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# THE COUNCIL OF THE CITY OF NORWOOD STANDING RULES OF COUNCIL 2022 - 2023

## **PRESIDENT OF COUNCIL**

1. The President, at the hour appointed for Council to meet, or, in their absence, the President Pro tempore, shall take the Chair and call the meeting to order. The roll call shall be called by the Clerk of Council in the following order:

In alphabetical order, the members of Council-at-Large, and in order of the Wards by number, the members of Council for Wards. The Clerk shall enter upon the minutes, the names of members present.

In the absence of a quorum at the hour of the meeting, the members may by majority vote of those present, take a recess for no more than one hour and direct the sergeant-at-arms or any police officer to proceed after absent members.

2. In the absence of both the President of Council and the President Pro tempore, the Clerk shall call members to order. If a quorum of members is present, a majority may proceed to elect a President Pro tempore for such a meeting, or until the appearance of the President or of the President Pro tempore.

3. The President shall preserve decorum and shall decide all questions of order, subject to appeal of Council. When any member transgresses the rules of Council, the President may call to order.

4. All ordinances and resolutions shall be presented by a member of Council, the Mayor, or a department head. All ordinances and resolutions shall contain a cover sheet for council members' review that contains the person's name requesting consideration, an executive summary of the contents, and any necessary time frame for passage; specifically, if an emergency clause is added or requested, and/or a suspension of rules is requested, then an explanation for such request(s) shall be provided. Upon request of any member, any substantive motion shall be so presented; and shall be voted upon by yeas and nays. During calls of yeas and nays, it shall not be in order for any member to explain their vote. All other substantive motions and all procedural motions shall be stated by the Chair, who shall declare all votes. The Clerk of Council shall cause a complete packet of proposed ordinances, resolutions, committee reports, letters to Council, etc., to be delivered to each member of Council by 2:00 PM on the Friday immediately preceding each Tuesday meeting of the Norwood City Council. This rule has been made in an effort to permit each member of Council to study each of the matters that are scheduled to come before the Council prior to each meeting of Council.

5. In the absence of the President Pro Tempore, the President may call any member to the Chair; in the absence of the President, the President Pro Tempore may call any member to the Chair. No substitution shall continue after adjournment.

6. The President Pro tempore, or any member called to the Chair, may vote upon roll call.

## **MEMBERS**

1. When desiring to discuss a question or to make a motion, the member shall respectfully address the Chair as Mr. President or Madame President who then shall pronounce the name of the member. A member who has the floor shall confine their remarks to the question under debate and shall avoid all personalities.
2. The Chairperson of each of the standing committees of the Council shall give notice of the time and place of each committee meeting at least forty-eight (48) hours in advance of the meeting to each of the other members of that committee. Such notice shall be in writing, verbally, telephonically or by email. This notice requirement can be waived if each of the other members of that committee agree to waive it as to a particular meeting. This rule has been made in effort to permit each of the members of each committee of Council, to participate fully in the activity of that committee, given their other duties of the Council, their families, and other personal commitments.
3. All Council meetings shall be conducted in accordance with Law.
4. When a question is put, whether by rising vote or by yeas or nays, each member unless excused by the Chair or by majority vote for stated reasons, shall vote. Every request to be excused shall be prior to beginning to the vote. Such a request shall not be debatable.
5. No member of any standing committee of Council shall take any action on behalf of the committee without the expressed agreement of the majority of that committee. The Chairperson of any particular standing committee may call any meeting of the committee. Upon the written request of two members of the committee, the Chairperson, or, in their absence, the President of Council shall call a meeting of the committee.
6. No committee of Council is authorized by the Council to take any action that binds the Council without the expressed approval of a majority of Council.
7. At any time before the negative is put upon any question before Council, any member may demand roll call by yeas or nays.
8. Any member may dissent from or protest any ordinances, resolutions or substantive motion that carries in Council and have their objection entered upon the minutes. Such objection shall be in writing and in respectful language and shall be presented not later than the next regular meeting after passage of such ordinance, resolution or substantive motion by Council. Such presentation shall be in Council prior to adjournment or in the next meeting immediately after the reading of Minutes by the Clerk.
9. Any member desiring to leave the Council meeting for the remainder of the meetings shall secure the consent of the Chair who shall announce this consent to Council.
10. The Clerk of Council shall attend all meetings, regular and special, record all proceedings in Minutes, prepare a calendar of agenda for every meeting and attend to all correspondence incidental to the Clerk's office.
11. Minutes of each Council meeting shall be written by the Clerk of Council and be placed on the agenda for consideration at the following meeting. Minutes should preferably be part of the packet sent to members of Council on the Friday immediately preceding the Tuesday Council meeting, but with a minimum of forty-eight (48) hours prior to the Tuesday Council meeting. Any suggested changes or corrections to the proposed minutes must be presented

