

A RESOLUTION ADOPTING RULES AND REGULATIONS AND BYLAWS FOR MEETING OF THE COUNCIL OF THE VILLAGE OF RICHFIELD

WHEREAS, from time to time, the Rules and Regulations and Bylaws for Meeting of the Council of the Village of Richfield has been amended; and

WHEREAS, this Council wishes to adopt by Resolution the latest amendment to the Rules and Regulations and Bylaws for Meeting of the Council of the Village of Richfield.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That the Rules and Regulations and Bylaws for Meeting of the Council of the Village of Richfield, the latest edition of which is dated February 15, 1996, a copy of which edition is attached hereto as Exhibit "A" and incorporated herein fully as if by reference, be, and the same hereby is, adopted.

SECTION 2. That all previous editions of the Rules and Regulations and Bylaws for Meeting of the Council of the Village of Richfield inconsistent with the edition adopted herein be, and the same hereby are, repealed.

SECTION 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: February 20, 1996

Bob Hooper
President of Council

Donald H. Larsen
Mayor

Dated: February 29, 1996

ATTEST:
Carol Gibson
Clerk of Council

**RULES AND REGULATIONS AND BYLAWS FOR MEETING
OF THE COUNCIL OF THE VILLAGE OF RICHFIELD**

(A) **AGENDA:**

The President of Council shall prepare an Agenda to be brought before the Council. The Agenda shall be received by the Clerk of Council by 4:00 p.m. on Wednesday before the Regular Tuesday Council meeting. The Clerk should have copies available prior to the Council meetings for the general public.

(B) **ADDITIONAL MATTERS:**

The affirmative vote of four or more of the members elected or appointed to Council is required for any matter not on the Agenda to be presented to or considered by Council.

(C) **ORDINANCES & RESOLUTIONS:**

All requests for Ordinances and Resolutions to be offered at a Council Meeting shall be first submitted to the President of Council. The deadline for submitting requests for Ordinances and Resolution to the President of Council is 9:00 a.m. on the Wednesday before the Regular Tuesday meeting of Council. All Ordinances and Resolutions shall be available in final form by 12:00 Noon on the Saturday preceding the Tuesday meeting of Council. Copies of proposed Legislation will be posted in the Lobby of Town Hall.

(D) **ACTIVE AND INACTIVE ORDINANCES:**

Ordinances and Resolutions are placed on the Active Agenda for first reading when they are first introduced. If an Ordinance or Resolution is referred to a committee or board for further study, or placed on hold for legal review or some other action, the item will remain on the Active Agenda for a second reading. An Ordinance or Resolution which is not ready for final Council action after its second reading will be placed on the Inactive Agenda. The Inactive Agenda will list tabled Ordinances and Resolutions. The Inactive Agenda will be placed at the end of the Agenda for each Council meeting.

(E) **CAUCUS:**

A scheduled caucus will be conducted by the President of Council at 7:30 p.m. preceding each Tuesday meeting of Council. The caucus will be conducted in the Council Caucus Room in order to familiarize members of Council with items on the agenda.

(F) **CALL TO ORDER:**

The President of Council, or in his absence, the Vice President, shall take the chair at the appointed hour for the meeting of Council and shall immediately call the Council to order. If President or Vice President are not present, the remaining members shall choose a Chairman until President or Vice President is in attendance.

(G) **ROLL CALL:**

The Clerk of Council shall call the roll of the members in alphabetical order, and the names of those present shall be entered in the minutes.

(H) **QUORUM:**

Four members of Council shall constitute a quorum to do business but a lesser number may adjourn. For purposes of clarity, when the total number of elected or appointed Councilmen is seven, two-thirds of Council is five, and three-fourths of Council is six. (Charter, Section 4.10)

(I) **ORDER OF BUSINESS:**

All meetings of Council shall be open to the public. Promptly at the hour set by Ordinance on the day of each regular meeting, the members of Council, the Clerk and the Law Director shall take their regular stations in the Council chambers, and the business of the Council shall be taken up for consideration and disposition in the following order:

1. Pledge of Allegiance
2. Roll Call
3. Approval of Minutes
4. Communications and petitions
5. Mayor's Report
6. Report of Committees.
7. Comments from floor on agenda items only
8. Ordinances and Resolutions

- (a) Council will allow for a period of discussion from the floor on all legislation on which a motion has been made to adopt.

