

ORDINANCE NO. 2016-01

AN ORDINANCE AMENDING THE RULES OF COUNCIL

WHEREAS, the Council of the Village of Mount Sterling desires to amend the Rules of Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF MOUNT STERLING, STATE OF OHIO

SECTION I:

The Council for the Village of Mount Sterling modifies the Rules of Council as follows:

**RULES OF
PROCEDURE OF THE
VILLAGE
COUNCIL OF
MOUNT STERLING OHIO**

Rule 1-Presiding Officer

The Mayor shall be the presiding officer of the Village Council and shall preside at all regular and special meetings thereof, but shall have no vote except in case of a tie by council. (Revised Code 733.24). The Mayor shall sign all ordinances and resolutions adopted by the Village Council within twenty-four (24) hours of their passage; in the event that the Mayor is unavailable, the President *pro tempore* may sign such ordinances or resolutions.

Rule 2-President *pro tempore*

At its first regular meeting or organizational meeting in January of each year, the Village Council shall immediately proceed to elect a President *pro tempore* from its own council members, who shall serve until the first such meeting the following January. When the Mayor is absent from the Village or is unable for any cause to perform the Mayor's duties, the President *pro tempore* shall be the Acting Mayor, and shall have the same powers and perform the same duties as the Mayor. (Revised Code 731.10)

Rule 2A-ORC 731.05 Powers of Council (Council Members Responsibilities)

The powers of the Council shall be legislative only. Council shall perform no administrative duties. Council shall neither appoint nor confirm any officer or employee in the Village government except those of its own body, unless otherwise provided in Title VII (7) of the Revised Code. All contracts requiring the authority of Council for their execution shall be entered into and conducted to performance by the board or officers having charge of the matters to which they relate. After the authority to make such contracts has been given and the necessary appropriation made, the Council shall take no further action thereon.

Further, Village Council shall determine:

1. The seating arrangements for its members.
2. Determine the dates and time of all regularly scheduled meetings of Village

- Council.
3. Approve the appointments of all standing committees of Village Council.
 4. Adopt the Rules by which Village Council will conduct itself.
 5. Appoint or elect the appropriate individuals to serve on Boards, Committees, or Representatives to other organizations which serve at Village Council's pleasure either by law or by special assignment or request.
 6. Consider and take appropriate action on all administrative appointments, which require Village Council's confirmation.
 7. COUNCIL, BY MAJORITY VOTE SHALL ASSUME THE RESPONSIBILITY AND BE THE FINAL AUTHORITY on all recommended hiring, promotions, job title changes, movement of personnel within the staff, administrative hiring for all full time and part time positions of the village. Council shall further have final responsibility for any and all salary issues and benefit issues. Council will approve or not regarding suspension or termination of any employees. In the event of an immediate need to suspend or terminate a village employee, the issues must be immediately presented to the Mayor and President Pro Tempore. These issues can only be finalized by a majority of members of council. As employees are an integral part of the village's budget, therein lies council's authority.

Organizational Meeting:

The newly elected and hold over members of the Village Council shall meet on the second Monday in January of every even numbered year to organize the Village Council for the ensuing two (2) years under the recognized terms and conditions of the previous Village Council Rules, or as they may amend or as the provisions of the Ohio Revised Code may provide.

In the absence of both the Mayor and President *pro tempore*, the Clerk of Council shall call the meeting to order and once a quorum has been determined to be present, the Village Council shall appoint a temporary chairperson.

The Clerk of Council and/or the Village Administrator shall supervise all audio and video taping of its meetings.

