

THE CITY OF POWELL  
RULES OF  
CITY COUNCIL

Amended July 18, 2006

Resolution 2006-28

Amended December 6, 2011

Resolution 2011-21

Amended May 1, 2018

Resolution 2018-08

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CITY OF POWELL  
RULES OF THE CITY COUNCIL

A. REGULAR, SPECIAL, AND COMMITTEE OF THE WHOLE AND ORGANIZATIONAL MEETINGS

1. REGULAR MEETINGS:

Regular Council meetings are held in the Council Chambers on the first and third Tuesday of each month at 7:30 P.M., or such other times as Council designates. If a regular meeting falls on a holiday, it shall be held on the following day or such other day as the Council may determine.

2. SPECIAL MEETINGS:

The Mayor or three Council members may call special Council meetings with twenty-four hours public notice and notification to all Council members, media and the public. (Charter 4.08). Notice to Council members of special meetings shall be made personally or by written notice left at the usual place of residence. The notice shall state the purpose of the meeting as then known to the City Clerk.

3. COMMITTEE OF THE WHOLE MEETINGS:

Council may schedule Committee of the Whole meetings during regular or special Council meetings with the approval of four members of Council. Such meetings shall be for the sole purpose of providing Council with a work session.

4. BI-ANNUAL ORGANIZATIONAL MEETING OF COUNCIL:

a. Organizational Meeting: The Council shall hold its Organizational meeting on or before the tenth (10<sup>th</sup>) day of January following the preceding general municipal election. At this meeting, the newly elected members shall take the oath of office, the Council shall elect a Mayor (who shall also serve as President of Council) and a Vice-President from among its own members, and Council shall appoint the chairperson and members of the Council's standing committees as set forth in paragraph 4(b) below. Committee chairpersons and members shall continue to serve on the appointed committee until the next organizational meeting of Council, resignation, or removal, whichever first occurs.

b. Standing Committees of Council: The standing committees of Council are: Development Committee, Finance Committee, and Operations Committee. Council may, from time to time, create additional standing committees. Council shall appoint a chairperson of each standing committee from among

its members. Council shall appoint at least one, but no more than two, additional Council Members to serve on each of Council's standing committees. Council may, from time to time and at any time, appoint ~~a citizen representative~~ **up to two citizen representatives** to any standing committee, who shall be entitled to vote. All appointments by Council pursuant to this paragraph 4(b) shall be by affirmative vote of four Council members.

- c. Ad Hoc Committees: Council may, from time to time, create ad hoc committees to address issues not within the areas of concern of one of the standing committees. Council may appoint a chairperson of each ad hoc committee and no more than two additional Council Members to serve on the ad hoc committee. Council may, from time to time, and at any time, appoint one or more citizen representatives to any ad hoc committee. All appointments by Council pursuant to this paragraph 4(c) shall be by affirmative vote of four Council members.
- d. "Ex Officio" Membership: Every Council Member is an ex officio member of every standing or ad hoc committee of Council. The City Manager, or his or her delegate, is an ex officio member of every standing or ad hoc committee of Council. Ex officio members shall have the right to participate in the discussions of items on committee agendas but shall not have the right to vote in committee.
- e. Committee Meetings Open to Public: All City Council standing or ad hoc committee meetings shall be open to the public unless the committee votes to adjourn into executive session as permitted by law.
- f. Committee Minutes: All City Council standing or ad hoc committees shall maintain minutes of their meetings. The minutes shall include a list of the committee members present, a summary of the items discussed, and the votes, if any, taken by the committee.
- g. Committee Votes: The standing and ad hoc committees of City Council are intended to be working groups, not legislative bodies. Council committees have no authority to adopt legislation. Therefore, it is anticipated that committee actions will include the study of issues to determine a recommended course of action, review of proposed legislation, or fact finding, with the report of the committee constituting a recommendation to Council for its consideration. Accordingly, it is anticipated that most committee action will be based on consensus of the committee members. However, any committee member appointed pursuant to paragraph 4(b) of this section may request a roll call vote of the committee on any item, which roll call vote shall occur and shall be recorded in the minutes of the committee.
- h. Removal From Committee: Council, by a vote of at least four members, may at any time remove any committee member appointed pursuant to

paragraphs 4(b) or 4(c) of this section. Council need not state its reason for removal, but may do so in the motion. Council members who are removed from a committee pursuant to paragraph 4(h) of this section retain their ex officio status.

