Officer).
 - Call to Order
 - Moment of Silence
 - Pledge of Allegiance
 - Swearing-in (when necessary)
 - Roll Call
 - Approval of minutes of previous meeting
 - Proclamations (when necessary)
 - Business of Guests
 - Ordinances and Resolutions
 - Reports
 - Mayor
 - Administrator
 - Chief of Police
 - Director of Finance
 - Director of Law
 - Council
 - Clerk of Council
 - Standing and Special Committees (when necessary)
 - Other Business
 - Adjournment

Section E: Suspension.

1. Any provision of Article VI (i.e. changes in the Order of Business) may be suspended by an affirmative vote of a three-fourths (3/4) majority of Council.

ARTICLE VII - LEGISLATIVE PROCEDURE

Section A: Form of Action by Council

1. Action of Council shall be by ordinance, resolution or motion. Motion shall be used to conduct the business of Council, in procedural matters, for elections conducted among and appointments made by Council Members and as otherwise provided in the Charter or Rules of the Council. All other action shall be taken by ordinance or resolution. Wherever possible, copies of proposed ordinances and resolutions should be provided to members of the Council in advance of the meetings at which the measure is to be introduced. No action of Council shall be invalidated merely because the form thereof or prior availability of an ordinance or resolution fails to comply with the provisions of this Section. [Charter Section 4.01]

Section B: Ordinances and Resolutions

1. Introduction of Ordinances and Resolutions
 - a. A Member of Council or the Mayor may introduce an ordinance or resolution, at a regular or special meeting, which shall be in written or printed form and shall contain a concise title. [Charter Section 4.02]
2. Form of Ordinances and Resolutions
 - a. The form and style of ordinances and resolutions shall be determined by the Rules of Council. [Charter Section 4.03 (A)]
 - b. Each ordinance or resolution shall contain only one subject, which shall be expressed in its title; provided that appropriation ordinances may contain the various subjects, accounts and amounts for which monies are appropriated, and those ordinances and resolutions which are codified or recodified are not subject to the limitation of containing one subject. [Charter Section 4.03 (B)]
3. Reading of Ordinances and Resolutions
 - a. All ordinances and resolutions shall be read by the Clerk of Council or designee as prescribed in Section 4.04 of the Charter.
 - b. Each ordinance and resolution shall be read on three separate days, unless this requirement is dispensed with by a vote of at least five of the members of the Council. Readings shall be by title only, unless the Council requires a reading to be in full by a majority vote of its members. [Charter Section 4.04]
4. Content of Emergency Legislation
 - a. Each emergency ordinance or resolution shall determine that the ordinance or resolution is necessary for the immediate preservation of the public peace, health,

safety, or welfare, and shall contain a statement of the necessity for the emergency. Council shall declare an ordinance to be an emergency measure only in the event of a demonstrated threat to the public peace, health safety or welfare of the City or its residents [Charter Section 4.06 (A)]

- b. No ordinance or resolution regulating the rates for services of privately owned or investor owned public utilities and no ordinance or resolution, other than one pertaining to the issuance of debt obligations by the Municipality, which approves, grants, renews or extends a franchise or other special privileges, shall be passed as an emergency measure. If such ordinance or resolution shall be passed on an emergency basis, it shall be subject to referendum and shall not take effect for thirty days after its passage; however, it shall not be invalidated because of its passage as an emergency measure. [Charter Section 4.06 (B)]

5. Suspension of the Rules

- a. In the event that Council desires to vote on an ordinance or resolution immediately, then Council may entertain a motion to suspend the rules requiring three (3) separate readings for the ordinance or resolution and assignment to Standing Committees or Committee of the Whole. The motion requires a three-fourths (3/4) majority for passage.
- b. If Council wishes an ordinance to take effect immediately, a statement that an emergency exists and that the ordinance is necessary for the preservation of the public peace, health, safety or welfare of the citizens must be made. A three-fourths (3/4) majority shall be necessary to carry.

ARTICLE VIII - CONDUCT OF DISCUSSIONS

Section A: Policy.

- 1. When an ordinance, resolution, or motion is before Council, an adequate opportunity must be provided for all members of Council to be heard. However, in order to expedite business and to assure that a minority cannot effectively *abrogate the desire of the majority and by dominating the floor thus prevent a vote, the rules of discussion contained in the following sections of this article are set forth as the official policy of Council (*See Article III-Definitions). Further, any member of Council who believes he or she may have a conflict of interest, and accordingly, chooses to abstain from voting on a motion, resolution, or ordinance pursuant to Article IX, Section B herein, shall also abstain from any and all discussions related to said motion, resolution, or ordinance.

Section B: Duty of the President of Council (Mayor).