Rule 3-Succession

In the case of the death, resignation or removal of the Mayor, the President *pro tempore* shall become the Mayor and serve for the unexpired term. When the President *pro tempore* becomes the Mayor, the vacancy thus created shall be filled by election by the Village Council of another President *pro tempore*. (Revised Code 733.25-731.11)

Rule 4-Vacancies

When the office of a member of the Village Council becomes vacant, the vacancy shall be filled by election by the Village Council for the unexpired term. If the Village Council fails to act within thirty (30) days from the acceptance of the resignation or within thirty (30) days of the death of the member or other reason for such vacancy, the Mayor shall fill the vacancy by appointment. (Revised Code 731.43). Whenever a vacancy exists in the membership of the Village Council, the Clerk of Council shall notify the local newspaper that such a vacancy exists and that the Mayor and Village Council will accept applications from interested citizens who desire to fill the vacancy; and such applications shall be submitted and kept on file in the Clerk of Courts office within seven (7) days from the date of publication of the aforesaid notification in the local newspaper.

Rule 5-Resignation

Any member of the Village Council who desires to resign during the member's term of office shall submit his or her resignation in writing to the Mayor and President *pro tempore*. Any such resignation shall take effect when the same has been accepted by a vote of the majority of the members of the Village Council, exclusive of the person tendering his or her resignation.

Rule 6-Committees

The following committees are hereby Council:

1. Finance
 - a. Three (3) Village Council Members, Village Administrator, Village Solicitor, if required, and Mayor.
2. Water
 - a. Three (3) Council Members, Village Administrator and Mayor.
3. Wastewater
 - a. Three (3) Village Council Members, Village Administrator and Mayor.
4. Streets
 - a. Three (3) Village Council Members, Village Administrator and Mayor.
5. Fire
 - a. One (1) Village Council Member
6. Emergency Squad
 - a. One (1) Village Council Member
7. Pleasant Township
 - a. One (1) Village Council Member
8. Parks and Recreation
 - a. Three (3) Village Council Members
 - b. Village Administrator
 - c. Mayor
 - d. One (1) Representative of Mt. Sterling Eagles Athletic Association
 - e. Park & Rec. Director.
9. Planning Commission and Board of Zoning Appeals.
 - a. Directed to Fayette County
10. Audit Committee (When required)
 - a. Mayor
 - b. Fiscal Officer
 - c. Finance Chairman
 - d. Four (4) Village Citizens
11. Tax Incentive Review Board (When required)
 - a. Three (3) County Commissioners Appoint
 - b. Two (2) Municipal (Mayor appoints)
 - c. County Auditor

- d. One (1) Local School Board Member
 - e. One (1) JVS Board appointed
 - f. Mayor
 - g. Fiscal Officer
 - h. Village Administrator
 - i. One (1) Village Council Member
12. Record Retention (When required)
- a. Mayor
 - b. One (1) Village Council Member
 - c. Clerk of Council
 - d. One (1) Village Citizen

Each standing committee, except ambulance, fire, audit, nuisance abatement and planning commission-board of zoning appeals:

1. Shall be comprised of no less than three (3) members of the Village Council; a majority of the members appointed to the committee shall constitute a quorum thereof. No member of the Village Council shall be appointed to a committee when that member is expected to regularly have conflicts of interest which would render the member's participation in the deliberations and voting on matters to come before the committee to be inappropriate;
2. Shall follow such instructions specified by the Village Council in matters referred to it;
3. Shall normally be expected to investigate or study a given problem or need, taking no decisive action itself but to submit a report and recommendations to the Village Council;
4. Shall within its area of responsibility assume both short and long-range study plans and needs, and establish desirable economic, budgetary, and work standards; and
5. Shall assume no direction or issue any orders in conflict with the executive officers of the Village or applicable federal, state or local laws; thereby acting in an advisory capacity, reporting to the Village Council for action.
6. The Chairperson or Village Administrator will schedule a meeting at the regular council session when needed. Meetings should last no longer than one (1) hour. Projects will go before specified committee only. Discussion on that project only before committee. Once an agreement has been made the meeting will be adjourned.
7. The President Pro Tempore shall appoint the members of all committees and shall appoint the members of all committees and all village representatives/liaisons to any county/multi-district ambulance, fire and/or emergency services agencies, boards, commissions, committees or districts and to Pleasant Township. The Village Council shall approve all of the foregoing appointments before taking effect. The President Pro Tempore shall also appoint the members of the Village Records Retention Committee, which shall be comprised of Mayor, one (1) Village Council Member, Clerk of Council and one (1) Village citizen.
8. Recording Secretary will be required to take notes of each committee meeting. This allows the chairperson to concentrate on the meeting. This pertains to Finance, Water, Wastewater, Streets, Parks and Recreation only. The Recording Secretary will be required to have a written report for Committee Chairperson(s) to present verbally to council. Copy will be in council minutes file.

