

# Green City Council Rules of Procedure



Revised 6/8/04

4/8/08

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**City of Green**  
**Rules of Procedure**

**Section 1 - Meetings**

Rule 1.1 - Organizational Meetings

Within the first seven (7) days of January of each year, Council shall meet for the purpose of organization. The Mayor, or a person appointed by the Mayor, shall call this meeting and shall preside as temporary Chairman only until the President of Council is elected.

Rule 1.2 - Regular meetings - Amended 6/23/98 by Resolution 98-R52, 4/8/08 by Ordinance 2008-04

The City Council shall hold its Regular meetings on the second and fourth Tuesday of each month at 7:00 p.m. at the Green Administration Bldg. Council may also convene a regular meeting directly following the Organizational Meeting as provided for in Rule 1.1.

The Council president or acting president shall have the sole authority to cancel any regularly scheduled council meeting.

Council president shall notify the clerk of council who will then notify interested parties of the cancellation, including, but not limited to:

Council members  
Mayor  
City employees  
Media/press  
School personnel/students  
Scheduled speakers

Rule 1.3 - Special Meetings

After the organizational meeting, Council shall meet at such times prescribed in its rules, regulations, by-laws, or by resolution or ordinance, except that it shall hold regularly scheduled meetings at least once during each calendar month. Such Council meetings shall be known as Regular meetings. All other Council meetings shall be known as Special Meetings.

Special Meetings of the Council may be called as provided by its rules, regulations, by-laws, or by resolution or ordinance. In the absence of any such provisions, Special Meetings may be called by a vote of Council taken at any Regular or Special meeting thereof, or shall be called by the Clerk of Council upon written request of the Mayor, or the President of Council, or by any three (3) members of Council. Notice in writing of each Special Meeting called at the request of the Mayor, the President of Council, or by three (3) members of Council shall state the date and

time, and subject or subjects to be considered at such meeting. No subject or subjects, other than those listed in this written notice shall be considered at such Special Meetings. The written notice required by this section shall be served by the Clerk of Council upon the Mayor and each member of Council, either personally or by leaving a copy thereof at his usual place of residence, not less than twenty-four (24) hours proceeding the time for the meeting. In the event that a Special Meeting is called by a vote of Council taken at any Regular or Special Meeting from which any member of Council was absent, written notice of such special meeting shall be given such absentee in the manner provided here.

Service of such notice may be waived by an instrument in writing signed prior to the hour of such meeting, and the Mayor and any Council member shall be deemed conclusively to have waived such notice by their attendance at any such meeting.

All Regular and Special Meetings of Council shall be held at the City Administration Building or at such other places in the City as Council may direct, providing that notice of the change in location shall be posted at the administration building no later than one (1) hour prior to the meeting. (Charter 4.8)

#### Rule 1.4 - Holiday Scheduling

Council may choose to suspend a regular meeting, but not to exceed two consecutive regular meetings. Council shall hold at least one regularly scheduled meeting during each calendar month.

#### Rule 1.5 - Executive Sessions

An Executive Session may be called during Regular or Special Meetings in compliance with the Sunshine Law. Items discussed in Executive Session are to remain confidential. Any Member of Council violating this rule may be subject to censure.

#### Rule 1.6 - Sunshine Law

All Regular Meetings, Special Meetings, Executive Sessions, and Committee Meetings shall be conducted in accordance with the Sunshine Law. (Ohio Revised Code 121.22) All Meetings of Council, and its committee meetings, shall be public and any citizen shall have access to the minutes and record of these meetings at all reasonable times.

#### Rule 1.7 - Quorum

A majority of Council shall constitute a quorum to conduct business, but a lesser number may adjourn from time to time and compel the attendance of the absent members in such manner and under such penalties as may be prescribed by resolution or ordinance.