9. Old Business
10. New Business
11. Comments from floor on any item
12. Adjournment

(J) **VOTING:**

A vote on any question shall be by a "yea" or "nay". The order of voting shall be alphabetical; however, the first member to vote shall be the person who voted second on the last vote, and such a rotating order of voting shall continue for the duration of the meeting.

(K) **READING OF MINUTES, ORDINANCES AND RESOLUTIONS:**

The minutes of any meeting of Council shall be prepared by the Council Clerk and distributed to the Mayor, members of Council, Municipal Engineer, Directors of Law, Finance, Service

and Department Heads, Secretaries and members of Boards and Commissions within one week of the meeting at which such minutes were taken; provided, however, that in the event there is less time than one week between the meetings of Council, the minutes of the previous meeting shall be distributed to the persons named herein prior to any meeting of Council.

Unless a reading of the minutes of Council meeting is requested by a member of Council, such minutes may be approved with reading.

Ordinances and Resolutions shall be read in full for the First Reading, unless a majority of Council requests that they be read by title only. Second and Third Readings shall be read by title only, unless a majority of Council requests that they be read in full.

(L) RECEIVING MOTION WHEN QUESTION IS BEFORE COUNCIL:

When a question or a proposition is before the Council or under debate, or when a motion has been made, no motions shall be received except the following:

1. To adjourn (not debatable)
2. To table the motion - lay it aside until later (not debatable)
3. To request that discussion end, and then any motion being considered be voted on (previous question, as it is usually called) (not debatable)
4. To postpone any action on a motion until some stated future time.
5. To refer the proposal to a standing or special committee.
6. To amend the main motion.
7. To postpone any action for an indefinite time.

(M) MOTION TO RECONSIDER:

A motion to reconsider a subject that may have been acted upon favorably must be made before adjournment of that session of Council. A motion to reconsider any other subject may be made no later than the next Regular Meeting after such action was taken. A motion to reconsider may be made only by any member who voted with the winning or prevailing side. A motion to reconsider shall be in order at any time except when a motion on some other subject is standing.

A motion to reconsider, being laid on the table, may be taken up and acted upon at any time when the Council is engaged in the transaction of new or miscellaneous business.

No motion to reconsider shall be made more than once on any matter or subject, and the same number of votes shall be required to reconsider the action of Council, as was required to pass or adopt the same.

(N) MOTION TO TAKE FROM THE TABLE:

A motion to take from the table shall be in order when that order of business is being transacted in which such matter to be taken up was laid upon the table, or under the head of

new or miscellaneous business and such motion shall be decided without debate, provided the mover may be permitted to state briefly his reasons for the motion.

(O) MOTION TO POSTPONE INDEFINITELY:

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

(P) MOTION FOR THE PREVIOUS QUESTION:

The previous question shall be in the form, "Shall the main question now be put?" It shall be admitted only when demanded by two members, and until decided shall preclude further debate, and all amendments and motions if the previous question is demanded on an amendment. If the motion for the previous question is carried, the question shall be put without further debate.

However, if the motion for the previous question is carried, but before it is actually put in execution, the motion to which it is directed may be laid on the table.

The requirement that two members must be in favor of a motion for the previous question may be altered, as desired by Council.

(Q) MOTION TO AMEND:

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

(R) MOTION ON QUESTION OF PRIVILEGE:

Question of privilege shall be first:

Those affecting the rights of the Council collectively, its safety, dignity, and the integrity of its proceedings; second: the rights, reputation, and conduct of the members of the Council individually, in their capacity as such members. A question of privilege shall have the precedence of all questions except a motion to adjourn.

(S) SPECIAL COMMITTEES:

All special committees shall be appointed by the presiding officer, unless otherwise directed by the Council.