A special *ad hoc* committee shall be given direction by the Village Council when created and will be deemed discharged upon the Village Council's receipt of its final report.

Rule 7-Meetings

Regular meetings shall be held at Town Hall, One South London Street, Mount Sterling, Ohio at 7:00 p.m. and end by 9:00 p.m. on the second and fourth Monday of each month. A change in meeting time or place is subject to Village Council action by motion. When any regular meeting of the Village Council falls due on a legal holiday, the Village Council may, by majority vote, change the date and hour of that meeting. If no business is set for a regular council meeting, the Mayor has the authority to cancel said meeting.

Special meetings may be called by the Clerk of Council upon the written request of the Mayor or any three (3) members of the Village Council providing at least twenty-four (24) hour notice to each member, served personally or left at the member's usual place of residence (Revised Code 731.46). The notice of a special meeting shall state the subject(s) to be considered there at, and no other subjects shall be considered except upon approval of five (5) or more members of the Village Council in attendance at the special meeting. Any member shall be deemed to have waived notice of any special meeting by his or her attendance there at.

Village Council has the right, by majority vote, to adjourn and/or continue its meetings.

At the first regular or organizational meeting in January of each year, and at such other times as the Mayor deems expedient, the Mayor shall report to the Village Council concerning the affairs of the Village and recommend such measures as seem proper to the Mayor. (Revised Code 733.341)

Smoking, eating, drinking, concealed weapons and/or use of cell phones during Village Council meetings in Council Chambers is prohibited.

Rule 8-Attendance

Attendance at regular Village Council meetings shall include the Mayor, Council Members, Clerk of Council, Village Administrator, Village Solicitor, Sheriff's representative and such other staff and department heads as may be requested.

Meetings of the Village Council shall be open to the general public as provided in Ohio's Open Meetings Act, as the same may be amended from time-to-time.

Rule 9-Record of proceedings; meeting agenda.

The Clerk of Council shall keep a record of all proceedings of the Village Council, including the names of members present there at or excused there from, and of all rules, resolutions, motions and ordinances passed or adopted by it, which shall be subject to inspection of all persons interested. In case of the absence of the Clerk of Council, the Village Council shall appoint one of its members to serve as the Acting Clerk for that meeting.

All regular meetings of Village Council shall be video and/or audio recorded. If a committee chairperson requests a meeting be video and/or audio recorded, then, the Clerk of Council or

Village Administrator shall prepare and secure such recordings.

The Clerk of Council shall prepare an agenda for every Village Council meeting, attend to all correspondence incidentals to the Clerk of Council's office, and perform such other duties as may be assigned by a majority vote of the Village Council or as required by law.

No later than 12:00 p.m. (Noon) on Thursday prior to each regular meeting, the Clerk of Council shall be notified by Village officials and committee chairmen of matters to be presented, including ordinances and resolutions, in order that they may be listed on the meeting agenda.

Any member of the general public desiring to be heard by the Village Council must notify the Clerk of Council in writing no later than 12:00 p.m. (Noon) on Thursday prior to the regular or special meeting and be placed on the agenda for the meeting. Any presentation or discussion shall be limited to three (3) minutes, unless extended by a vote of the majority of Village council members. Before addressing the Village Council, any member of the general public shall complete a speaker's form giving the speaker's full name, residential address, business affiliation (if applicable), the issue on which the speaker wishes to be heard, and whether the speaker is supporting or opposing the issue being presented. No more than three (3) speakers shall address each side of a question pending before the Village Council. Village Council may by majority vote extend the number of speakers on the topic of discussion as well as the subject matter thereof.

