

**Rules of Council
2008**

**Village of Minerva Park
Minerva Park, Ohio**

**2829 Minerva Lake Road
Columbus, Ohio 43231
614-882-5743**

Village of Minerva Park Rules of Council

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Village of Minerva Park Rules of Council

Council

Filling Vacancies on Council

When a vacancy arises on council either through a council member vacating an unexpired term or because no one ran to fill a 4-year term, there will be an immediate call for citizens to indicate their interest in filling the unexpired or vacant term. Such call will be made through announcements in the Village newsletter, phone calls from council members and others knowing of the vacancy, and announcements placed at appropriate places in the Village. Such announcements will include the deadline for citizens to indicate their interest. The deadline will be within 30 days of the first date the vacancy was announced to the public.

To indicate interest, a citizen must submit a resume and letter of intent to the mayor or any of the council members. Once the mayor or council member receives the resume and letter, he/she will immediately see that all members of council receive copies. If no regular meeting is scheduled, a special meeting will be scheduled immediately after the deadline in order for the interested citizens to appear in person before the mayor and council to both ask and answer questions.

Every effort should be made to have all council members present to interview and select a new member. At least four members* of council must be present in order to call the meeting to order and select and vote to fill a vacancy. Filling the vacancy will be the first order of business on the agenda.

All candidates would be interviewed and a vote taken. Voting is to be done by secret ballot one position at a time with the vacancy of shortest duration filled first. Because there might be multiple vacancies (one, two, or even three vacancies) on council at one time, there must be at least three council members present to proceed with the voting. Whether there are three, four, or five members of council present to select a new member, at least three votes must be cast in favor of any one individual for that person to be selected. In no instance would a person be voted to council with fewer than three votes. Once the vote is taken and an applicant has received three or more votes, that person can be placed on council by resolution and sworn in by the mayor and can begin his/her duties immediately. If there are still vacancies and still interested applicants for the positions, the voting can continue until all positions are filled. All members of council are required to vote unless there is a conflict of interest (see section on Voting), and, if a member feels there are no qualified candidates among those interested, that council member can cast a blank ballot that indicates "NO VOTE."

If council is unable to select a replacement within the 30-day period, the mayor shall appoint a replacement or the mayor can decide that the position will be re-advertised and there will be another 30 days to fill the position.

Unless otherwise decided by the mayor and council, the person filling the vacancy will serve on all the committees as the person being replaced until the end of the year, however, if the person being replaced was chair of the committee, the mayor and council may appoint one of the existing committee members to serve as chair for the remainder of the year.

*In the unlikely event that there are three vacancies on council at one time, a meeting can be called to order with only three members with appointing a new council member being the first and only item to be acted upon with three members. In the case of three vacancies, if any one person receives all three votes of the council members present, that person is immediately placed on council by resolution and sworn in by the mayor. At that point there are now four on council, the new member may vote, and there is a quorum to conduct business.

Excusal from Attendance at Regular Council Meetings and Absence without Valid Excuse

A council member shall be excused from attendance at a regular meeting of council upon notification to the mayor prior to such meeting. If the council member does not notify the mayor of the anticipated absence and ask to be excused, the absence shall be noted as an absence without valid excuse.

Repeated Absence from Attendance

Council may declare a councilperson's seat vacant for absence without valid excuse (as defined above) when such absence has been continuous for two months. Said hearing for said expulsion shall be pursuant to Ohio Revised Code Section 731.45 and pursuant to other Ohio Revised Code sections pertaining to the conduct of council meetings.

Excusal During Meeting

No member shall be excused while council is in session except upon permission of the chair.

Meetings

Regular Meetings

Regular meetings of council shall be held at the Community Building at 7:00 p.m. on the second Monday of each month (January through December). Council may, by majority vote, change the day and hour of holding any particular regular meeting with proper notification, or adjourn the same to a day and hour determined by a like vote of the members present if constituting a quorum.

