



**City of Powell, Ohio**

**RESOLUTION 2006-28**

Adopted July 18, 2006

**A RESOLUTION TO AMEND THE CITY OF POWELL RULES OF CITY COUNCIL AND REPEAL RESOLUTION 98-17.**

**WHEREAS,** it has been found by this Council that there is a need to amend the City of Powell Rules of City Council which were adopted by Resolution 98-17, and

**WHEREAS,** the Council has the authority to initiate such changes.

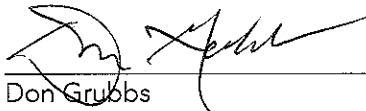
**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

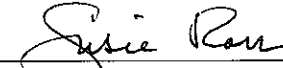
**Section 1:** That the City Council deems it desirable to make amendments to the Rules of Council according to the exhibit attached hereto and incorporated herein by reference to facilitate the orderly conduct of Council meetings.

**Section 2:** That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

**Section 4:** That this Resolution shall take effect at the earliest possible date permitted by law.

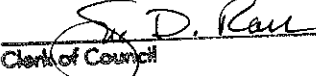
**VOTE ON RESOLUTION 2006-28: Y 5 N 0**

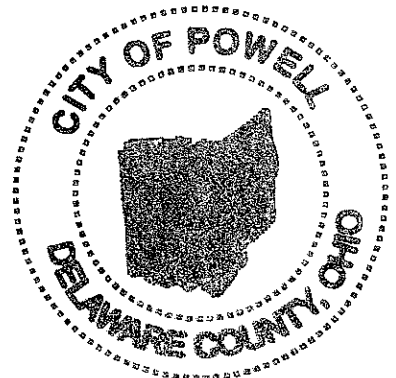
  
\_\_\_\_\_  
Don Grubbs  
Mayor  
7-31-06  
Date

  
\_\_\_\_\_  
Susie Ross  
City Clerk  
7-31-06  
Date

**EFFECTIVE DATE: July 19, 2006**

This legislation has been posted in accordance with the City Charter on this date 8/3/06.

  
\_\_\_\_\_  
S.D. Rau  
Clerk of Council



**City Council**

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wienczek



**THE CITY OF POWELL  
RULES OF  
CITY COUNCIL**

**Amended July 18, 2006  
Resolution 2006-28**

## City of Powell

### Rules of the City Council

#### A. REGULAR, SPECIAL, AND COMMITTEE OF THE WHOLE AND ORGANIZATIONAL MEETINGS

##### 1. REGULAR MEETINGS:

Regular Council meetings are held in the Council Chambers on the first and third Tuesday of each month at 7:30 P.M., or such other times as Council designates. If a regular meeting falls on a holiday, it shall be held on the following day or such other day as the Council may determine.

##### 2. SPECIAL MEETINGS:

The Mayor or three Council members may call special Council meetings with twenty-four hours public notice and notification to all Council members, media and the public. (Charter 4.08). Notice to Council members of special meetings shall be made personally or by written notice left at the usual place of residence. The notice shall state the purpose of the meeting as then known to the City Clerk.

##### 3. COMMITTEE OF THE WHOLE MEETINGS:

Council may schedule Committee of the Whole meetings during regular or special Council meetings with the approval of four members of Council. Such meetings shall be for the sole purpose of providing Council with a work session.

##### 4. ORGANIZATIONAL MEETING

The Council shall hold its Organizational meeting on or before the tenth (10<sup>th</sup>) day of January following the preceding general municipal election. At this meeting, the newly elected members shall take the oath of office and the Council shall proceed to elect a Mayor and a Vice-President of Council from among its own members, and appoint a Clerk of Council, and may transact such further business as may come before it (Charter 4.08).

5. MINUTES OF MEETINGS:

The City Clerk shall keep a journal of the proceedings of Council meetings which shall be signed by the presiding officer of the meeting and the City Clerk and shall be open to public inspection. Proposed minutes of a regular, special or organizational meeting will be available for public inspection within ten business days after such meeting. Approved minutes will be available for inspection not later than three business days after the meeting at which the minutes were approved. The minutes need only reflect the general subject matter of discussion in executive sessions outlined in Section E of these rules and in Committee of the Whole meetings.