Rule 10-Order of Business

The business of regular Village Council meetings shall be transacted in the following order:

1. Call to Order.
2. Roll Call. To determine if a quorum is present.
3. Pledge of Allegiance.
4. Minutes. Reading, amendment and approval of the journal or motion to dispense. If no amendments are offered, the journal shall be deemed approved as written.
5. Mayor's comments
6. Public Comment/Visitors. Opportunity for members of the general public to address the Village Council. Introduction of persons or delegations.
7. Reports of Village Officials and committees. Oral or written reports may be given by the Mayor, President *pro tempore*, Clerk of Council, Village Administrator, Sheriff's Department Representative, and Village Solicitor. Written reports may be presented by the Chairpersons of standing committees, special/*ad hoc* committees or the Committee of the Whole.
8. Ordinances and Resolutions. The presiding officer and/or Village Council may present comments and/or questions. No public comments or questions will be permitted during this time.
9. Round-table Discussion. The Mayor and all members of the Village Council shall have the floor, one at a time, to offer whatever brief positive comments and observations they choose.
10. Adjourn

Any questions regarding the payment of bills may be addressed to the Finance Committee's Chairperson prior to and/or after council meetings. Each council person is required to review his or her packet prior to council meeting. Packets will be hand delivered on the Friday prior to schedule council meeting. If no response at Council Members home, packet will be left in/at front door. If the councilperson has a question he or she shall call either the Mayor or the Village Administrator for a full explanation prior to the scheduled meeting.

Rule 11-Hearings Before Village Council

Village Council customarily accommodates visitors by providing a time of three (3) minutes to hear their concerns or requests, while under the main obligation of conducting its scheduled business within normal limits of time. Where electors, taxpayers, or any other person(s) desire a public hearing which, in point of time, may exceed the time usually available, the Village Council may, at its option, schedule such public hearing by arranging for a special time and place therefore.

Rule 12-Opening procedure; quorum

The presiding officer of Village Council shall take the chair at the time appointed for the Village Council to meet, and shall immediately call the members to order; the presiding officer shall then determine if a quorum is present and continue on with the prescribed order of business.

A majority of all members elected shall constitute a quorum, but a lesser number may adjourn from day-to-day and compel the attendance of absent members in such manner and under such penalties as are prescribed by law. (Revised Code 731.44)

Rule 13-Order and decorum

The presiding officer of the Village Council shall preserve order and decorum and confine members in debate to the question. Any member of council can proffer an objection to a decision of the presiding officer. By majority vote council shall decide the validity of the objection of the member of council. Council, then, shall decide what course of action is to be taken by a majority vote.

The presiding officer shall avoid the appearance of partisanship on any question. The presiding officer's function is solely to see that the business properly brought before Village council is conducted in an orderly manner, and that the members of the Village Council observe these rules.

Rule 14-Delinquency

Village Council may punish or expel any member for disorderly conduct or a violation of these rules and declare that member's seat vacant for absence without valid excuse where such absence had continued for two (2) months. No expulsion shall take place without the concurrence of two-thirds (2/3) of all Members elected and until the delinquent member has been notified of the charge against him or her and has had an opportunity to be heard. (Revised Code 731.45)

Rule 15-Voting

Voting shall be conducted in the following forums:

1. **Viva-Voce Vote.** The presiding officer shall call for the yes and no on a question. The presiding officer shall declare the vote without reference to the Clerk of Council. If in doubt, the presiding officer may direct, or any member of the Village council may request a division of the Village council by roll call vote on the question.
2. **Roll Call Vote.** The Clerk of Council shall call upon each member of the Village Council to cast his or her vote in favor or against the question. The presiding officer shall declare the vote after the Clerk of Council has announced the number of votes on each side. It shall not be in order for members to explain their vote while the vote is being taken.