to Council in writing at the Tuesday Council meeting for discussion and consideration. Changes to the proposed minutes will be accepted or rejected by voice vote of all members of Council present at the meeting.

12. The Clerk shall proceed with the codification of all ordinances and resolutions. The Clerk shall perform any other duties that may be assigned by majority vote of Council.

## **MEETINGS OF COUNCIL**

1. Regular meetings of Council shall be held on the second and fourth Tuesdays of each month at 7:30 PM. When any such Tuesday is a legal holiday, or when New Year's Day (Jan.1), Independence Day (July 4), or Christmas Day (Dec.25) shall be such a Tuesday, or when Christmas Day or New Year's Day is a Sunday, then the regular meeting of Council shall be the Tuesday evening following, or any other date agreed upon by council.

2. A special meeting of Council may be called by the Mayor of the City or the President of Council. The Mayor or the President of Council must call a special meeting upon the written request of any three (3) members of Council. Each member shall have not less than twenty-four (24) hours notice at his usual place of residence unless waived in writing by said member. This notice may be served by the Clerk of Council, the President of Council or any police officer and shall be in writing.

3. **PUBLIC NOTICE OF REGULAR MEETINGS:** The Clerk of Council shall cause to be posted, at the first floor Montgomery Road entrance of the Norwood City Hall, 4645 Montgomery Road, at the Norwood Community/Senior Center, 1810 Courtland Avenue, at the Norwood branch of the Cincinnati Public Library, 4325 Montgomery Road, and at the entrances to Council Chambers, notice of the regular meeting schedule of Council. The regular meeting schedule of Council or an actual schedule of regular meeting dates and times shall note that the meetings of the Council shall be conducted in the Council Chambers on the second floor of the Norwood City Hall, 4645 Montgomery Road, Norwood, Ohio, unless otherwise posted, and if any meeting is to be held at any other location, shall state that location in the posting. The Clerk of Council shall, as soon as practicable, cause copies of such notices to be made available to any person who requests this information, or if impracticable, shall attempt to communicate such notice verbally or telephonically or by email to any person who so inquires.

4. **PUBLIC NOTICE OF SPECIAL MEETINGS:** The Clerk of Council shall cause to be posted, at the first floor Montgomery Road entrance of the Norwood City Hall, 4645 Montgomery Road, at the Norwood Community/Senior Center, 1810 Courtland Avenue, at the Norwood branch of the Cincinnati Public Library, 4325 Montgomery Road, and at the entrances to Council Chambers, notice to all special meetings of the Council stating the date, time, place, purpose and location of each special meeting and shall, as soon as practicable, make available to any person, who request this information from the Clerk of Council, copies of such notices, or if impracticable, shall attempt to communicate such notice verbally, telephonically or by email to any person who so inquires.

5. **NOTICE TO NEWS MEDIA REQUESTING NOTICE OF SPECIAL MEETINGS:** Council shall not hold a special meeting unless it gives twenty-four (24) hours advance notice to the news media that have requested notification, except in the event of an emergency requiring

official action. In the event of an emergency, the Mayor or President of Council shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.

**6. NOTICE OF ANY PERSON REQUESTING NOTICE:** Any person, upon request may obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. This reasonable advance notification may include, but not limited to, mailing the agenda of meetings to all subscribers on a mailing list, or mailing notices in self-addressed stamped envelopes provided by the person or by email. Members of Council shall receive the same notice.

**7. APPLICATION TO COMMITTEES OF COUNCIL:** These notice rules shall also apply to meetings of the committees of Council.