Special Meetings

Council shall hold special meetings as may be found necessary to discuss specific issues. Such meetings will be posted by the clerk upon the written or verbal request of the mayor or upon the written or verbal request of three council members. Requests made by email sent to all council members and the Clerk-Treasurer are considered valid written requests for special meetings. All council members should be notified of special meetings by mail, email, or phone at least 24 hours in advance. The posting of the special meeting shall include the

specific issues which will be discussed at the meeting. It should be noted that Ohio Revised Code 731.46 states that at least twelve (12) hours' notice is required. It is our intention to give 24 hours notice in order for all council members to have time to prepare for the meeting.

Work/Study Sessions

Work/Study sessions of council shall be held as needed at the Community Building or in any other public place within the corporate limits of the Village of Minerva Park. Work/Study sessions may be continued following the regular session of the council at the discretion of the mayor or in his/her absence, the president pro tempore. All council members should be notified of special meetings by mail or phone at least 24 hours in advance. All meetings shall be open to the general public and notification shall be made in accordance with the section "Postings of Regular, Special, and Work/Study Session Meetings" of these rules and in compliance with the Ohio Revised Code.

There shall be no public discussion or participation in deliberations of council in its work/study sessions. However, specific residents or other individuals may be deliberately invited to participate in a work/study session when the topic of the work/study session directly relates to that citizen or individual. No resolution, regulation, rule, ordinance or formal action of any kind shall be adopted at a work/study session.

Postings of Regular, Special, and Work/Study Session Meetings

The Clerk-Treasurer is responsible for posting notices of regular and special meetings. Special meetings and Work Session announcements must be placed in the following locations at least 24 hours before the scheduled meeting:

- In the community building on the inside board
- On the community building front window.
- In or on the official board of the community outside of the community building
- in or on the board at the playground area on Maplewood Road
- In or on the board at the pool
- In addition:
- The Columbus Dispatch must also be notified by fax at 461-7580 attention: Kirk D. Richards.
- Any citizen can request in writing to be notified when there are special meetings and we will comply with that request. The Clerk-Treasurer keeps a list of all those who have done so as well as the manner in which they would like to be notified.

Should the Clerk-Treasurer be out of town, the Mayor's Administrative Assistant, the President of Council, or any council member can also post the announcements.

Notification to Members and Topics at Special Meeting

Any such vote or request for the calling of a special meeting shall state the subject or subjects to be considered. Twenty-four (24) hours written notice of such special meeting, if called by the mayor or by three members of council, shall be given to each member of council and to the mayor by personal service, and/or by fax, and/or by email, and/or by delivery thereof at their usual places of residence. Written notice can be replaced with verbal notification if the mayor or council member is contacted directly. Council members are encouraged to state their preferred means of notification to the mayor and Clerk-Treasurer.

Calling the Meeting to Order, Roll Call, Quorum

The mayor, or in his/her absence, the president pro tempore of council, shall take the chair at the hour appointed for council to meet, and immediately shall call the council to order. The roll shall then be called by the clerk, who shall enter in the minutes of each meeting the names of members present thereat. A quorum must be present to hold the meeting. A quorum is defined as the majority of all members of council. Minerva Park has six council seats; a quorum is four or more members present. In the absence of a quorum at the time appointed for a meeting, the members present may by a majority vote of those present, take a recess or recesses and cause the clerk to procure the attendance of an absent member. If a quorum cannot be formed, the meeting shall not be held. However, a special meeting to be held in the future could then be called according to the council rule concerning special meetings above. *See page2 "Filling Vacancies on Council" for meeting procedures when there are fewer than six council members elected or appointed to council.*

Temporary Chairman

In case of the absence of the mayor and the president pro tempore of council, 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 chairperson of the meeting until the appearance of the mayor or president pro tempore of council.

Substitute Chairman

The chair, i.e., mayor, president pro tempore of council or temporary chairman, may call any other member to take his/her place in the chair. Such substitution will not continue beyond adjournment.