Every member present shall vote by a yes, no or abstention. A member may only abstain from voting if that member has a conflict of interest, which would render it inappropriate or unlawful for that member to vote on the question. Any member abstaining from voting shall briefly state the nature of the conflict of interest.

Rule 16-Reference to Committee.

If any new business brought before the Village Council requires investigation and study or is of such nature that long discussion may be provoked, the presiding officer shall refer it to the proper committee or Village Official promptly.

If such referral is not needed and the matter can be disposed of quickly, then such action should be taken at once. Prolonged argument, discussion and debate by the Village Council is to be avoided.

If any matters referred by the Village Council to any committee or village official are ready to be reported upon, such matter shall be brought by the committee chairperson or Village official to the attention of the Village Council, which shall take such action as it deems best.

The report of any committee or Village official upon matters referred to said committee or official by the Village Council may be made in writing and may be accompanied by the original papers upon which such report is based, unless otherwise ordered by the Village Council. The Village Council may accept or reject any committee report in whole or in part

Rule 17-Committee of the Whole

This is a meeting of the entire Village Council as a committee, but instead of the usual presiding officer being in charge, a chairperson chosen by the Village Council will preside. The designated chairperson shall inform the public in advance of the time and place of the meeting. Referral to this committee may take place when a major situation or problem arises on which it is felt that every member of the Village council should have an opportunity to express himself and debate or discussion in regular meeting would consume too much time and interfere with the regular order of business; or referral to committee will restrict consideration and study of the problem or question to only the committee members. In such cases, the Village Council will act as a committee, discuss the question as a group, and receive the views and opinions of all the members.

The committee shall be governed by these Rules in its deliberations except no limit shall be placed on time or frequency of speaking and that the previous question cannot be moved. When this committee arises, any measure or report out shall receive the immediate attention of the Village

Council unless placed on the calendar for consideration later. If the committee believes that further study or investigation is indicated, it may recommend to the Village Council that the matter be referred to a certain committee. Any report of this committee shall be presented to the Village Council just as in the case of any other committee report.

Rule 18-Introduction of and voting on legislation; seconding of motions; resolutions

The Presiding Officer and/or members of the Village Council present shall introduce ordinances and resolutions. Ordinances and resolutions shall always be voted upon separately. The voting on such legislation shall be entered by the Clerk of Council, in writing, in the journal together with the names of members of the Village Council voting “yes”, those voting “no”, and those abstaining from voting.

Each motion shall be seconded before further action thereon.

Rule 19-First reading of ordinances/resolutions

When committees report on ordinances/resolutions or other measures are submitted to the Village Council they may be given a first reading at the regular scheduled Village Council meeting or a special meeting called for such purpose. The Village Council may or may not, as it so desires, suspend the Rules, dispense with the first and/or second reading of the ordinance or other measures, continue to the third reading and thereupon vote on the passage of the ordinance/adoption of resolutions or other measures itself only at a regular meeting of Village Council. Suspend rules requires $\frac{3}{4}$ of council votes.

Rule 20-Majority defined; two-thirds and three-fourths defined.

Whenever the term “majority” is used herein, unless otherwise expressly indicated, it shall be held to mean a majority of those elected to the Village Council; likewise, whenever a two-thirds or three-fourths vote is indicated, it shall mean two-thirds or three-fourths, respectively, of the members elected to the Village Council. Thus, in a Village Council of six (6) sitting members, a majority, two-thirds shall be four (4) and three-fourths shall be five (5).

No ordinance or other measures shall be passed by the Village Council without the concurrence of a majority of the members. In the case of a tie, the Mayor may cast the deciding vote

Rule 21-Ordinances and Resolutions ordinarily shall be read three times before passage; emergency ordinances; motions.