8. Council shall take its vacation break on the 4th Tuesday in July.

### **ORDER OF PROCEEDINGS IN COUNCIL**

1. At the regular meetings of Council, the order of proceedings shall be as follows:

- (a) Call to Order
- (b) Invocation
- (c) Pledge of Allegiance
- (d) Roll Call
- (e) Amendment of Agenda
- (f) Minutes of previous meeting
- (g) Special Presentations
- (h) Public Hearings
- (i) Requests to Address Council
- (j) Reports of Standing Committees of Council
- (k) Second and Third Readings of Ordinances
- (l) Introductory Readings of Ordinances and Resolutions
- (m) Administration Reports
- (n) Unfinished Business
- (o) New Business
- (p) Communications
- (q) Excuse Absent Members
- (r) Adjournment

2. The Clerk shall include upon the calendar of the meeting such business and committee reports that are in their hands by 10:00 AM on the Friday immediately preceding the Tuesday Council meeting. This rule has been made in an effort to permit each member of Council to study each committee report and communication prior to each meeting of Council. Business referred to or filed with the Clerk later than 10:00 AM on Friday, shall be included in the calendar of the next regular Council meeting.

When packets are sent to members of Council, the clerk shall fax and email the Agenda of the meeting to Norwood Community Television with a request to air the Agenda from 5:30 PM until the beginning of the meeting. The request shall include that NCT also air the rules for addressing Council.

3. Invocation: No member of the Council, city employee, or any other person in attendance at a meeting shall be required to participate in any invocation that is offered. Everyone will be treated equally in all respects whether they choose to participate, or not participate, in the invocation.

This opportunity is voluntary, and speakers are free to offer the invocation according to the dictates of their own conscience. To maintain a spirit of respect, the Council requests only that the invocation opportunity not be exploited as an effort to convert others to the particular faith, belief, or political stance of the speaker, nor to disparage any faith, belief, or political stance different from that of the speaker. Speakers are asked to limit their invocations to one minute.

- a. No speaker shall receive compensation for their service.
- b. Speakers contact the city clerk secretary to check availability and sign up to lead the invocation at Council meetings.
- c. In any event, no speaker shall be scheduled to offer an invocation at consecutive meetings of the Council, or at more than two (2) Council meetings in any calendar year.
- d. The Council will select eight (8) scheduled Council meetings per calendar year to start with a moment of silence for silent prayer, reflection, and/or centering in preparation for the meeting.
- e. If no volunteer has signed up to lead the invocation, the sixty (60) seconds will be utilized for a moment of silence.
- f. Neither the Council, nor any staff member, may engage in any prior inquiry, review of, or involvement in the content of any invocation to be offered by any speaker.
- g. This policy is not intended and shall not be implemented or construed in any way, to affiliate the Council with, nor express the Council's preference for, any faith, belief, or religious denomination. Rather, this policy is intended to acknowledge and express the Council's respect for the diversity of denominations, faiths, and beliefs represented and practiced among the citizens of Norwood.

4. Any person desiring to address Council shall complete a speaker's request card with all pertinent information and submit that card to the Clerk of Council at least ten (10) minutes prior to the beginning of the meeting. The person shall indicate on the card the subject matter of the comments and any agenda item(s) to which the comments relate.

Persons addressing Council shall be allotted five (5) minutes, unless Council votes to extend or limit the time of any speaker. Persons addressing Council shall limit their remarks to the topic(s) specified on the speaker's request card and shall avoid personalities.

Persons properly requesting to address Council at a regular meeting shall be permitted to address Council at that meeting unless three quarters 3/4 of those members of Council present at the meeting vote not to permit such person to speak. Any member of Council may make a motion to such effect prior to or during the comments of the person to be excluded. With the consent of any person addressing Council, members of Council may direct questions to that person following the conclusion of the person's remarks. Council

members shall avoid personalities and shall not engage in debate with persons addressing Council.

5. Any elected official of the City-Mayor, Law Director, Auditor, or Treasurer - or that official's designated representative, may address Council at a regular meeting during the time set aside for Administrative Reports. An elected official wishing to address Council shall provide the subject matter the official wishes to address to the Clerk in writing no later than 10:00 AM on the Friday immediately preceding the Tuesday Council meeting, so that the Clerk may include the subject matter on the calendar of the meeting.