Appeals from Decisions of the Chair

The mayor or president pro tempore of council shall preserve decorum and decide all question of order, subject to appeal to council. If any member transgresses the rules of council, the chair shall, or any member may, call him/her 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 vote of the members of council present.

Chair's Power to Vote

The mayor shall have no vote except in the event of a tie vote of members of council present, in which case the mayor shall have the power to vote and his vote shall have the same legal effect as a vote of a member of council. However, any member of council who is serving as chairman shall have the same power to vote as other members.

Topics under Discussion

Members of council addressing council shall confine themselves to the question or motion under debate and avoid personalities.

Limitation of Debate

Members of council shall confine themselves to a maximum of twenty (20) minutes of time on a single topic.

Voting

Every member present when a question or motion is put shall vote on same. Abstentions are discouraged, however, should a council member abstain from voting, he/she should state their reason to be reflected in the minutes. If a council member knows he/she should abstain because there is a conflict of interest, he/she may should state that there is a conflict of interest before discussion begins. The council member then leaves the room during discussion and voting.

Division of a Question or Motion

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

Demand for Roll Call

Any member may demand a roll call vote upon any question or motion before council at any time before the decision of said question or motion is announced by the chair.

Order of Business

Order of Business shall include:

- Roll Call
- Invocation
- Pledge of Allegiance
- Minutes of previous regular and/or special meetings
- Citizens Comments
- Village Officials Reports
 - Fire Department
 - Police Department
 - Engineer
 - Law Director
 - Planning and Zoning
 - Civic Associations
- Mayor's Report
- Council Committee Reports:
 - Community
 - Streets
 - Service
 - Finance
 - Safety
 - Legislation
- Old Business
- New Business
- Adjournment

Citizen Comments During Meetings

The mayor or president pro tempore of council may recognize any nonmember of council for the purpose of addressing council on any question or motion then pending, or on any matter on which council action is desired. In such cases, the person recognized shall address the chair, and state his/her name and address and the subject matter he/she desire to discuss. The remarks must be confined to the merits of the subject at issue. Speakers must be courteous and avoid discussion of personalities. Except by express permission of council, speakers shall be limited to five minutes. No person who has had the floor shall again be recognized until all others desiring an opportunity to speak have been given an opportunity to do so. Then that person shall have another five minutes but no more than ten minutes total at any meeting on any one subject.

Any group of six or more, or a delegation of six or more, wishing to appear before council should direct a letter to the Clerk-Treasurer and a copy to the mayor in such time that it will be received no later than 72 hours before a council meeting. At that time council members shall also be notified by the mayor or Clerk-Treasurer. It is clear that this rule is not intended for an individual, or groups of two, three, four, or five individuals, but larger groups that wish to address an issue at a council meeting. The purpose of this is to give council ample time to research and consider the problem to be presented and discussed at the next meeting. Such a group shall choose a spokesperson to initially present the issue to council and then other members of the group can give comments directly related to the issue.

If at any meeting, any nonmember of council becomes discourteous or undertakes a discussion of personalities, the Mayor or president pro tempore of council may request that he/she return to the topic at hand and speaks with courtesy. If the non-member refuses, the mayor or president pro tempore of council can ask that the non-member surrender the floor and /or leave the meeting. If the non-member refuses, the mayor or president pro tempore of council can ask the Police Officer (if one is present) to escort the non-member out of the room. The non-member can return when the Police Officer determines appropriate. However, if the same actions continue, the non member shall be expelled permanently from that meeting.

Motions

When a motion is made and seconded it shall be stated by the chair before debate. Any member may demand that it be reduced to writing. A motion may be withdrawn by the mover with consent of the person who seconded the 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 thereof

Order of Precedence

When a question or motion is before council, no motion shall be entertained except the following:

- To adjourn
- To lay on the table
- The previous question or motion
- To postpone to a time certain

- To refer
- To amend
- To postpone indefinitely

Said motions shall have precedence in the foregoing order.

Motion to Adjourn

Motion to adjourn shall be in order at any time, except as follows:

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

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

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.

Previous Question or Motion

The previous question or motion shall be stated in these words: "Shall debate now close?"