When an ordinance is presented, it shall be read by title only by the Clerk of Council and if it is not an emergency ordinance, it should be set aside for second and third readings at subsequent meetings of the Village Council; that is to say, ordinances shall ordinarily be read on three (3) different days. The Village Council may require any reading to be in full by a majority vote of its members

If it is an emergency ordinance, requiring immediate action, the presiding officer should, after the Clerk of Council reads it, entertain a motion to suspend the rules and read the ordinance by its title only for the second and third readings. If three-fourths ($\frac{3}{4}$) of the members approve the motion, the presiding officer will then read the ordinance by its title only for the second and third readings. The ordinance is then ready for passage. After a member moves for passage and second, a vote will be taken. If a two thirds ($\frac{2}{3}$) majority approves the passage of the ordinance as an emergency measure it shall be signed by the Clerk of Council, then Mayor and/or the presiding officer and Village Solicitor. Legislation passed as an emergency measure must have the specific reason

stated for the emergency; not merely that such action is “necessary” for the peace, health, welfare and safety of the Village.

Definitions:

1. Emergency: When an ordinance or resolution is defined an emergency it means the ordinance or resolution will go into effect immediately after signature of the Mayor. Non-emergency goes into effect 30 days after signature of the Mayor.

2. Suspend Rules: To suspend the rules means to go to the third reading. Then the ordinance is passed, resolution is adopted.

Action by the Village Council not required by law to be by ordinance or resolution may be taken by motion approved by, at least, a majority vote of the members of the Village Council present at the meeting when the action is taken.

Rule 22-Amending resolution or ordinance

An ordinance and/or resolution may be amended at any time prior to its passage by the Village Council. Each ordinance and/or resolution must be limited to one subject matter. (Revised Code 731.19).

Rule 23-Limitations on debate

Members seeking to speak on a question or motion shall first address the presiding officer, who shall state the name of the member entitled to the floor.

No member of the Village Council, while the Village Council is in session, shall engage in debate or discussion with anyone, save another member of the Village Council or the Mayor or some person who has either been granted the privilege to address the Village Council or is present at a Village Council meeting on invitation of the Village Council. All such debate or discussion shall

be governed by Roberts Rules of Order and be limited to three (3) minutes.

No member shall speak more than once upon any subject until every member choosing to speak shall have had an opportunity to be heard, nor more than twice on the same subject.

Rule 24-Adjourned Meetings

When the business of the Village Council is not completed within the available time at a given meeting, the meeting, by motion, may be adjourned to a definite date and time. When the Village Council reconvenes at the appointed time, if a quorum is present, it takes up the business where it left off at its former meeting. An adjourned meeting is merely a continuation of the meeting from which it was adjourned and not for the introduction of new business.

Rule 25-Motions; when debatable; withdrawal

When a motion is moved and second, the presiding officer shall state it before any debate shall be

in order. The movers thereto, may withdraw any such motion and amendment thereof at any time before final decision.

Rule 26-Division of question

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

Rule 27-To refer; precedence

When there is a question of referring a given subject to a standing committee or to a special committee, the question of reference to a standing committee shall be first.

Rule 28-Adjournment; Unqualified; Qualified

The motion for unqualified adjournment shall always be in order even when a main motion is being considered. This motion requires a second and majority vote. The motion for qualified adjournment is acceptable when no motion or other business is being considered. This motion requires a second and is amendable as to time and place and majority vote.

Rule 29-Acceptable motions; order of precedence

When a question or motion is before the Village Council or under debate, no motion shall be received except the following:

1. To adjourn (unqualified);
2. To lay the pending matter of business on the table;
3. For the previous question (request that discussion end and vote taken);
4. To postpone the question to a certain time or day;
5. To refer the question, ordinance, resolution or issue back to a standing or special committee;
6. To amend the motion on the floor;
7. To postpone the question indefinitely; and
8. To recess.

