



# CITY OF NORTON

## COUNCIL RULES

### PURPOSE

The purpose of the Rules is to enable the City Council to deliberate, in a prompt and efficient manner, upon ordinances, resolutions and any other questions brought before Council in which it has an interest. The Rules are to be used to carry out the wishes of the majority of Council.

Adopted by Motion of Council:

**Amended & Approved February 22, 2010**

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## **RULES OF COUNCIL**

### **SECTION 1 – ORGANIZATION AND SET – UP**

**RULE 101: Pledge of Allegiance.**

The President, or in his or her absence, the Vice President, shall call the meeting to order, all shall rise for the Pledge of Allegiance and a moment of silent prayer.

**RULE 102: Nominations and elections of President and Vice President of Council.**

At the organizational meeting held at the time set by Council on the first business day of the year in January of each year, or if such date is a Saturday or Sunday then on the following Monday, Council shall meet in Council Chambers for organizational purposes. The presiding President of Council shall call the meeting to order and begin the nomination process by accepting nominations from the floor for the position of President of Council. After no further nominations are offered, the presiding President of Council will close the nominations, a nomination from the floor does not need a second. The presiding President of Council shall then call for a vote on the nominated candidates and present them in the order in which they were nominated. The first candidate to receive a majority of the votes of the members of Council present shall win the position for which he or she was nominated. After the new President of Council takes the chair as President from the outgoing President of Council, he/she shall then repeat the nomination process noted above for the election of the Vice President of Council.

**RULE 103: Council Rules.**

In January of each year the current version of Council Rules shall be reviewed and voted on for approval or modifications if necessary. However, if Council does not modify Council Rules, the Council Rules in effect immediately prior to January of each year will remain in effect until modified by a majority vote of Council.

**RULE 104: Organization.**

The President, or in his absence, the Vice President, shall at the time appointed for the Council to meet, take the chair and immediately call the members to order. In the absence of the

President and Vice-President, the Clerk shall call the Council to order and a President and Vice President shall be elected, by a majority vote, for the meeting. The roll shall then be called and the Clerk of Council shall enter on the minutes the names of the members present at each meeting. In the absence of a quorum at the hour appointed for the meeting, the members present may, by a majority vote, recess for a period not exceeding one hour. (See Rule #107).

**RULE 105: Meeting – Times.**

The hour of the meeting shall be 7:00 p.m., for all Regular Council and Committee Work Session meetings. Special meeting dates and times may differ with a twelve-hour (12) prior notice. The Regular Council meeting shall have a Committee of the Whole time set to allow Council members to speak.

**RULE 106: Meeting – Days.**

The meetings may be held at such time and place as is prescribed by the Charter

*Regular Council Meetings* shall be held on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month in Council Chambers in the City Administration Building.

*Committee Work Sessions* shall be the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month. When any Council meeting falls on a Monday that is a Federal or State holiday, which is observed by the City, then Council shall meet on the following Tuesday at the same time. There shall be no meetings on the 5<sup>th</sup> Monday of the month, unless the majority votes to meet. If Council Chambers are unavailable, Council may choose to move their meeting place with prior notification to the public. All meetings are open to the public.

*Annual Workshops* shall be held at least once a year either on the 5<sup>th</sup> Monday of the month or on a Saturday on which Council shall agree to a set date. It is mandatory that all Council members attend.

**RULE 107: Meeting - Vacation.**

Council may be on vacation from the middle of the month of July to the middle of the month of August. (Also see Rule #104).

**RULE 108: Meetings – Regular, Committee Work Sessions, and Special Meetings:**

*Regular Council Meetings* – Council shall not be required to hold more than two (2) Regular Council meetings each month. The Regular council Meeting is to take legislative action on agenda items and matters before Council.

*Committee Work Sessions* – Council shall not be required to hold more than two (2) Committee Work Session meetings each month. The Council President may choose to not have a

meeting. The Committee Work Session is to discuss items on the agenda and other items that a Council member may bring to the table. Public Comment is limited to agenda items only during the Committee Work Sessions, unless approved by a vote of all Council Members present.

*Special Council Meetings* – The Council President or any three members of Council may call a Special meeting with at least twelve (12) hours prior notice to each Councilperson and the Mayor. Written notice of any such meeting shall be served personally upon each Councilperson and the Mayor or left at the usual place of residence at least twelve (12) hours prior to such meeting. Service of notice of any special meeting shall be deemed conclusively to have been waived by the Mayor or by any Councilperson who shall be present at such meeting. All Special Meetings of Council shall be held at the Council Chambers and open to the public.