Rule 1.8 - Order of Business - Amended 11/27/96 by Resolution 96-R86

Business shall be conducted in the following order:

- |                               |                                      |
|-------------------------------|--------------------------------------|
| 1.) Call to Order             | 8.) First Reading of New Legislation |
| 2.) Pledge Of Allegiance      | 9.) Report of Council Committees     |
| 3.) Roll Call                 | 10.) Mayor's Report                  |
| 4.) Council Study Session     | 11.) Old Business                    |
| 5.) Public Report             | 12.) New Business                    |
| 6.) Public Hearings           | 13.) Adjournment                     |
| 7.) Reading of Correspondence |                                      |

**SECTION 2 - Council Organization**

Rule 2.1 - Officers - Amended 6/23/98 by Resolution 98-R52

At the organizational meeting of Council in January of each year as provided by the City Charter, Council shall by simple majority vote, through the use of a roll call vote elect from among its members a President of Council and a Vice-President of Council each to serve for one (1) year. (Charter section 4.5)

Rule 2.2 - Term of Office - Amended 4/8/08 by Ordinance 2008-04

Any Council member so elected as President of Council or Vice President of Council may serve for two (2) consecutive one (1) year terms, after which he shall be ineligible for re-election to those Council offices until a period of not less than one (1) year has elapsed. (Charter section 4.5)

Rule 2.3 - Removal of Officers

The officers of Council shall serve at the pleasure of Council. A vote of a majority of members of the Council shall be required to remove a member from office.

Rule 2.4 - Presiding Officer

The President is the presiding officer of Council. In the absence of the President, the Vice-President shall preside.

Rule 2.5 - Vacancy of Officer

Any vacancy of the office of President of Council, whether occurring by death, disqualification, recall, removal, resignation, or by succession to the office of Mayor, shall be filled by the Vice-President of Council for the remainder of the unexpired term of President of Council. The vacancy so created in the office of Vice President of Council shall be filled by a Council member elected by the majority of the remaining members of Council, without first appointing a

replacement council member. The successor shall hold office for the balance of the un-expired term of Vice-President of Council. If the vacancy created by the accession of Vice-President of Council shall not be filled by the Council within thirty (30) days from the date such vacancy occurs, the power of Council to do so shall lapse, and the Mayor shall appoint one (1) of the remaining member of Council to fill the vacancy. (Charter Section 4.6)

#### Rule 2.6 - Duties of the President

The President shall preserve order and decorum, prevent personal reflections and confine members in debate to the question. He may, in common with any other member, call any member to order who shall violate any of the rules and shall, when in the chair, decide all questions of order, subject to an appeal to Council on the demand by two or more members. On such appeal there shall be no debate, but the members making the appeal may briefly state the reason for the same, and the presiding officer shall have the right to a similar brief statement.

#### Rule 2.7 - Clerk of Council

The Clerk of Council shall be appointed by Council, subject to the qualifications for a Council Member at large pursuant to the Charter. He shall serve at the pleasure of the Council. The Clerk shall keep the Journal of Council, an accurate and complete record of all proceedings of Council; authenticate by his signature and have custody of all laws, ordinances, and resolutions of Council; have custody of all documents, reports, papers, and files of Council; and perform other such duties as Council shall require. Copies of minutes of Boards and Commissions will be kept on file. (Charter section 4.12)

#### Rule 2.8 - Vacancy of Clerk Position - Amended 4/8/08 by Ordinance 2008-04

During the temporary absence or disability of the Clerk of Council, the Deputy Clerk shall perform the duties of the Clerk of Council. If no individual holds the position of Deputy Clerk, Council shall appoint a qualified elector of the city, by a majority vote, to perform the duties of the Clerk of Council. (Charter section 4.12)

### **SECTION 3 - Committees**

#### Rule 3.1 - Standing Committees - Amended 6/8/04 by Resolution 2004-R51

The seven standing committees shall be as follows:

- a. Finance
- b. Planning and Community Economic Development
- c. Public Safety
- d. Rules and Personnel
- e. Environment and Parks
- f. Transportation, Connectivity & Storm Water
- g. Intergovernmental and Utilities

### Rule 3.2 - Special Committees

The President of Council may appoint special committees as are necessary to carry out the duties of Council.