- i. Committee Business: Council may, from time to time, refer matters to one or more standing or ad hoc committees of Council by informal agreement at a regular or special council meeting or by affirmative vote of at least four members of Council. Standing and ad hoc committees of Council are authorized to consider any matter within the committee's area of responsibility, with or without a Council referral, and make any report to Council that the committee deems appropriate.
- j. Committee Meeting Attendance: Council acknowledges that, since much of the work of Council is done at the committee meetings, all Council members should attend the meetings of at least one standing committee and that attendance at committee meetings is as important as attendance at Council meetings. Failure to attend committee meetings shall be grounds for removal from that committee.
- k. City Staff Support of Committees: The City Manager may assign one or more staff members to regularly attend standing or ad hoc committee meetings. Staff members so assigned are to assist the committee with its work, as directed by the City Manager. Committee requests for staff support shall be directed to the City Manager, not individual staff members. Staff members attending meetings are not voting members of the committee.
- l. Appointment of Clerk of Council: At its organizational meeting, Council shall, by an affirmative vote of at least four members, appoint a Clerk of Council. The Clerk of Council so appointed shall serve until the next organizational meeting of Council, resignation or removal, whichever shall first occur. The Clerk of Council may be removed by an affirmative vote of Council, consistent with the Charter of the City of Powell. The City Manager may, from time to time, appoint a temporary Clerk of Council to perform the functions of the Clerk of Council in the absence of the appointed Clerk.
- m. Conduct of Business: Council may transact any business as may come before it. (Charter 4.08).

B. CONDUCT OF MEETINGS

1. MEETINGS TO BE PUBLIC:

All Council meetings shall be open to the public subject to the right of Council to meet, but not take action, in a non-public executive session (Charter 4.08).

2. QUORUM:

Four Council members shall constitute a quorum for the transaction of business. (Charter 4.08). If during the course of a meeting, the departure of a Council member results in less than a quorum, the meeting will be adjourned.

3. PRESIDING OFFICER:

The Council President shall preside at all Council meetings. In absence of the Council President, the Vice President shall preside. In the absence or disability of both, Council shall elect a temporary presiding officer from among them to serve during the meeting (Charter 4.08).

4. ATTENDANCE AT COUNCIL MEETINGS:

Council members are expected to attend all Council meetings unless there is good and sufficient reason for their absence. Council members who will be unable to attend a scheduled meeting shall inform the Council President and/or the City Clerk of their anticipated absence. The City Clerk will announce all absences following the roll call of a meeting. The City Clerk shall keep a calendar of anticipated Council member absences to assist in scheduling meetings.

5. PARTICIPATION:

Participation in Council discussion during meetings shall be limited to Council members until specific participation is directly requested by Council members and acknowledged by the presiding officer. This does not limit public participation as called for in Section F of these rules.

6. USE OF ELECTRONIC DEVICES DURING MEETINGS:

Council members are expected to devote their full attention to the discussion of Council business during Council meetings, and communications to others outside the public deliberations of Council are highly discouraged. If Council members need to communicate with anyone using electronic devices during a Council meeting, they are expected to conduct those communications off the Council platform.

C. LEGISLATION

1. ORDINANCES AND RESOLUTIONS:

a. Ordinances:

Prior to introduction, each proposed Ordinance shall be submitted to the Law Director for approval as to form, then introduced in writing by a member of Council or by the City Manager (Charter 5.02). Every proposed Ordinance shall be filed in writing with the City Clerk. The Council may discuss a proposed Ordinance at the time it is introduced and changes to the Ordinance may be agreed upon by the Council at such meeting without invalidating the introduction of the Ordinance at that time.

b. Resolutions:

Resolutions may be offered by any Council Member at any regularly scheduled or special meeting of Council. Resolutions shall be submitted to the Law Director for approval as to form, and shall be filed with the City Clerk. The Council may discuss a proposed Resolution at the time it is introduced and changes to the Resolution may be agreed upon by Council at such meeting without invalidating the introduction of the Resolution at that time.

2. COPIES OF ORDINANCES AND RESOLUTIONS:

The City Clerk shall make available for public inspection copies of Ordinances or Resolutions under consideration by the Council.

3. READING OF LEGISLATION:

The reading of a summary of an Ordinance or Resolution shall constitute a reading of the legislation. Ordinances and Resolutions will not be read in their entirety unless requested by a majority of the Council members present.

4. PROCLAMATIONS:

Proclamations may be issued by the Mayor to announce or acknowledge reasonable and worthwhile events.

5. CONSENT AGENDA

The Council may by resolution (see appendix A) designate a specific listing of items which shall be listed as part of a consent agenda on the regular Council meeting agenda. Such items shall be read and a vote shall be taken for approval on all items listed under the Consent Agenda. Any Council member may, upon demand, remove any item from the Consent Agenda whereupon it shall be placed on the regular agenda for that Council meeting (Charter 5.04).

6. TABLING ITEMS ON THE AGENDA:

After the second reading of any ordinance or first reading of any resolution, upon a majority vote, Council may table a measure to a certain date. At that meeting on that certain date, Council shall consider the measure, and if not taken from the table at that meeting, the measure shall be terminated although it can be reintroduced at the same or a later meeting as a new measure.

D. VOTING

1. FORM OF VOTE

Votes upon proposed ordinances shall be taken by roll call, unless the proposed ordinance is properly considered as part of the Consent Agenda. Items listed under the Consent Agenda, other Resolutions and Motions by Council requiring a vote shall be adopted or rejected by voice vote, unless a vote by roll call or by written ballot is requested by any Council member. No Council member shall be required to explain their vote (Charter 5.03 thru 5.07).

