

Rules of Council for the City of Orrville, Ohio



I. Meetings

A. Regular Meetings. Regular meetings of the Council shall be held in the Council Chambers at 7:30 p.m. on the first and third Monday of each month. Regular meetings shall be held in the Council Chambers on Tuesday at 7:30 p.m. whenever the date of the regular meetings falls on a legal holiday. All meetings shall be held in the Council Chambers, except for exceptional circumstances when the President of Council may designate another location, and give public notice by newspaper publication, when practical, or by posting the change of location at the Council Chambers. There will be no regular meetings in the month of August.

B. Special Meetings. Special meetings may be called by a majority vote of Council taken at any regular or special meeting or shall be called by the Clerk of Council upon request of the Mayor, President of Council, or any three members of Council. Any such vote or request shall state the time and subject or subjects to be considered at the meeting, and no action shall be taken on any other matters. Twenty-four hours written notice of the time and date of special meetings called by request of the Mayor, President of Council, or three members of Council shall be given to each member of Council and the Mayor, either personally or by delivering a copy thereof to member's usual place of residence. Service of such notice may be waived by an instrument in writing signed prior to the time of such meeting, and the Mayor, President of Council, and any member of Council shall be deemed conclusively to have waived such notice by attendance at such meeting.

C. Posting Notice of Meetings. The time and place of all meetings of Council, both regular and special and of all committee meetings shall be posted on a bulletin board in the lobby of City Hall. Such notices shall be posted not less than 24 hours in advance of the time set for the meeting, except in the event of an emergency requiring immediate official action. It shall be the duty of said Clerk of Council to keep the bulletin board timely.

D. Mailing Notice of Meetings. Notice of all or any special Council meetings and of all or any committee meetings will be mailed to anyone who pays an annual fee of \$15 and provides the Clerk of Council with a sufficient number of stamped, self-addressed envelopes. No notice shall be sent regarding meetings called to discuss topics of a nature specifically excluded by the provisions of the "Sunshine Law". It shall be the duty of the Clerk of Council to keep a file record and to send these notices.

II. THE CHAIR: POWERS & DUTIES

A. Roll Call. The President of Council, or in the President's absence, the President Pro Tempore, shall take the chair at the hour appointed for Council to meet, and immediately shall call the Council to meet. The Clerk, who shall enter in the journal of each meeting the names of members present thereat, shall then call the roll. In the absence of a quorum at the time appointed for meeting, the members present may, by a majority vote, take a recess or recesses, and cause the Clerk to procure the attendance of the absent members.

B. Temporary Chairman. In the case of the absence of the President of Council and the President pro tempore, the Clerk shall call the Council to order. The clerk shall call the roll, and if a quorum is found to be present, the Council shall proceed to elect by a majority vote, a Temporary Chairman of the meeting until the appearance of the President pro tempore of Council.

C. Substitute Chairman. The chair, that is the President or President pro tempore of Council, or the temporary chair of the meeting, may call any other member to take his/her place in the chair; such substitution is not to continue beyond adjournment.

D. Appeals from Decisions of Chair. The Chair shall preserve decorum and decide all questions of order, subject to appeal to Council. If any member transgresses the rules of Council, the chair shall, or any other member may, call him to order, and in the latter instance, the chair shall render a decision as to the point of order. In case of an appeal from a ruling of the chair, the question shall be "Shall the decision of the chair stand as the decision of Council?" The chair shall be sustained unless overruled by a majority of the members of Council present.

E. Voting. All votes in Council will be by roll call.

F. Chair's Power to Vote. The President of Council 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 President of Council shall have the power to vote and his/her vote shall have same legal effect as a vote of a member of Council. Any member of Council who is serving as Chairman shall have the same power to vote as other members.

III. MEMBERS' DUTIES AND PRIVILEGES

A. Seating Arrangements. Seats in the Council Chambers shall be arranged at the discretion of the President of Council.

B. Addressing the Chair. Members, when about to speak to a question or make a motion, shall address the chair as "Mr. President" or "Madame President" who shall pronounce the name of the member entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personalities.

C. Limitation of Debate. No member shall be allowed to speak more than once upon any one subject until every member choosing to speak shall have spoken, not more than three times upon same subject, not for a time longer than five minutes, without leave of Council as expressed by a majority vote of members present.

D. Voting. Every member present when a question is put shall vote on the same unless Council shall, for special reasons, excuse member from voting. Said excuse shall be granted only if the member states reasons for the request before voting begins and Council by majority vote of the members present except them. There shall be no debate upon this question. The Clerk may be instructed to call the roll on voting by a system of clockwise and counter-clockwise roll calls.