**B. CONDUCT OF MEETINGS**

1. MEETINGS TO BE PUBLIC:

All Council meetings shall be open to the public subject to the right of Council to meet, but not take action, in a non-public executive session (Charter 4.08).

2. QUORUM:

Four Council members shall constitute a quorum for the transaction of business. (Charter 4.08). If during the course of a meeting, the departure of a Council member results in less than a quorum, the meeting will be adjourned.

3. PRESIDING OFFICER:

The Council President shall preside at all Council meetings. In absence of the Council President, the Vice President shall preside. In the absence or disability of both, Council shall elect a temporary presiding officer from among them to serve during the meeting (Charter 4.08).

4. ATTENDANCE AT COUNCIL MEETINGS:

Council members are expected to attend all Council meetings unless there is good and sufficient reason for their absence. Council members who will be unable to attend a scheduled meeting shall inform the Council President and/or the City Clerk of their anticipated absence. The City Clerk will announce all absences following the roll call of a meeting. The City Clerk shall keep a calendar of anticipated Council member absences to assist in scheduling meetings.

5. PARTICIPATION:

Participation in Council discussion during meetings shall be limited to Council members until specific participation is directly requested by Council members and acknowledged by the presiding officer. This does not limit public participation as called for in Section F of these rules.

**C. LEGISLATION**

1. ORDINANCES:

Prior to introduction, each proposed Ordinance shall be submitted to the Law Director for approval as to form, then introduced in writing by a member of Council or by the City Manager (Charter 5.02). Every proposed Ordinance shall be filed in writing with the City Clerk. The Council may discuss a proposed Ordinance at the time it is introduced and changes to the Ordinance may be agreed upon by the Council at such meeting without invalidating the introduction of the Ordinance at that time.

2. COPIES OF ORDINANCES AND RESOLUTIONS:

The City Clerk shall make available for public inspection copies of Ordinances or Resolutions under consideration by the Council.

3. READING OF LEGISLATION:

The reading of a summary of an Ordinance or Resolution shall constitute a reading of the legislation. Ordinances and Resolutions will not be read in their entirety unless requested by a majority of the Council members present.

4. PROCLAMATIONS:

Proclamations may be issued by the Mayor to announce or acknowledge reasonable and worthwhile events.

5. CONSENT AGENDA

The Council may by resolution (see appendix A) designate a specific listing of items which shall be listed as part of a consent agenda on the regular Council meeting agenda. Such items shall be read and a vote shall be taken for approval on all items listed under the Consent Agenda. Any Council member may, upon demand, remove any item from the Consent Agenda whereupon it shall be placed on the regular agenda for that Council meeting (Charter 5.04).

6. TABLING ITEMS ON THE AGENDA:

After the second reading of any ordinance or first reading of any resolution, upon a majority vote, Council may table a measure to a certain date. At that meeting on that certain date, Council shall consider the measure, and if not taken from the table at that meeting, the measure shall be terminated although it can be reintroduced at the same or a later meeting as a new measure.

**D. VOTING**

1. FORM OF VOTE

Votes upon proposed ordinances shall be taken by roll call, unless the proposed ordinance is properly considered as part of the Consent Agenda. Items listed under the Consent Agenda, other Resolutions and Motions by Council requiring a vote shall be adopted or rejected by voice vote, unless a vote by roll call or by written ballot is requested by any Council member. No Council member shall be required to explain their vote (Charter 5.03 thru 5.07).

2. ROLL CALL VOTE:

If any Council member requests a roll call vote, the City Clerk shall call the roll. The City Clerk shall call the Council member names in alphabetical order and the name to be called first shall be advanced one position alphabetically in each successive roll call vote. Council members shall respond with "Yes" "No" or "Abstain."

3. VOTING RESULTS:

In all cases where a vote is taken, the presiding officer shall announce the results.

**E. EXECUTIVE SESSIONS**

1. PURPOSE:

Council shall conduct Executive Sessions in accordance with the provisions of the City Charter Section 4.08.