### Rule 3.3 - Number of Members on Committees

There shall be three (3) members on each standing committee. Membership on special committees will be established by the President of Council.

### Rule 3.4 - Committee Appointments

The President of Council shall appoint committee members and special committees as are necessary to carry out the duties of Council.

### Rule 3.5 - Attendance by Non-Committee Members

Council members may attend Committee meetings of committees of which they are not a member, however they are in attendance as a member of the general public and not in their official capacity.

### Rule 3.6 - Committee Chair and Vice-Chair

The Chair is the first name appearing on the list of committee members and the Vice-Chair will be the second name appearing on the list of committee members.

### Rule 3.7 - Committee Meetings

The Committees shall meet in the Council Chambers and/or Committee room at such time as the Committee Chair decides. The date and time of the scheduled meeting must be announced and posted. Written minutes of the meetings are to be taken and kept on file with the Clerk of Council.

### Rule 3.8 - Duties of Committees

- a. All proposed ordinances and resolutions, except those of a purely ceremonial nature, shall be referred by the President of Council to one (1) or more of the standing committees of Council as appropriate to the subject matter, unless this requirement is waived by a vote of two-thirds (2/3) of the members of Council.
- b. Said committee(s) shall consider the proposal legislative action separately and/or jointly and shall report their recommendations to Council for final disposition.

c. Such report of the committee(s) recommendations shall be in writing and shall be accompanied by the original documents, if any, upon which such report is based. Such report and documentation shall be entered or referred to upon the Journal of Council.

d. If any matter referred to committee has not been reported upon for two (2) successive Regular Council Meetings, such matter may be brought before Council, with or without an accompanying committee report, upon the vote of a two-thirds (2/3) vote of the members of Council.

e. Nothing in this provision shall preclude any standing committee from proposing an ordinance or resolution on its own initiative. Intentional failure to follow this section pertaining to committees which results in gross abuse of corporate power shall invalidate any action taken by the Council as a whole. (Charter section 4.9)

#### Rule 3.9 - Quorum for Committees

Committees containing three members must have two members present for a quorum. A majority vote of the members is necessary to take action.

#### Rule 3.10 - The President and the Standing Committees

The President of Council shall be an ex-officio member of all standing committees of which he is not a member, or does not chair, but shall not vote upon any question coming before those committees. The President of Council may, however, be counted as a member of a committee for the purpose of making a quorum. The President may also serve as a regular member with full voting power for a maximum of forty (40) days in the event of the death, resignation, or removal of a Council member from a committee. The President shall fill any vacancy occurring on a committee within forty (40) days after the vacancy occurs by appointing another member of Council to fill the unexpired term.

#### Rule 3.11 - Committee of the Whole

The Council may resolve itself into a Committee of the Whole when it wishes, so that the entire Council may consider an issue.

### **SECTION 4 - Parliamentary Procedures**

#### Rule 4.1 - Call to Order

At the time appointed for Council to meet, the President shall take the Chair and immediately call the members to order.

#### Rule 4.2 - Roll Call

Before proceeding, the Clerk shall call the roll and enter into the minutes the members present or absent.

#### Rule 4.3 - Suspension of Rules

These rules of procedure may be temporarily suspended at any meeting of Council by a three-fourths (3/4) vote of all members elected, (6 yeas needed), insofar as said suspension is not a conflict with the status of the Constitution of the State of Ohio. The vote on such suspension shall be taken by yeas and nays, and entered into the Journal of Council. Any measure to be adopted as an emergency measure requires an explanation be given prior to a motion being made as to why such an action is necessary. (Charter Section 4.9)

#### Rule 4.4 - Amendments to Rules

The Rules of Council are to remain in full force and effect until amended or repealed by Council. These rules may be amended, altered, or new rules adopted by a simple majority of the Council members at any meeting of Council on the report of the Rules Committee to which the subject had been referred at a previous meeting.