The motion shall pass if two-thirds (2/3) of the members present shall favor it. If the said motion is ordered, there shall be no further amendment or debate, but the question or motion shall be put immediately.

Motion to Postpone

Motions to postpone may be amended to time, excepting a motion to postpone indefinitely.

If a motion to postpone indefinitely is carried, the principal question or motion shall be declared lost.

Motion to Amend

A motion to amend shall be susceptible of but one amendment. An amendment once rejected may not be moved again in the same form.

Motion to Suspend Rules and Votes Required

A motion to accept a reading of a piece of legislation or to pass legislation requires two-thirds (2/3) vote of the members of council. Minerva Park Village council has six members on council; four votes are needed to accept a reading of a piece of legislation or to pass legislation.

A motion to pass legislation as emergency legislation requires two-thirds (2/3) vote of the members of council. Minerva Park Village council has six members on council; four votes are needed to pass legislation as emergency legislation.

A motion to suspend the rule that requires council to accept three (3) readings on three separate days must receive by roll call vote the affirmative vote of three-fourths (3/4) of the

members elected or appointed to council. Minerva Park Village council has six members on council; three-fourths (3/4) of council shall be deemed to be five members supporting the motion to suspend the rule. Upon the passage of such motion, the main question or motion shall be open to debate.

A majority of members of council present without debate may suspend all other rules.

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 only a member who voted with the prevailing side may make such motion. 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 in the calendar year in which it was initially presented.

Ordinances and Resolutions

Each ordinance and resolution shall be read by title only, provided the council may require any reading to be in full by a majority vote of its members. Each ordinance or resolution shall be read on three different days, provided the council may dispense with this rule by a vote of at least three fourths of its members. *See Motion to Suspend Rules.*

Ordinances, resolutions, and motions not receiving a second to be passed shall be deemed to have been defeated and will be declared lost.

From time to time, council makes corrections on ordinances or resolutions as they are presented to council. If these corrections are simply typographical or to clarify a matter, which might appear ambiguous to some by reading the same, it may be corrected after it is passed. However, if the change is substantive in nature as to what is being legislated, that piece of legislation should be withdrawn and new legislation presented which accurately states the purpose and intent of the legislation. In all cases, the public and the citizens must have time to review and analyze said substantial corrections or changes to legislation.

Committee of the Whole*

The president pro tempore 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 or motion cannot be moved. All questions or motions shall be decided by a majority vote of those members present. When this committee arises, any measure, together with any amendment thereto, reported out, shall received the immediate consideration of council unless otherwise ordered placed upon the calendar.

* When an assembly has to consider a subject that it does not wish to refer to a committee, and yet where the subject matter is not well digested and put into proper form for its definite action, or when, for any other reason, it is desirable for the assembly to consider a subject with all the freedom of an ordinary committee, it is the practice to refer the matter to the "Committee of the Whole." If it is desired to consider the question or motion at once, the motion is made, "That the assembly do now resolve itself into a committee of the whole, to take under consideration, ..." specifying the subject. Taken from Roberts Rules of Order.

Committees

Appointment of Committees

The following Standing Committees consisting of three (3) members each are hereby authorized. The mayor shall make appointment of members to each Committee. More complete descriptions of the committee duties are included in Appendix A. In coordination with the mayor, the following committees include:

- Community: The Community Committee helps coordinate recreation programs, oversees playgrounds, Village lands, and care of trees on Village property, assists with maintenance decisions for the lake and lake areas, and helps coordinate Village celebrations and events.
- Finance: The Finance Committee in coordination with the Mayor and Clerk-Treasurer monitors revenue and disbursements in various Village funds, reviews tax budgets and annual appropriations, make recommendations and prepares legislation related to Village finance.
- Legislation: The Legislation Committee researches, drafts, reviews, and finalizes ordinances and resolutions.
- Safety: The Safety Committee consults with the Chief of Police and the Fire Department Chief as to staffing, operational, and training policies and needs as well as safety and health issues in the Village.
- Service: The Service Committee oversees services including refuse collection, mosquito control, leaf pick-up, and issues related to water and sanitary sewers in the Village.
- Streets: The Streets Committee makes recommendations for street repair, maintenance, and construction, oversees streets signs, consults on storm sewer issues, oversees tree maintenance on street rights of way and snow removal arrangements.