(T) STANDING COMMITTEES:

1. Committee of the Whole (All Council Members)
2. Finance
3. Public Works (Water, Sewers, & Sidewalks, Electric, Gas & Telephone)
4. Streets & Highways

5. Public Safety (Police, Fire, Health, Emergency & Civil Defense)
- ~~6. Utilities (electric, gas, telephone)~~
76. Mundialization
87. Park Board Representative
98. Insurance
- ~~109. Township Liaison~~
- ~~110. Buildings and Grounds~~

~~The President of Council shall appoint all Committees including the Chairman thereof. The rules of proceedings of the Council shall be observed in all meetings of all Committees as far as the same may be applicable. All such meetings of the Standing Committees of Council are open to the public:~~

- a. The President of Council shall appoint all Committees including the Chairperson thereof.
- b. Membership of all Committees, except the Committee of the Whole, shall be limited to a maximum of three (3) Members of Council.
- c. Robert's Rules of Order shall govern the conduct of business at all Committee meetings as far as the same may be applicable.
- d. A vote on a matter before a Committee shall not, necessarily, bind a member of the Committee if the matter is again considered by Council.
- e. Committees shall act in an advisory capacity only and shall have no power other than to report to Council with recommendations and advice.
- f. The Chairperson of each Committee shall run the Committee and take minutes unless the Clerk of Council is present to do so.
- g. The Chairperson of each Committee shall make all notifications to the news media of each Committee meeting. The Chairperson of the Committee shall post the agenda for the Committee meeting at least 24 hours in advance of the meeting. Posting is required on the bulletin board in the Village Hall only. A template of the proposed Committee agenda is attached hereto.
- h. The audience and non-Committee members of Council may attend any Committee meeting but may not participate in any deliberations.
- i. Committee chair shall distribute all committee agenda to members of Council in their mail boxes at Town Hall.

(U) Regular meeting shall be held on the first and third Tuesday of every month at 8:00 p.m. in the Council Chambers. If the first or third Tuesday falls on a holiday, then the following Wednesday. Emergency and/or special meetings shall be in accordance with Section 4.09 of the Charter of the Village.

(V) ABSENCE AND VACANCY:

Section 3.04 of Article III of the Charter of the Village of Richfield.

- A. Same as in Charter.
- B. Same as in Charter.

C. If the office of the President of Council becomes vacant, the Vice President of Council shall automatically become President for the unexpired term and Council shall proceed to elect a Vice President for the unexpired term in the manner provided in Section 4.05 of Article IV of the Charter of the Village of Richfield. If the Vice President declines to serve as President of Council, he shall not thereby cease to be Vice President of Council; Council shall then proceed to elect a President of Council in the manner provided in Section 4.05 of Article IV of the Charter of the Village of Richfield. If the office of Vice President of Council becomes vacant, Council shall proceed to elect a Vice President for the unexpired term in the manner provided in Section 4.05 of Article IV of the Charter of the Village of Richfield.

(W) Except as otherwise provided, *Roberts Rules of Order*, as they may be revised, shall govern the deliberations of Council.

(X) Council of the Whole Committee Meetings require minutes, but do not require the Council Clerk to be present to take minutes.

(Y) At Committee of the Whole Meetings, the President of Council will run the meeting.

(Z) Any Council member can make a motion to call a Committee of the Whole Meeting with a majority vote needed to approve the motion.

(AA) Unsigned letters to Council will not be read.

(BB) Cemetery property will come under the Building and Grounds Committee.

(CC) EXPIRATION OF ORDINANCES:

If an Ordinance or Resolution is not finally acted upon within one year of introduction, it shall automatically expire and be removed from the Inactive Agenda. Council may extend the time of a particular Ordinance or Resolution to continue it on the Agenda despite the expiration of one year from its date of introduction. The Clerk of Council shall notify Council at least two weeks before an Ordinance or Resolution is due to expire as a result of no action being taken within one year from the date of introduction.

Orig. Council Motion 4/17/84; Amended 5/2/85 and 6/18/85; Section (U) added 6/18/85; Amended 1/21/91; Section (D) added 3/1/94; Sections (W), (X), (Y), (Z) and (AA) adopted 9/20/94; new Section (D) and Section (CC) adopted 11/7/95; new provisions of Section (T) adopted 2/20/96.