**RULE 109: Appoint Committees/Define Committees.**

It shall be the duty of the President at the first meeting of Council, as directed by the City Charter for organizational purposes to appoint regular standing Committees, consisting of at least three (3) members for all standing Committees. The first named member of the Committee shall be considered the Chairperson thereof for a one-year term. The second named member of the Committee shall be considered the Vice – Chairperson thereof for a one-year term. The standing Committees shall be:

1. Finance
2. Personnel/Rules
3. Safety
4. Planning
5. Property
6. Utilities
7. Service
8. Mine

A description of each Committee’s duties is attached to these rules as Appendix A. Each Councilperson is to chair one of the standing Committees. Each Councilperson is to serve on at least two (2) other standing Committees, other than the Committee, which he/she chairs. Each Committee shall be made up with different members. Where there is a conflict as to which Committee is to receive an assignment, the conflict will be resolved by the Council President making the assignment to the Committee.

**RULE 110: COMMITTEE MEETINGS.**

All Committee Meetings shall be set by the Chair of the Committee with the Council President's approval. All Matters Referred items should be addressed at the Committee Work Session meeting.

**RULE 111: Agenda.**

The Clerk of Council shall put the agenda together with the supervision of the Council President. Any member of Council may have an item placed on the agenda.

**RULE 112: Quorum – Committee of the Whole.**

A majority of four (4) of all members of Council shall constitute a quorum for a Committee Work Session meeting. For the purpose of referring a matter on the Agenda of Council, where no more than a quorum is in attendance, at least (3) members must vote in the affirmative.

**RULE 113: Quorum – Standing and Special Committees.**

A quorum of two (2) shall exist for all Standing and Special Committees of Council (as described in Appendix "A" of the Council Rules) where at least two (2) members are in attendance. For purposes of referring a matter on the Agenda of Council, where no more that a quorum is in attendance, both members must vote in the affirmative.

**SECTION 2 – ORDER IN COUNCIL**

**RULE 201: General.**

No person shall be allowed to have a seat in Council or be permitted in the area forward of the railing in the Council Chambers, except the Mayor, members of the Board of Control, Directors of City Departments, and members of the press. The Rules Committee shall determine all chamber arrangements and seating. Any person who violates the mandates of Rule 202 may be held in contempt of council, as defined in Norton Codified Ordinance 648.05 hereinafter enacted, and may be ordered removed by a majority vote of Council or by the President of Council. Removal from the Council Chambers will be implemented by a member of the Norton Police Department.

**RULE 202: Council – Addressing Council.**

*Regular Council Meetings:* Any individual who wishes to address Council at a Regular Council Meeting is required to sign in on the public comment form, prior to the Communications from the Public portion of the meeting. The individual shall approach the podium when recognized and state their full name and address for the record. Public comment is not limited to agenda items, but

public comments shall be limited to five (5) minutes. The answering of questions directed to the speaker by members of Council shall not be considered part of the five (5) minute rule.

*Committee Work Session Meetings:* During the Public Comment section on the agenda, discussion is not limited to agenda items only. Any individual wishing to address the Committee during a work session shall wait to be recognized. When recognized the individual shall approach the podium, state their full name and address for the record. Public comment shall be limited to agenda items only. A five-minute (5) time limit on public comment shall apply at all meetings, unless otherwise approved by the members of Council.

*Special Council Meetings:* The purpose of Special Council Meetings shall be to address specific item(s) or issue(s). Public comments will not be permitted during Special Council Meetings unless approved by a majority vote of Council.

**RULE 203: Decorum (Members).**

The Council President or presiding officer shall preserve decorum and decide all questions on order, subject to an appeal to the Council by any Council Member.

**RULE 204: Recognition to Speak – Committee Work Session.**

When a Council Member wishes to speak at a Committee Work Session meeting, he shall stay seated or arise if he so desires, and address the presiding officer as Mr./Madam President, and the Council Member shall not commence speaking until recognized. While a Council Member is speaking, no one shall pass before him or otherwise interrupt him, except by the recognized Council Member's leave.