E. Division of Questions. On demand of any member, a question under consideration, which covers two or more points, shall be divided where the question admits of such division.

F. Excusal from Attendance. Council may remove any member for gross misconduct, or malfeasance, misfeasance, or nonfeasance in office; or for conviction while in office of a crime involving moral turpitude; or if adjudicated legally incompetent; or for a violation of his/her oath of office; or persistent failure to abide by the rules of Council; or absence without justifiable excuse from four consecutive regular meetings of Council, or from nine regular meetings in one year excused or not. However, such expulsion shall not take place without the concurrence of two-thirds of the remaining members of Council, nor until the accused member shall have been notified in writing of the charge against him at least 15 days in advance of a public hearing upon such charge, and at which time member or member's counsel shall be given an opportunity to be heard, present evidence, and examine, under oath, any witness appearing in support of such charge.

G. Excusal During Meeting. No member shall be excused while Council is in session except upon permission of the chair.

H. Agenda. Matters of legislation and communication to be brought before Council shall be filed with the Clerk by 4:30 p.m. on Wednesday immediately prior to the Council meeting to be placed in the order of business at said meeting.

IV. ORDER OF BUSINESS

A. Order of Business. The order of business at meetings of Council shall be as follows:

1. Prayer and Pledge
2. Roll call to determine presence of quorum
3. Reading of the minutes of the preceding meeting, unless such be disposed with by consent of two-thirds of the members present. If no objection is made to the minutes, the same shall be approved.
4. Public comment
 - a. Unless specifically invited to speak by Council or the Administration, any person desiring to speak during the public

comment time at an Orrville City Council meeting, must submit intended comment topics in a legible written format to City Hall no later than 4:00 p.m. on the Friday prior to the meeting at which they intend to make comment. Comment topics may be personally delivered or mailed to Orrville City Hall, 207 N. Main Street, Orrville, Ohio, ATTN: City Council, or may be faxed to 330-684-5023, or may be emailed to councilcomments@orrville.com.

The written notice of comment topics must include the individual's name, address and telephone number. If the deadline has passed, and an individual believes it was impossible or impractical to meet the deadline designated herein, that individual may contact any Council member to request that the Council member make a motion to allow the individual's public comment at the meeting in question.

Any Council member may make the requested motion if the Council member believes in good faith that it was impossible or impractical for the individual to have submitted the requisite notice in a timely manner and the comment topic(s) are of such importance and urgency that they cannot wait to the next regularly scheduled Council meeting. If a motion is made, it shall then take a majority vote of Council members present to allow the individual to comment at that meeting.

b. Public comment shall be limited to a three-minute time limit per speaker. Said time limit may be extended by motion of any Council member and a majority vote of members present. An individual making comment must state his or her name and address before stating his or her comments. Comments shall be presented in a civil manner.

5. Standing Committee reports
6. Special Committee reports
7. Administrative reports
8. Old business

9. New business

10. Good of the Order

11. Adjournment

B. Modifying Order of Business. Upon motion of any Council member, the order of business at any meeting may be altered by affirmative vote of two-thirds of the members present.

V. COMMITTEES

A. Appointment of Committee. The following standing committees consisting of three members each are hereby authorized. The President of Council shall make appointment of members to such committees.

Finance Committee
Utilities Committee
Health and Safety
Planning Committee
Recreation Committee
Transportation Committee
Ordinance and Personnel Committee

The President of Council is an ex-officio member of all Council Committees. The President of Council may appoint such special committees, as President deems necessary providing that 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.

B. Committee of the Whole. The President of Council shall preside when Council resolves itself into the Committee of the Whole. These rules of Council shall govern the Committee of the Whole, except that no limit shall be placed on time or frequency of speaking, and that the previous question cannot be moved. All questions shall be decided by a majority vote of those members present. When this Committee arises, any measure, together with any amendments thereto, reported out, shall receive the immediate consideration of Council, unless otherwise

ordered placed on the calendar.

C. Meetings. Committees shall meet on call of the Chairman, or on the request of two members communicated to the Clerk of Council. The President of Council shall be given notice of all meetings.

D. Quorum. A majority of members of a committee shall constitute a quorum.

E. Temporary Chairman. In the absence of the chair, the member named next shall act as temporary chair.

F. Secretary of Committee. The member last named shall act as secretary to such committee and shall keep a record of attendance and business transacted at meetings thereof, with the exception of the Committee of the Whole, the secretary of which shall be the Clerk of Council.