#### Rule 4.5 - Questions and Motions

When a motion is made and seconded, The President or the Clerk shall state the question, which then places it before Council. Any such motion and any amendment thereto may be withdrawn by the mover and or second thereof at any time before decision, if the majority of the members then present shall agree. Following debate, the President or the Clerk shall put the question to a vote and announce the results of the vote.

#### Rule 4.6 - Demand for a Vote

The President of Council or any other member of council may demand a division, which shall be taken by a roll call. The motion calling the previous question closes debate, stops further amendments to the last motion and brings it to an immediate vote. The previous question applies only to the last motion made. It is not in order for a member of Council to speak to a question under consideration or to make a motion and immediately demand the previous question.

#### Rule 4.7 - Objection to Consideration

As soon as a motion or proposition has been stated, any member may object to consideration. This cannot be amended or debated. It requires a majority vote of all members to pass.

#### Rule 4.8 - Reconsideration

Any member who previously voted with the prevailing side, may move to reconsider any vote or proceeding of the Council. This motion shall be made not later than the next regular meeting. An action taken by Council shall only be reconsidered once.

#### Rule 4.9 - Point of Order

A point of order is a motion made by a member of Council when they believe the Rules of Council are being violated. This motion may be made when another member has the floor and does not require a second. The presiding officer must determine the validity of the motion. If the decision is that the Rules are being violated, the presiding officer shall enforce the Rules of Council.

#### Rule 4.10 - Point of Information

A point of information is a request by a member of Council to the presiding officer, requesting information relevant to the business at hand. The presiding officer shall direct the request to the appropriate person and all information shall be exchanged through the presiding officer in order to maintain decorum.

#### Rule 4.11 - Procedures Not Included in Council Rules

In the absence of any rule governing matters of business in either the Rules of Council, the City Charter, or the Statutes of the State of Ohio, Roberts Rules of Order, Revised shall be the standard of parliamentary usage.

### **SECTION 5 - Debate and Decorum**

#### Rule 5.1 - Preservation of Decorum

The presiding officer shall preserve decorum and maintain order at all times, prevent personal reflections during debate and in making assignments, and confine members to the question before Council.

The presiding officer or any other member of the Council may call to order a member who violates these rules. This decision shall be subject to an appeal to Council at the request of one member, who shall state the reasons for the appeal. There shall be no debate on such appeal, but the President shall have the right to answer the appeal.

#### Rule 5.2 - Speaking by Council Members

Any member of Council desiring to speak shall raise his hand for recognition by the President. Upon recognition, the member shall be allowed to speak. No member shall speak longer than five minutes at one time, without leave, and no member shall speak again on the same motion until all members of Council desiring to speak on that motion have had an opportunity to do so.

#### Rule 5.3 - Speaking by Members of the Administration

Any member of the Administration desiring to speak shall raise his hand for recognition by the President. Upon recognition, the member of the Administration shall be allowed to speak.

Rule 5.4 - Speaking by Non-Members of Council (See Section 7)

Rule 5.5 - Profane Language

The use of profane or vulgar language is absolutely forbidden, either by Council members or by any others attending the Council meeting.

Rule 5.6 - Power to Preserve Decorum

The Council may, with a majority vote by yeas and nays, vote to suspend the meeting in order to preserve order and decorum.

Rule 5.7 Videotaping of Council Meetings

Videotaping of Council meetings shall be under the direction of Council without any form of censorship, excepting the deletion of profanity, obscenity, or any matter unacceptable under FCC regulations.

## **SECTION VI - Enacting Legislation**

Rule 6.1 - Council Actions

The Council shall act officially only by ordinance or resolution.