- 1. The President of Council (Mayor) shall recognize members and other persons who wish to address Council, prior to such member or person taking the floor. All persons shall furnish their name, address, and the reason for their appearance upon request of the President of Council (Mayor) prior to being recognized. The President of Council (Mayor) may utilize

the following rules when exercising his control of the discussion on any ordinance, resolution, or motion:

- a. No member or person should be permitted to speak longer than five (5) minutes at any one time.
- b. No member or person should be permitted to speak more than two (2) times for or against the proposition under consideration.
- c. While members may yield to other members, the limitations set forth in a and b above should prevail.
- d. No member or person shall be permitted to speak the second time until all members or persons have been heard at least once, or a member or person who has not been heard wishes the floor.
- e. The President of Council (Mayor), subject to challenge by Council, may refuse the floor to any member or person where the tactics are obviously *dilatatory and not in the best interest of Council. (*See Article III - Definitions)
- f. The above rules may be suspended to permit unlimited debate by a vote of two-thirds (2/3) majority of Council.

Section C: Duties of the President Pro Tem of Council or Council Committee Chairperson.

1. The provisions set forth in Article VIII, Section B above shall also apply with respect to the duties of President Pro Tem of Council when conducting a Committee of the Whole Meeting or, in the event Council chooses to re-establish Standing Committees pursuant to Article V, the Chairperson of any said Standing Committee in regards to any committee matter being discussed before the Council.

ARTICLE IX - VOTING

Section A: Voting.

1. *Vote Required for Passage*

- a. The vote on the question of passage of each ordinance, resolution and motion shall be taken by roll call of members to be entered on the Journal, or other record of proceedings of the Council, and none shall be passed without concurrence of a majority of the members of Council. Each emergency ordinance or resolution shall require the affirmative vote of at least three-fourths (3/4) of the members of Council for its enactment. If an emergency ordinance or resolution shall fail to receive the required three-fourths (3/4) affirmative vote, but receives the necessary majority for passage as non-emergency legislation, it shall become effective as non-emergency legislation. [Charter Section 4.05 Amended May 4, 1999]

2. Except as otherwise provided in these rules or by law, all ordinances and resolutions will be voted upon in open Council, and shall be oral roll call votes. The roll call voting shall be in accordance with Ordinance No. 81-94:
 - a. The vote shall be called in alphabetical order on each issue.
 - b. The person called for the first vote shall rotate on each issue.
3. The Clerk of Council or designee shall call the roll and each Council Member will respond either in the affirmative or negative. No other comment will be considered proper during the vote. The Clerk of Council or designee must record the vote and the same shall be preserved in the minutes of the meeting. After the vote is complete, the Presiding Officer shall disclose the results thereof.
4. Except as otherwise provided herein, or by law, a majority shall carry any ordinance, resolution or motion. No question concerning the vote of any member will be proper after the vote is called.

Section B: Abstaining Vote.

1. A Council Member may abstain from voting on any issue only because of a conflict of interest, which must be stated at the time of abstention. A Council Member who has a conflict of interest as a result of an issue before him or her for a vote must abstain from voting. However, no member shall be questioned concerning the necessity of an abstaining vote. A decision to abstain is a matter personal to each member and under no condition may this action be challenged. Each member is urged to use his/her careful discretion in this matter and should consult the Director of Law if he or she is uncertain as to whether an actual conflict of interest exists. The effect of such abstaining vote shall be governed by law or where the law is silent by Roberts Rules of Order, Newly Revised. A Council Member may abstain from voting to adopt the minutes which were taken at a meeting at which that Council member was not present.

ARTICLE X - RULES OF ORDER

Section A: Rules of Order.

1. All deliberations of Council shall be governed by the Constitution of the United States, the Constitution of the State of Ohio, the Revised Code of Ohio, duly enacted Charter, Ordinances, and Resolutions of the City of Groveport, Ohio, the Rules of the Council of the City of Groveport, Ohio as contained herein, and in those areas of parliamentary procedure not specifically set forth in the foregoing documents by Roberts Rules of Order, Newly Revised.

ARTICLE XI - AMENDMENT

Section A: Amendment of Council Rules.

1. The Rules of Council may be amended by resolution adopted by a two-thirds (2/3) majority of Council.

Section B: Responsibility of Rules of Council Committee.

1. Any resolution to formally amend the Rules of Council shall be referred to the Rules of Council Committee, formed as necessary, where it shall be immediately considered, taking precedence over any other business before the committee, and the committee shall make a report on the resolution to amend at the next regular session of Council following its introduction.
2. The President Pro Tem shall serve as Chair of the Rules of Council Committee.

Section C: Bi-annual Review

1. The Rules of Council Committee shall be formed bi-annually, in the even years, to review the Rules of Council and if necessary, make a recommendation for changes.