**RULE 205: Order – Reading Communications to Council.**

No anonymous communications shall be read at any Council meeting. The President or Vice President of Council must approve communications addressed to Council before being publicly read by the Clerk of Council. Letters from Department Heads of the City to Council shall be referred to the appropriate committee before being read in Council. No letter of a personal nature shall be published or read publicly without the approval of the President of Council and the person involved.

**RULE 206: Order – Threatening Person Removed.**

Any person who, during any gathering which constitutes a formal meeting by Council, threatens a Council Member or any citizen of this municipality or threatens damage to property within this municipality, may be charged with violation of Section 648.05 of the Codified Ordinances of the City of Norton, and may be ordered removed by a majority vote of Council or by the President of

Council. Removal from the Council Chambers shall be done by a member of the City of Norton Police Department.

**RULE 207: Attendance by Members.**

Any Council Member unable to attend any meeting must notify the President, Clerk of Council, or Presiding Officer and state the reason for the absence.

**RULE 208: MAIL.**

All Council Members must pickup their mail from their mailboxes no later than Sunday of each week.

**SECTION 3 – REFERRAL**

**RULE 301: Refer Matters from Administration, Department Head or Council Member.**

All requests from any Department Head, the Administration, or Council Member, shall be made in writing, to the Council President with copies to all Council Members and the Clerk of Council. The Clerk of Council will note all requests made either by the Administration, Council Member, or Department Head on matters referred as provided in Council Rule 304. The date of the referral for purposes of the Council Rules will be the date of the letter. If no date appears on the letter of referral, the Council President shall date the letter on the date of its receipt by the Council President or presiding officer.

**RULE 302: Presenting Matters to Council.**

All petitions to Council must be received and presented by the Clerk of Council. All other matters, which include but are not limited to ordinances and resolutions, shall be introduced by a Council Member. Such matters shall be assigned a number, and they will be presented to the Clerk of Council. All ordinances and resolutions shall be known by their assigned number.

**RULE 303: Ordinances/Resolution Assignment.**

When an ordinance or resolution is recommended by Committee, it shall be assigned a number and title by the Clerk of Council. The ordinance or resolution shall also bear the name(s) of the sponsor(s). Resolutions providing for improvements shall be accompanied by the Municipal Engineer's, the Administrative Officer's and/or the Finance Director's estimate of the cost thereof.

**RULE 304: Matters Referred List.**

It shall be the duty of the Clerk of Council to provide all Councilpersons, the Mayor and the Administrative Officer, with a brief list of all matters before all Committees, together with the date the matter was referred to the Committee. The Committee chairperson shall advise the Clerk of Council, in writing, of any matters before their Committee, by the Wednesday prior to any regularly scheduled Council meeting. The list of committee referrals shall then be prepared and distributed with the Committee Work Session agenda.

**SECTION 4 – COMMITTEE WORK AND MOTIONS**

**RULE 401: Resolution or Ordinance – Time Limit in Committee.**

All recommendations of Committees and all matters pertaining to the legislative function of Council shall be referred to the Council President in the form of proposed resolution, or proposed ordinance by motion as the case may require. Council shall not hold any proposed legislation in Committee for more than ninety (90) days, after referral to Committee, as defined in Rule 402. After ninety (90) days, and Council Member may take legislation out of the Committee by motion. Said motion must be approved by a majority vote of the legislative body present at the time the motion is made. However, when time is of the essence or any emergency exists, any three (3) Council Members may take legislation out of Committee by motion after the expiration of fourteen (14) days from the time the matter was referred to Committee. Said motion, referred to hereinafter in this paragraph, must be approved by a majority vote of the Council Members present when the motion is made.

**RULE 402: Time For Delivering Material or Ordinance.**

All requests for legislation which are to be prepared by the Solicitor, shall be presented to him/her no later than 12:00 PM (noon) on the Tuesday preceding the meeting at which such legislation is to be presented. All proposed legislation shall be forwarded to the President of Council, who will confer with the Solicitor and the Clerk of Council in preparation of the agenda. The Council Packet including all ordinances and resolutions shall be ready for distribution to all Councilpersons, the Mayor and Department Heads no later than 3:00 PM on the Friday preceding the Regular Council Meeting.

**RULE 403: Motions.**

At all meetings, all motions shall be stated by the President, and polled by the Clerk of council. Roll call votes shall be recorded as “yea” or “nay”.

## SECTION 5 – MINUTES

### **RULE 501: Minutes.**

The Clerk of Council shall be responsible for the minutes, including Regular, Committee Work Sessions and Special Meetings of Council.