Rule 6.2 - Passage or Adoption

All ordinances, resolutions, and rules for the government of Council shall require for their passage or adoption, an affirmative vote of a simple majority of all members elected, and the votes on their passage or adoption shall be taken by yeas and nays and recorded in the Journal of Council. (Charter Section 4.9)

Rule 6.3 - Voting

All members of Council present shall vote on the question on the call by yea or by nay. The only exception being if the Council member feels he has a personal interest in the matter, at which time it is permissible for him to abstain from voting. Any members, not being excused, who refuses to vote on the question when the yeas and nays are taken, shall be guilty of contempt of Council and may for such contempt be censured by a majority vote of Council.

Rule 6.4 – Demand for Vote - Amended 4/8/08 by Ordinance 2008-04

Any member may demand the yeas and nays and it shall be taken on the passage of any resolution, question or proposition submitted to Council. In taking the yeas and nays, the Clerk shall call the names of the members. Before the announcement of the vote by the President, the Clerk shall read the votes so taken upon demand of any member.

## Rule 6.5 - Motions

When a motion is made and seconded, it shall be stated by the President 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 decision, if the majority of the members so agree.

## Rule 6.6 - Non-Debatable Motions

Motion to adjourn, lay on the table, for the previous question, or for reconsideration of a previous ordinance or resolution shall be decided without debate.

## Rule 6.7 - Motions - Procedures During Debate

When a question is before Council, no motion shall be entertained except:

- 1.) To adjourn (without debate)
- 2.) To lay on the Table (without debate)
- 3.) For the previous question (without debate)
- 4.) To refer to committee (with debate)
- 5.) To amend (with debate)
- 6.) To postpone indefinitely (with debate)

Such motions shall have precedence in the foregoing order.

## Rule 6.8 - Presenting Ordinances and Resolutions to Council

Proposed Ordinances and Resolutions shall be introduced in written or printed form. Each one shall contain only one subject, which shall be clearly stated in the title. The exception is the general appropriation ordinance, for which monies are to be appropriated. (Charter 4.9)

The title of proposed ordinances and resolutions relating to a matter pending in litigation shall clearly identify the parties to the litigation, the court in which the matter is pending, and the relevant case number(s). (Per Ordinance 2018-07 Adopted April 10, 2018)

## Rule 6.9 - Introduction of Legislation

All new legislation must be received by the Clerk of Council by 12:00 noon on the Thursday preceding the meeting at which it is to be introduced. Legislation received after the time stated above will be deferred until the next regularly scheduled Council meeting unless authorized by Council President.

#### Rule 6.10 - Resolutions, Congratulations, and Commendations

Resolutions of congratulations, commendations, condolences, and the like, which are not a general and permanent nature, may be voted and acted upon at once after one reading.

#### Rule 6.11 - Assigning New Legislation

The President of Council shall assign all new legislative items to the appropriate committee and/or committees.

#### Rule 6.12 - Copies of Legislation

When legislation is presented to Council, the Clerk of Council shall have copies made and distributed to each Council member.

#### Rule 6.13 - Number of Readings

Every resolution and every ordinance, shall be read at three (3) different Regular Council Meetings, unless any or all readings are dispensed with by a three-fourths (3/4) vote of the members of Council (6 yeas needed). Ordinances and resolutions shall be deemed to have been read if a written or printed copy of the ordinance or resolution shall have been furnished to each member of Council prior to its introduction and if the title thereof is fully read, provided that such ordinance or resolution shall be read in full if so directed by motion approved by affirmative vote of a simple majority of Council. (Charter Section 4.9)

#### Rule 6.14 - When Legislation Becomes Effective

Each resolution or ordinance providing for

- a.) the appropriation of money; or
- b.) improvements petitioned for by a majority of the adjacent property to be benefitted and specially assessed therefore; or
- c.) any emergency resolution or ordinance necessary for the immediate preservation of public peace, health, welfare, or safety,

shall take effect, unless a later date be specified therein, upon its passage and approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage over veto by the Mayor, as the case may be.