Any elected official of the City shall be permitted to address Council unless three quarters (3/4) of those members of Council present at the meeting vote not to permit such official to speak. Any member of Council may make a motion to such effect prior to or during the comments of the official to be excluded. The elected official shall be permitted to address Council for up to 15 minutes unless the time is extended by a majority of Council.

Council shall have the opportunity to discuss the issues raised; Council shall also be permitted to question such official or representative on any subject.

6. At meetings specially called the purpose of the call shall have precedence over all other matters.

7. EXECUTIVE SESSION: Request for Executive Session shall be made on motion and second, stating which of the approved matters are to be considered at Executive Session:

- a. to consider the matter of a public employee or official under ORC 121.22(G)(1);
- b. to consider the purchase or sale of property under ORC 121.22(G)(2);
- c. to confer with an attorney concerning (a) dispute(s) involving the City/Council that are the subject of pending or imminent court action under ORC 121.22(G)(3);
- d. to prepare for, conduct, or review, negotiating sessions with public employees concerning their compensation or other terms and conditions of their employment under ORC 121.22(G)(4);
- e. to consider matters required to be confidential by federal law or regulations or state statutes under ORC 121.22(G)(5);
- f. to consider details relative to the security arrangements and emergency response protocols for Council or the City under ORC 121.22(G)(6);
- g. to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance or for any other reason compliant with ORC 121.22(G)(8).
- h. When Council moves into Executive Session as allowed by law, Council will invite those persons involved in the matter at hand to stay. All others shall leave Chambers until the Executive Session is completed.
- i. Once an Executive Session has been completed, the Council shall roll call vote to come out of Executive Session and shall not take any action(s) discussed in Executive Session as required for Council, without roll call votes in an open meeting.

### **COMMITTEES OF COUNCIL**

1. All committees, other than the Standing Committees of Council, shall be appointed by the President of Council upon nomination by majority ballot of the members of Council, and all Chairpersons of committees shall be nominated by majority ballot of Council to the

President of Council who appoint them accordingly. In the absence of the President, such appointment shall be made by the President Pro tempore.

2. The Standing Committees of Council shall be:

- a) Committee of the Whole: Chairperson and seven members.
- b) Law, Ordinance, & Human Resources: Chairperson and three members.
- c) Finance, Budget, & Audit: Chairperson and three members.
- d) Parks, Recreation, Public Places: Chairperson and three members.
- e) Infrastructure: Chairperson and three members.
- f) Economic Development: Chairperson and three members.
- g) Housing, Health, & Public Safety: Chairperson and three members.
- h) Charter Exploration: Chairperson and three members.

3. When any matter is referred to a committee, the Clerk of Council shall transmit to the Chairperson all papers and information relative to the matter. The Chairperson shall call a meeting of the committee by written notice or in person without delay.

4. Every committee shall report in writing and every report shall be signed by not less than a majority of the committee except: A minority member may prepare in writing a special report. In the event that there is not a majority of a committee to approve a report, the Chairperson of the committee shall submit a report in writing to Council under their own name. Every committee shall report at the next regular meeting of Council, if possible. No committee of Council is authorized by the Council to take any action that binds the Council without the express approval of a majority of Council.

5. The Clerk of Council shall make a decision as to what communications shall be placed on the agenda. Council may, by majority, add to or remove from the agenda any communication.

## **PROCEDURE**

1. The council shall proceed by motion. The President or any member of Council may demand that a substantive motion be in writing.

2. A member may make only one motion at a time.

3. The President shall state the motion and then open the floor to debate on it. The President shall preside over the debate according to the following general principles:

- a) The maker of the motion is entitled to speak first;
- b) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- c) To the extent possible, the debate shall alternate between proponents and opponents of the measure.

A substantive motion is out of order while another substantive motion is pending.

A motion shall be adopted by a majority of the votes cast, a quorum being present, unless otherwise required by these rules or the laws of Ohio.