2. ROLL CALL VOTE:

If any Council member requests a roll call vote, the City Clerk shall call the roll. The City Clerk shall call the Council member names in alphabetical order and the name to be called first shall be advanced one position alphabetically in each successive roll call vote. Council members shall respond with "Yes" "No" or "Abstain."

3. VOTING RESULTS:

In all cases where a vote is taken, the presiding officer shall announce the results.

E. EXECUTIVE SESSIONS

1. PURPOSE:

Council shall conduct Executive Sessions in accordance with the provisions of the City Charter Section 4.08.

F. CITIZEN PARTICIPATION

1. PERSONS ADDRESSING COUNCIL:

Prior to the start of a Council meeting, persons wishing to address the Council during any citizen participation period of a meeting shall sign in at the beginning of the meeting indicating name, home address, affiliation (if any) and whether they wish to address Council during the general citizen participation period or during the citizen participation period reserved for items on the agenda.

2. CITIZEN PARTICIPATION IN REGULAR MEETINGS:

The Council shall permit citizen participation for items not specifically addressed on the agenda immediately prior to the review of minutes. The presiding officer will review the list of people who have indicated a desire to address Council during the period and determine any necessary time limits from this review. Citizen participation for items not on the agenda shall not exceed one-half hour.

The Council shall permit citizen participation for items on the agenda immediately after presentation of the item by staff but prior to Council discussion regarding the item. While citizen participation for items on the agenda should not exceed fifteen minutes for each individual item and no more than three minutes per individual speaker, the presiding officer will review the list of people who have indicated a desire to address Council regarding any item on the agenda and determine whether to extend the time for citizen participation from this review. After people who have signed in have addressed Council; the presiding officer shall ask if there is additional public input, time permitting.

3. CITIZEN PARTICIPATION AT SPECIAL MEETINGS:

Citizen participation shall be held immediately prior to Council discussion. Person shall be permitted to address the Council only concerning the purpose for which the special meeting was called. The basic rules for conducting this period shall be the same as for the participation periods at a regular meeting.

G. AGENDA

1. PREPARATION:

The Council President, the City Clerk, and the City Manager shall prepare an agenda for each regular or special meeting of the Council. The deadline for submitting items for a regular Council agenda is 12:00 noon on the Thursday preceding a regular meeting. The agenda shall be set and Council packets ready for distribution by 5:00 P.M. on Friday. A specific exception to the Ordinance and Resolution submittal will be allowed with the approval of the Law Director for purposes of dealing with litigation.

2. DISTRIBUTION:

Final meeting agenda and related background material will be submitted to Council members and available for public review at the City Offices by 5:00 P.M. on the Friday before the regularly scheduled meeting and at least twenty-four hours before the beginning of a special meeting, except in the event of any emergency meeting.



3. AGENDA MATERIAL:

Written materials concerning agenda items, in lieu of or as a supplement to oral presentations are encouraged and should be submitted prior to the Council meeting for circulation with meeting agenda. Oral reports will be limited to five minutes when possible.

4. CERTIFICATION OF COUNCIL-INITIATED LEGISLATION:

A Council member wishing to introduce ordinances or resolutions shall forward them to the Council President and City Manager for the proposed legislation to be placed on the Council agenda.

H. MISCELLANEOUS

1. RULES OF PARLIAMENTARY PROCEDURE:

The presiding officer shall provide for the orderly transaction of business at Council meetings. The current edition of *Robert's Rules of Order* governs the procedure of Council meetings, provided it is not in conflict with these Rules of the City Council, the Ordinances, or the Charter of the City of Powell.

2. AMENDMENTS TO RULES:

These rules may be altered or amended by the vote of four or more Council members.

3. SUSPENSION OF THESE RULES:

These rules may be suspended for a specified portion of a meeting by a majority of the Council members present at that meeting.

4. AUTHORITY FOR RULES

Authority for the adoption of these Rules is derived from Section 4.10 of the Charter of the City of Powell.

5. ASSIGNMENT OF WORK TO STAFF

Council directives to City staff shall be directed only to the City Manager or other individual expressly designated by the City Manager and shall be issued only (a) at a Council meeting at the direction of a majority of Council or (b) by the Mayor where the Mayor has determined that the directive represents a consensus of Council.

6. USE OF CITY RESOURCES IN COUNCIL CORRESPONDENCE

Council members may issue correspondence or other communications on City letterhead, at City expense, through the use of City staff, or otherwise with the expenditure of City resources only with the approval of the Mayor where the Mayor has determined that there is a consensus of Council to do so.

7. RULE CONFLICT

If any of these Council rules conflict with the provisions of the United States Constitution, the Ohio Constitution, the City Charter and City Ordinances, the provisions of the United States Constitution, the Ohio Constitution, the City Charter and City ordinances shall control.