The Mayor can also appoint ad hoc committees as needed to address specific issues.

Committee Chairperson

The mayor shall also indicate one member of each committee as chairperson. The committee chairperson shall have the responsibilities as listed below:

- Each committee chairperson shall coordinate with the mayor and assist the mayor in the administration of Village affairs through overview, study, and making recommendations pertaining to the assigned area of the appointed chairperson.
- Each committee chairperson shall be prepared to render a report to council at each regular meeting and such special meetings as are necessary as to the activities of their committee. When a report is rendered that has items of significant value for the development of policy and/or contains recommendations for future actions that benefit the Village as a whole such report can be submitted in writing and appended to the minutes of the council meeting. .

Committee Meetings

Each committee chairperson shall have the authority to call meetings of their committee as deemed necessary and desirable, and to notify the mayor and clerk as to the date, time, and place of the said meetings. Meetings should be held in the community building or other public building so as to allow any interested citizens to attend.

The clerk shall then post notification of the committee meeting at the Community Building as soon as notified of such meeting and never later than 24 hours before the meeting is to begin and any other notification required by Ohio Revised Code and Sunshine Laws.

Referendum and Initiative

In the case of a referendum that is properly processed according to law, council shall not attempt to pass another ordinance similar until the referendum process is complete.

Appendix A - Committee Duties

Community: The Community Committee helps coordinate recreation programs, oversees playgrounds, Village lands, and care of trees on Village property, assists with maintenance decisions for the lake and lake areas, and helps coordinate Village celebrations and events. In doing so, the committee assignments include but are not limited to:

- inspect playground areas and equipment and make recommendations for new or replacement equipment. Obtain quotes as necessary when replacing and repairing equipment or landscaping materials.
- be aware of the care of Village lands (mowing, tree trimming, planting, etc.) and address problems as they occur
- work closely with the Mayor and Clerk-Treasurer to operate and maintain the Minerva Park Swimming Pool
- consult with Village staff on the maintenance of lakes and lake areas to keep the areas safe; make recommendations as needed for programs to improve the lakes and lake areas.
- consult with Village staff on the maintenance of dams and spillways associated with the lakes and work with all federal, state and regional agencies as needed to guarantee the safety of the residents.
- oversee the care of trees on Village property other than street rights of way; consult with MinervaFlora volunteers on removing and/or planting trees and landscaping on Village property.
- work with residents, officials (including Police and Fire), and the Minerva Park Community Association on Village celebrations and special days such as Earth Day, Founders Day, Fourth of July, Holiday Carriage Rides, etc.; represent funding needs to the council for approval for food, equipment, and other resources needed for such recreational activities
- assist the Clerk-Treasurer in encouraging and maintaining fiscal responsibility by consulting on staff and operating expenses, undertaking programs and grants that help keep costs low
- assist with grant applications as they relate to the recreational resources and needs of the Village.

Finance: The Finance Committee in coordination with the Mayor and Clerk-Treasurer monitors revenue and disbursements in various Village funds, reviews tax budgets and annual appropriations, make recommendations and prepares legislation related to Village finance. In doing so, the committee assignments include but are not limited to:

- work with the Mayor and Clerk-Treasurer of the Village to understand all finance related issues in the Village including tax levies and timelines for levies, revenue areas, debt schedules, budget categories and allocations, income tax policies and issues, and other tax and finance issues as impact the Village
- check monthly expenses in the Village and present such to Council for approval
- draft and finalize the tax budget and annual appropriation in coordination with the mayor and the Village treasurer
- work with the Clerk-Treasurer and Legislative Chair to present needed legislation for levies, budgets and other ordinances and resolutions that impact the Village