No other resolution or ordinance shall become effective until thirty (30) days after its passage and approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage over veto by the Mayor, as the case may be. (Charter Section 4.9)

## Rule 6.15 - Legislation Requiring a Public Hearing

No action of Council authorizing

- a.) the surrender of joint exercise of any of its powers; or
- b.) the granting of any franchise; or
- c.) the enactment, amendment, or repeal of any zoning or building resolution or ordinance; or
- d.) an increase of utility rate; or
- e.) the changing of any ward boundaries; or
- f.) any change in the boundaries of the City,

shall be taken until a public hearing on said action shall have occurred, no later than seven (7) days before final enactment by Council. (Charter Section 4.9)

## Rule 6.16 - Appropriation of Money - Amended 4/8/08 by Ordinance 2008-04

Money may be appropriated by ordinance or Resolution. All legislation for the appropriation of money, the issue of bonds, the transfer of any money to any fund or the payment of claims shall designate the code number of the funds from which and to which such moneys are appropriated or transferred. Such Legislation shall be referred without debate to the Finance Committee for consideration and report, unless the rules be suspended by an affirmative vote of three-fourths (3/4) of all elected members.

## Rule 6.17 - Amendments

No resolution or ordinance shall be revised or amended unless the resolution or ordinance superseding it contains the entire resolution or ordinance as revised or amended, or the section or sections so revised or amended. The original resolution or ordinance, or section or sections thereof, shall be considered to be repealed. (Charter Section 4.9)

## **Section 7 - Public Comment**

### Rule 7.1 - Citizens Addressing Council

Individual citizens shall be permitted to address Council at Regular and Special Meetings. This rule shall not pertain to previously set public hearings on specific matters before Council.

### Rule 7.2 - Time Allotted

The Public Comment portion of the Meeting shall continue for no longer than thirty (30) minutes. No individual shall be permitted to speak longer than three minutes on any one particular subject.

The Public Comment portion of the meeting shall not be shortened by a scheduled public hearing or special presentation to Council, but shall be the full thirty (30) minutes as set forth in these rules.

#### Rule 7.3 - Speaking Roster

Any individual wishing to address Council shall sign the speaking roster prepared by the Clerk of Council. This roster will be left at the door until such time as the presiding officer requests the list to begin the Public Comment portion of the meeting. Signature shall include addresses.

#### Rule 7.4 - Conduct of Speakers

Each speaker must identify himself and shall state the subject of his comments which shall be addressed to the presiding officer. The presiding officer shall have the power to equitably divide the time available among the speakers. All speakers shall observe all rules of decorum. No debate, disrespect or obscenities shall be permitted.

#### Rule 7.5 - Employee Grievances

No person shall be permitted to speak on any individual City employee grievance problem unless all the City Grievances Procedure Steps have been exhausted by the person involved.

#### Rule 7.6 - Response of the Presiding Officer

The presiding officer may refer any question posed, to a member of Council or the Administration to answer.

### **Section 8 - General**

#### Rule 8.1 - Access to Information

Any person may visit or telephone the office of the Clerk of Council during that office's regular office hours to determine, based on information available at that office, the time and place of regular meetings; the time, place, and purpose of any then known Special Meetings; and the agenda for such meetings as then available.

#### Rule 8.2 - Council Relationship to Administrative Officers

Neither Council, nor any of its committees, nor any of its several members, shall in any matter take part in the discipline of, give orders to, any subordinates and employees in the administrative service of the City responsible to the Mayor, but must deal directly with the Mayor. Council may inquire into the conduct of any office or department and into the performance of any contract or any of the affairs of the City. (Charter Section 4.15)

Adopted 8/9/94 Resolution 94-R46

A.J. Cardarelli  
A.J. Cardarelli Clerk of Council

Fred J. Mosser  
Fred J. Mosser President

Revised      11/26/96 Resolution 1996-R86  
                  6/23/98 Resolution 1998-R52  
                  6/8/04 Resolution 2004-R51  
                  4/8/08 Ordinance 2008-04  
                  9/24/13 Resolution 2013-R53  
                  4/10/18 Ordinance 2018-07