(a) In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

(b) In order of priority (if applicable), the procedural motions are:

**Motion 1. To Appeal a Procedural Ruling of the President.** A decision of the President ruling a motion in or out order, determining whether a speaker has gone

beyond reasonable standards of courtesy in his or her remarks, or entertaining or answering a question of parliamentary law or procedure may be appealed to the Council. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the President and the motion, if timely made, may not be ruled out of order.

**Motion 2. To Adjourn.** This motion may be made only at the conclusion of Council consideration of a pending substantive matter; it may not interrupt deliberation of a pending matter.

**Motion 3. To Take a Brief Recess.**

**Motion 4. To Follow the Agenda.** The motion must be made at the first reasonable opportunity, or the right to make it is waived for the out-of-order item in question.

**Motion 5. To Suspend the Rules of Council.** For adoption, the motion requires a vote of three quarters (3/4) of the actual membership of Council. The Council may not suspend provisions of the rules that Ohio law imposes on Council, except as provided for under Ohio law.

**Motion 6. To Go into Executive Session.** As permitted or required by Ohio law.

**Motion 7. To Leave Executive Session.** As permitted or required by Ohio law.

**Motion 8. To Divide a Complex Motion.** The motion is in order whenever a member wishes to consider and vote on a subpart of a complex motion separately.

**Motion 9. To Defer Consideration.** The Council may defer a substantive motion for later consideration at an unspecified time. A substantive motion the consideration of which has been deferred expires one hundred (100) days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending (has not expired). A member who wishes to revisit the matter during that time must take action to revive consideration of the original motion, or else move to suspend the rules.

**Motion 10. To End Debate.** For adoption, the motion requires a vote of three quarters (3/4) of those members of Council actually present at the meeting. The motion is not in order until every member has had an opportunity to speak once. The motion is not amendable, and no member may speak more than once with respect to this motion.

**Motion 11. To Postpone to a Certain Time or Day.** The motion may be made to postpone consideration to a specific time or day no more than One hundred (100) days thereafter. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A member who wishes to revisit the matter must either wait until the specified time, or move to suspend the rules.

**Motion 12. To Refer a Motion to a Committee.** The Council may vote to refer a substantive motion to a committee for its study and recommendations. Sixty days or more after a substantive motion has been referred to a committee, a majority of Council may compel consideration of the measure by the entire Council, whether or not the committee has reported the matter to Council.

**Motion 13. To Amend.** (a) An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is proper if adoption of the motion with the amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend. (b) A motion may be amended, and that the amendment may be amended, but no further amendments may be



made until the last-offered amendment is disposed of by a vote. (c) Any amendment to a proposed ordinance shall be reduced to writing before the vote on the amendment.

**Motion 14. To Revive Consideration.** The Council may vote to revive consideration of any substantive motion earlier deferred by adoption of Motion 9. The motion is in order at any time within one hundred (100) days after a vote to defer consideration.

**Motion 15. To Reconsider.** The Council may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority side except in the case of a tie; in that case the “no’s” prevail) and at the meeting during which the original vote was taken. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.

**Motion 16. To Prevent Reconsideration for Six (6) Months.** The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to three-quarters (3/4) of the actual membership of Council. If adopted, the restriction imposed by the motion remains in effect for six (6) months or until the next organizational meeting of the Council, whichever occurs first.

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reintroduction has been adopted.

A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.

General discussion of an agenda item currently under consideration is permitted prior to a motion being made with respect to that item. No member of Council shall be deemed out of order with respect to comments made relative to the merits of an item raised for consideration where such comments relate to the motion under consideration.

To the extent not provided for in these rules and to the extent it does not conflict with Ohio law or the spirit of these rules, the Council shall refer to Robert’s Rules of Order Newly Revised, to answer unresolved procedural questions.

Issues or items of business not currently before council may be referred to an appropriate committee by any member of council during consideration of New Business.

Proposed amendments to these Rules shall be offered in writing at a regular meeting of Council, shall be preferred to the Committee on Law & Ordinance and shall not be reported out of this committee until the next regular meeting of Council.

All regularly scheduled meetings of Council shall be held at a facility that is handicapped accessible.

***Updates Approved by Council on 10/11/2022***