G. Reports. A majority thereof shall agree to reports of a committee. All documents referred shall be returned to Council with the report of the Committee. Upon motion, and by a majority vote, Council may relieve a committee of further consideration of any question, and order it placed on the calendar. When any matter is referred to a committee with instructions to report at a named time in order of reference, failure to report at such time shall be considered as if reported back without recommendation, unless Council extends time for the report. If no such extension is granted, the committee shall forthwith return to the Clerk of Council the documents pertaining thereto, and the matter shall make its appropriate place on the calendar.

VI. MOTIONS

A. Motions. When a motion is made, the chair before debate shall state it. Any member may demand that it be reduced to writing. The mover without consent of Council shall not withdraw a motion. Unless otherwise required by law, a motion shall be deemed passed if it receives the affirmative vote of a majority of the members present including the chair if entitled to vote thereon.

B. Order of Precedence. When a question is before Council, no motion shall be entertained except the following:

1. To adjourn
2. To lay on the table
3. The previous question
4. To postpone to a time certain
5. To refer
6. To amend
7. To postpone indefinitely

Said motions shall have precedence in the foregoing order.

C. Motion to Adjourn. Motion to adjourn shall be made in order at any time, except the following:

- When repeated without intervening business or discussion.
- When made while another member is speaking.
- When the previous question has been ordered.
- While a vote is being taken.

A motion to adjourn is not debatable, except as to the time the meeting is adjourned.

D. Motion to Lay on the Table. A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of the majority of the members present.

E. Previous Question. The previous question shall be stated in these words: "Shall debate not close?" The motion shall pass if two-thirds of the members present shall favor it. The motion shall pass if two-thirds of the members present shall favor it. If the said motion is ordered, there shall be no further amendment or debate, but the question shall be put immediately.

F. Motion to Postpone. Motion to postpone may be amended as to time, excepting a motion to postpone indefinitely. If a motion to postpone indefinitely is carried, the principal question is declared lost.

G. Motion to Amend. A motion to amend shall be susceptible of but one amendment. An amendment once rejected may be moved again in the same form.

H. Motion to Suspend Rules. A motion to suspend the rules, which requires three readings on three separate days, must receive the affirmative vote of three-fourths of the members elected or appointed to Council, and the person so making said motion shall give a reason or reasons for suspending the rules.

Said motion shall be debatable. Ordinances and resolutions shall be deemed to have been read if a written or printed copy of the ordinances or resolution shall have been furnished to each member of Council prior to the meeting at which it is introduced and if the title thereof is fully read. However, such ordinance or resolution shall be read in full at the request of a majority of the members present. Upon the passage of such motion, the main question shall be open to debate. All other rules may be suspended by a majority of members of Council present without debate.

I. Motion to Reconsider. A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the session of Council at which the vote was taken. A motion to reconsider any other action taken by Council may be made not later than the next regular meeting after the vote of Council thereon. In either case, such motion may be made only by a member who voted with the prevailing side. The concurrence of a majority of the members present shall be sufficient for reconsideration of a vote. If a motion to reconsider is lost, it shall not be entertained again.

VII. MISCELLANEOUS

A. Procedure in Absence of Rule. In the absence of a rule to govern a point of procedure, Roberts Rules of Order shall control.

B. Decorum in the Council Chambers. The chair shall maintain decorum in the Council Chambers during sessions. Persons other than members of Council, city officials and members of the press shall not be

permitted upon the floor of Council or to address Council, except upon introduction by the chair or a member of Council.

In anyone other than city officials desire to speak to a member of Council while it is in session, the member, if agreeable to the request, shall leave their seat and retire to the rear of the Council Chambers or elsewhere until the conversation is finished.

C. Majority. Whenever the term “majority” is used herein, unless otherwise expressly indicated, it shall be held to mean a majority of those members elected or appointed to council.

D. Amending Rules. A majority vote of all members elected to Council shall amend these rules if the proposed alternations, amendments or supplements to these Rules are submitted in writing at a regular meeting and placed on the calendar for the next regular meeting under the order of New Business. However, these rules may be amended immediately at a regular meeting without prior written submission by unanimous recorded vote of all members elected to Council.

E. Quorum. A majority of all members elected or appointed to Council shall constitute a quorum.

F. Law Director. The Law Director shall, when requested by a member of Council, give a verbal opinion on any question of law concerning city affairs, in open Council, but may if Law Director deems the matter of importance, take a reasonable time to submit his/her opinion in writing. Law Director shall not be required to draw any ordinance or resolution, except upon a majority vote of the members.

G. Original Copies of Ordinances. Original copies of ordinances placed on the meeting agenda shall be filed with the Clerk by 4:30 on the Friday immediately prior to said meeting.

Adopted by the Orrville City Council on 1/8/1980.
Amendments: Section III, H and Section VII, G, on 5/21/1990.
Amendments: Section IV, A & B, and Section VII, D, on 5/3/2004