- make recommendations for raising new revenues when required and preparation of required legislation
- review with the Mayor and/or the Clerk-Treasurer the financial status of the Village at least once each quarter
- assist the Clerk-Treasurer in encouraging and maintaining fiscal responsibility by consulting on staff and operating expenses, undertaking programs and grants that help keep costs low and help secure funding and cost saving

Legislation: The Legislation Committee researches, drafts, reviews, and finalizes ordinances and resolutions. In doing so, the committee assignments include but are not limited to:

- work with the Mayor, Clerk-Treasurer, members of Council, Village staff, and officials to research, draft, and finalize ordinances and resolutions that respond to needs in the Village
- review proposed draft ordinances and resolutions submitted by any council member or other committees and/or the mayor for content, legality, enforceability and need with the advice and assistance of the Village Law Director
- review current ordinances for needed revisions and undertake those revisions
- recommend codification of ordinances on a regular basis so that council members and residents have access to current legislation
- seek out ways such as posting on the internet to make proposed and passed legislation available to residents

Safety: The Safety Committee consults with the Chief of Police and the Fire Department Chief as to staffing, operational, and training policies and needs as well as safety and health issues in the Village. In doing so, the committee assignments include but are not limited to:

- consult with the police and emergency squad as to police and emergency squad staffing, operational policies, and training needs
- recommend and review legislation that will provide for the health and safety of all those in the Village
- recommend policy for traffic control, speed limits, and parking throughout the Village to provide for the safety and health of the residents and others who are in the Village
- report to the mayor any safety and fire hazard conditions that come to the attention of the committee including conditions involving the Minerva Park Swimming Pool
- recommend lighting needs throughout the Village area
- work with the Police and Fire Department to oversee proper handling of hazardous materials including the collection, storage and disposal of such materials
- consult with the Fire Department with regards to hydrant flushing
- consult with the Police and Fire Departments on emergency planning and preparedness and help keep residents informed as to ways to be prepared for emergencies
- assist the Clerk-Treasurer in encouraging and maintaining fiscal responsibility by consulting on staff and operating expenses, undertaking programs (such as those recommended by the Bureau of Workman's Compensation) that keep costs low, exploring grant opportunities, and other sources of funding and cost saving

Service: The Service Committee oversees services including refuse collection, mosquito control, leaf pick-up, and issues related to water and sanitary sewers in the Village. In doing so, the committee assignments include but are not limited to:

- assist with refuse contracts and monitor and review refuse collections and service
- make recommendations as to mosquito control
- consult as to matters affecting general sanitation of the Village and recommend legislation as needed to provide or the health and safety of those residing in the Village
- oversee leaf pick up contract and process
- monitor service lines (water, sanitary, sewer) in coordination with the mayor, Village Engineer, and City of Columbus when appropriate
- assist the Clerk-Treasurer in encouraging and maintaining fiscal responsibility by consulting on staff and operating expenses, undertaking programs and grants that help keep costs low and help secure funding and cost saving

Streets: The Streets Committee makes recommendations for street repair, maintenance, and construction, oversees streets signs, consults on storm sewer issues, oversees tree maintenance on street rights of way and snow removal arrangements. In doing so, the committee assignments include but are not limited to:

- make recommendations for street repair, construction, and maintenance programs
- assist the Mayor, Clerk-Treasurer, Village Engineer and others in matters that pertain to the construction, repair and maintenance of the streets within the Village
- work with Village officials in securing federal, state, and regional funds to construct, repair and maintain the streets and public parking areas in the Village
- recommend legislation that maintains the health and safety of the streets and public parking areas those using the streets and public parking areas within the Village
- oversee street name signs and safety signs and markings
- consult on storm sewer issues
- maintain trees on street rights of way throughout the Village
- assist with snow removal arrangements
- assist the Clerk-Treasurer in encouraging and maintaining fiscal responsibility by consulting on staff and operating expenses, undertaking programs and grants that help keep costs low and help secure funding and cost saving