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

Rule 30 - Incidental motions; Roberts Rules of Order

Incidental Motions ¹	Requires a second	Debatable	Amendable	Vote Required
To object to the Consideration of a Question	No	No	No	Two-thirds

To rise to a Point of Order	No	No	No	None; majority if appealed ²
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- 1 A motion to accept reports is optional.
 - 2 A vote is optional but requires a majority if taken

To Appeal from the Decision of Chair	Yes	Yes	No	Majority
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To Call for Division of the House (roll call vote)	No	No	No	Majority (roll call vote)
To Withdraw Motion	No	No	No	Majority
To Suspend the Rules	Yes	No	No	Majority; Two-thirds ³

To Reconsider a Motion	Yes	No Yes ⁴	No	Majority
To Rescind	Yes	Yes	Yes	Two-thirds; a majority when notice to rescind was given at previous meeting
To Take Motion from the Table	Yes	No	No	Majority ⁵

In the absence of any rule upon the matter of business, the current edition of “Roberts Rules of Order” shall govern the Village Council.

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- 3 If to suspend the rule requiring three (3) readings, then three-fourths (3/4) majority is required; otherwise, only a majority vote is required.
 - 4 Yes, if original motion is debatable.
 - 5 Ordinances and/or Resolutions remain tabled until and unless called off the table by a majority of Village Council. (All six members of council).

Rule 31-Excusal from attendance

Failure of a member to be so excused shall result in a pro rata (based upon the number of meetings missed during the month in question in relation to the total number of meetings in that month) forfeiture of the member's monthly salary. However, no member shall be excused from attendance at more than three (3) consecutive Village Council meetings except upon roll call and by a vote of the majority of the members present.

No member shall be excused while the Village Council is in session, except upon the majority vote of the members present.

Rule 32-Disciplinary Action

The Village Council may punish or expel any member for disorderly conduct or for violation of these rules and for an absence which continues for two (2) months or longer without a valid excuse.

A vote of two-thirds (2/3),(four of six) members of the Village Council is needed to expel a member, which vote may be taken only after notice of the charge and an opportunity to be heard has been provided to the offending members.

Rule 33-Ohio's Sunshine Laws

The Village Council shall comply with all applicable provisions of Ohio's Open Meetings Act, Public Records Laws and all similar acts, commonly known as "Ohio's Sunshine Laws".

Rule 34-Executive Session

No member of the Village Council who participates in a properly convened Executive Session, or is informed of the matters discussed in any such Executive Session shall divulge in any form, to anyone, the matters discussed therein, without proper authorization. Participants who violate this rule may be subject to public censure by the Village Council in addition to any other penalties provided by law.

Rule 35-Law Director

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

Rule 36-Discussion of Privileged Information

No member of the Village Administration or member of Village Council shall discuss and/or disseminate information deemed to be of a sensitive nature obtained because of attending an executive session of Village Council. If a member of the Village Administration or member of

Village Council discusses or disseminates sensitive information obtained as a result of their attending an executive session of the Village Council, then that person will be subject to punishment by the Council of the Village. The punishment shall be consistent with that allowed by the Ohio Revised Code and the Rules of Procedure herein.

Rule 37-Amendments

These rules may, from time-to-time and at any time, be amended, repealed or new rules adopted by a majority vote of the members elected, on the report of a committee to which the subject has been referred at a previous meeting.

Rule 38-Interpretaiton of these Rules.

The interpretation given by the Village Council in implementing these Rules shall be deemed final and controlling.

Rule 39-Effective Date

These rules shall continue in full force and effect until amended or repealed by the Village Council. At the first regular meeting in January of each year the Village Council shall adopt a set of rules of procedure. (1964 Ohio A.G. Opinion No. 898).

SECTION II.

That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed:

Attest:

Bonnie Liff, Clerk of Council

Submitted to Mayor:

Date of Approval:

Charles Neff, Mayor

Approved:

Mark J. Pitstick, Law Director
Approved as to form.

I, Bonnie Liff, the Clerk of Council, hereby certify that Ordinance 2016-01 was published in the Madison Messenger for once a week for two consecutive weeks beginning on the ____ day of _____, 2016 and ending on the ____ day of _____, 2016.

Clerk of Council