### **RULE 502: Approval of Minutes**

At each Regular Council Meeting the President of Council shall address its members in order to request corrections and/or modifications to the minutes of the last Regular Council Meeting, Committee Work Session, or Special Council Meeting. If there are no corrections or modifications, the President of Council shall declare the minutes accepted as written and without a formal vote. If there are any corrections or modifications to the minutes, the President of Council may declare the minutes accepted as corrected or modified, without a formal vote, unless there is an objection to proposed modifications from any Council Member. In the event of an objection as aforesaid, the President of the Council shall refer the matter back to the Clerk of Council for review of the tape or put the matter to a formal vote of Council.

### **RULE 503: Corrections to the Minutes.**

All corrections to the minutes shall be directed to the Clerk of Council prior to the meeting for approval. The Clerk of Council shall adopt any correction, which in the opinion of the Clerk of Council improves the accuracy of the record. The Clerk of Council shall advise the President of Council of all corrections requested but not adopted by the Clerk of Council. The President of Council shall have the authority to instruct the Clerk of Council to make any corrections, which the President deems to improve the accuracy of the record. Any Council person who has submitted corrections that are not adopted by the Clerk of Council may raise the matter at the consideration of Minutes for discussion by Council.

### **RULE 504: Videotaping of Council Meetings.**

Should Council choose to videotape Council Meetings, it 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.

### **RULE 505: Archiving of audio/video tapes.**

All audio and videotapes (if available) shall be archived until the hard copy of the minutes have been approved and signed by the President of Council and the Clerk of Council.

## SECTION 6 – RULES

### **RULE 601: Amend Rules.**

These rules may be amended at any regular meeting by a two-thirds (2/3rds) vote of Council.

### **RULE 602: Suspension of Rules.**

These rules may be suspended, for the time being, at any meeting of Council, by concurrent vote of two-thirds (2/3rds) of all its members present at the meeting wherein the motion was made to suspend these rules.

### **RULE 603: Refer to Robert's Rules.**

All questions arising concerning the sessions of Council and the transaction of business therein, not provided for in the foregoing rules, shall be decided, held, and governed by the statutes of the State of Ohio, the ordinances of the City of Norton, The Charter of the City of Norton so far as provisions for the same are therein made, and upon all other matters Robert's Rules of Order shall be the standard for Parliamentary Procedure.

## SECTION 7 – MISCELLANEOUS

### **RULE 701: Use of Council Chambers for Mayors Court & Boards and Commissions.**

The Council Chambers shall be used for Council purposes and temporarily used by the Mayor's Court. Council chambers may be used the Boards and Commissions or any other group at any time with a written request received by the Clerk of Council or designee, as long as no conflict exists and with the consent of Council President.

### **RULE 702: Clerk of Council.**

The Clerk of Council and the Deputy Clerk of Council shall be under the direct supervision the Council President and shall serve all council members.

## APPENDIX

### DESCRIPTION OF COUNCIL COMMITTEES

1. **FINANCE:** The Committee is responsible for all legislation involving appropriation, transfer, of expenditure of funds, and for all budget and pay ordinances.
2. **PERSONNEL/RULES:** This committee is responsible for ordinances setting salaries and numbers of employee. Ordinances authorizing contracts with municipal service unions. This Committee also has responsibility to develop rules, which govern how Council governs and conducts itself. When there are questions on the floor of council, the President of Council may call upon this Committee to resolve disputes of order or disputes concerning how Council is governing itself.
3. **SAFETY:** Police, Fire and EMS Divisions are the primary responsibility of this Committee. This Committee is also responsible for all legislation concerning the traffic and criminal offenses section of the Norton City Codified Ordinances.
4. **PLANNING:** This Committee deals with all matters relating to the Planning Commission and works on all subdivision/zoning changes or subdivision/zoning text amendments. The Committee is responsible for Building Code legislation.
5. **PROPERTY:** This Committee is responsible for all matters concerning any city owned property and buildings, including city parks.
6. **UTILITES:** This Committee is responsible for matters concerning water, sewer, and trash; for all legislation authorizing bids for public works and improvements; and for all matters relating to electric gas, telephone, cable, and public utilities.
7. **SERVICE:** This Committee is responsible for all matters relating to street maintenance, and for purchase of equipment for the Service Department.
8. **MINE COMMITTEE:** This Committee is responsible for all matters relating to the mine as determined by Council.