**F. CITIZEN PARTICIPATION**

1. PERSONS ADDRESSING COUNCIL:

Prior to the start of a Council meeting, persons wishing to address the Council during any citizen participation period of a meeting shall sign in at the beginning of the meeting indicating name, home address, affiliation (if any) and whether they wish to address Council during the general citizen participation period or during the citizen participation period reserved for items on the agenda.

2. CITIZEN PARTICIPATION IN REGULAR MEETINGS:

The Council shall permit citizen participation for items not specifically addressed on the agenda immediately prior to the review of minutes. The presiding officer will review the list of people who have indicated a desire to address Council during the period and determine any necessary time limits from this review. Citizen participation for items not on the agenda shall not exceed one-half hour.

The Council shall permit citizen participation for items on the agenda immediately after presentation of the item by staff but prior to Council discussion regarding the item. While citizen participation for items on the agenda should not exceed fifteen minutes for each individual item and no more than three minutes per individual speaker, the presiding officer will review the list of people who have indicated a desire to address Council regarding any item on the agenda and determine whether to extend the time for citizen participation from this review. After people who have signed in have addressed Council; the presiding officer shall ask if there is additional public input, time permitting.

3. CITIZEN PARTICIPATION AT SPECIAL MEETINGS:

Citizen participation shall be held immediately prior to Council discussion. Person shall be permitted to address the Council only concerning the purpose for which the special meeting was called. The basic rules for conducting this period shall be the same as for the participation periods at a regular meeting.

**G. AGENDA**

1. PREPARATION:

The Council President, the City Clerk, and the City Manager shall prepare an agenda for each regular or special meeting of the Council. The deadline for submitting items for a regular Council agenda is 12:00 noon on the Thursday preceding a regular meeting. The agenda shall be set and Council packets ready for distribution by 5:00 P.M. on Friday. A specific exception to the Ordinance and Resolution submittal will be allowed with the approval of the Law Director for purposes of dealing with litigation.

2. DISTRIBUTION:

Final meeting agenda and related background material will be submitted to Council members and available for public review at the City Offices by 5:00 P.M. on the Friday before the regularly scheduled meeting and at least twenty-four hours before the beginning of a special meeting, except in the event of any emergency meeting.

3. AGENDA MATERIAL:

Written materials concerning agenda items, in lieu of or as a supplement to oral presentations are encouraged and should be submitted prior to the Council meeting for circulation with meeting agenda. Oral reports will be limited to five minutes when possible.

4. CERTIFICATION OF COUNCIL-INITIATED LEGISLATION:

A Council member wishing to introduce ordinances or resolutions shall forward them to the Council President and City Manager for the proposed legislation to be placed on the Council agenda.

**H. MISCELLANEOUS**

1. RULES OF PARLIAMENTARY PROCEDURE:

The presiding officer shall provide for the orderly transaction of business at Council meetings. The current edition of *Robert's Rules of Order* governs the procedure of Council meetings, provided it is not in conflict with these Rules of the City Council, the Ordinances, or the Charter of the City of Powell.

2. AMENDMENTS TO RULES:

These rules may be altered or amended by the vote of four or more Council members.

3. SUSPENSION OF THESE RULES:

These rules may be suspended for a specified portion of a meeting by a majority of the Council members present at that meeting.

4. AUTHORITY FOR RULES

Authority for the adoption of these Rules is derived from Section 4.10 of the Charter of the City of Powell.

5. ASSIGNMENT OF WORK TO STAFF

Council directives to City staff shall be directed only to the City Manager or other individual expressly designated by the City Manager and shall be issued only (a) at a Council meeting at the direction of a majority of Council or (b) by the Mayor where the Mayor has determined that the directive represents a consensus of Council.

6. USE OF CITY RESOURCES IN COUNCIL CORRESPONDENCE

Council members may issue correspondence or other communications on City letterhead, at City expense, through the use of City staff, or otherwise with the expenditure of City resources only with the approval of the Mayor where the Mayor has determined that there is a consensus of Council to do so.

7. RULE CONFLICT

If any of these Council rules conflict with the provisions of the United States Constitution, the Ohio Constitution, the City Charter and City Ordinances, the provisions of the United States Constitution, the Ohio Constitution, the City Charter and City ordinances shall control.