

**RULES OF PROCEDURE**  
**of the**  
**COUNCIL OF THE**  
**CITY OF GAHANNA**

Adopted: January 17, 2017

# RULES OF PROCEDURE

of the

## COUNCIL OF THE CITY OF GAHANNA

### *ARTICLE I - FORCE AND EFFECT*

- 1.10 No provision or section of these rules which restricts or conflicts with those rights provided by the Constitution of the United States, the Constitution of the State of Ohio, the Charter of the City of Gahanna, Ohio or the general law shall have any force or effect.
- 1.11 Robert's Rules of Order, 11<sup>TH</sup> Edition shall control where no provisions are made in these rules and where not in conflict with these rules.

### *ARTICLE II – DEFINITIONS*

- 2.10 Majority - Four members of the Council.
- 2.11 2/3 Majority - Five members of the Council.
- 2.12 3/4 Major - Six members of the Council.
- 2.13 Quorum - A simple majority of the elected body.

### *ARTICLE III - OFFICERS OF COUNCIL*

- 3.10 The Officers of Council shall be elected from Council membership by majority vote of Council at the annual Organizational Meeting as prescribed by Charter. Council members elected as Officers shall serve a one year term and perform the duties of office as described herein.
- 3.20 President. The President of the Council shall:
  - A. Serve as presiding officer of Council, and be responsible for the conduct and order of meetings of Council.
  - B. Determine which committees shall consider new business, subject to challenge by a majority of Council.
  - C. Appoint standing and special committees composed of members of Council for the purpose of obtaining information, studying items of business, formulating policies and other activities deemed necessary in the conduct of public business.

- D. Sign for Council all ordinances, resolutions, and other matters requiring the approval of Council. The presiding officer shall sign per 3.40.
- E. Appoint representative to Community Improvement Corporation, Mid-Ohio Regional Planning Commission, Convention and Visitors Bureau Board, Incentive Advisory Board, Parks & Recreation Foundation and Governmental Liaison., ~~and liaison with the Board of Education, Gahanna-Jefferson Public Schools.~~
- F. Serve on the Board of Trustees, Community Improvement Corporation.
- G. Serve as an ex officio member of all Council committees.
- H. Supervise the Clerk of Council and Council office staff.
- I. Prepare an annual performance review of the Clerk of Council and sign all other performance evaluations of Council office staff prepared by the Clerk of Council

3.30 Vice President. The Vice President of Council shall:

- A. Serve as the President of Council when the President is absent.
- B. Serve as the Council Chaplain, and shall call for the Pledge of Allegiance.
- C. Serve as Chair of the Council Committee of the Whole.

3.40 Absence of Officers

- A. In the absence of the President, or if the President is Acting Mayor, the Vice President shall sign all ordinances, resolutions, and other matters requiring the approval of Council. In the absence of the Vice President, or if the Vice President is Acting Mayor, the most senior Council member shall sign all ordinances, resolutions, and other matters requiring the approval of Council.
- B. In the absence of the President, the Vice President shall run regular and special meetings. In the absence of the Vice President, the most senior Council member shall run the meeting.

#### *ARTICLE IV - COUNCIL STAFF*

4.10 Council staff shall serve at the discretion of Council and Council shall provide reasonable compensation for services rendered.

4.11 Clerk of Council. The Clerk of Council shall:

- A. Attend all Council meetings, regular and special, or provide for coverage by a Deputy Clerk.
- B. Prepare a record of all proceedings for all Council meetings which shall be termed the minutes.
- C. Record the exact hour and minute of the late arrival or early departure of any Council member for each regular or special meeting of Council.
- D. In conjunction with the President of Council, prepare an agenda for each regular or special meeting of Council.
- E. Assign numbers in their proper sequence to all ordinances and resolutions of Council.
- F. Maintain a permanent record of all ordinances and resolutions introduced with appropriate notation showing history of each including original Council action, repeal actions, and amendments.
- G. Prepare and keep a file of all Council correspondence.
- H. Research as required by Council.
- I. Verification as required for local elections.
- J. Duties as required by Article 709.01.1, Ohio Revised Code.
- K. Prepare all legislation coming before Council.
- L. Coordinate with administration recommendations coming forward from various boards and commissions.
- M. Ensure codification of ordinances and preparation of updates to the Codified Ordinances of the City of Gahanna.
- N. Sign all Council documents attesting to official Council actions as required.

- O. Receive all appeals to be heard by Council as a result of action by any board or commission.
  - P. Prepare and advertise all required public hearings.
  - Q. All other clerical and secretarial duties incidental to the job.
  - R. Provide supervision of the Council office staff.
  - S. Perform such other duties as directed by Council.
- 4.12. The Clerk of Council shall report to the President of Council and shall serve all members of Council.

*ARTICLE V – MEETINGS*

- 5.10 Council shall hold an Organizational Meeting at the beginning of each calendar year as prescribed by Charter. For the purpose of electing officers of Council, the Organizational Meeting shall be considered a regular meeting.
- 5.20 Regular meetings of City Council shall be called to order at 7:00 p.m. during the first and third weeks of each month on the day established in the organizational Meeting.
- A. Council members may meet at 6:45 p.m. prior to a regular Council meeting to informally review the Regular Council Agenda, or any potential changes thereto.
- 5.30 Special meetings may be called by the Mayor, the President of Council, any three members of Council acting as a group, or majority vote of Council at a regular meeting. All members of Council shall be notified not less than 24 hours in advance of a special meeting as to the date, time, place, and purpose of such meetings. Only matters relating directly to the stated purpose of the special meeting may be considered during the special meeting. Notice of special meetings shall be in writing and as prescribed by Charter Section 4.11.
- 5.35 Committee meetings of City Council shall be held during the second and fourth weeks of each month, as needed, on the day established in the organizational meeting.
- 5.40 The members of the Council may hold an executive session only after a majority vote of Council determines, by a roll call vote, to hold such and only at a regular or special meeting for the sole purpose of the consideration of the matters listed in subsection A, B, C, D, E, F, AND G as follows:

- A. To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.
- B. To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.
- C. To confer with the City Attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.
- D. To prepare for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.
- E. To discuss matters required to be kept confidential by federal law or rules or state statutes.
- F. To discuss details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.
- 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 to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:
  - 1. The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715, 725, 1724 or 1728 or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code.

2. A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

H. If Council holds an executive session to consider any of the matters listed in subsections A, B, C, D, E, F, or G, the request to hold that executive session shall state which one or more of the approved matters listed in those subsections are to be considered at the executive session.

5.41 An executive session may be requested by the Mayor or any member of Council or the City Attorney, who shall state the purpose of the requested session. Unless Council objects by roll call vote, as provided in 5.40 hereinabove, or the stated purpose of the session is not in compliance with section 5.40, the President of Council shall schedule the executive session as requested.

5.42 Council may take no official action of any kind in executive session. Any resolution, rule or formal action concerning matters discussed in executive session must be adopted in an open meeting.

5.50 All meetings of Council except Executive Sessions shall be open to the public.

5.51 All meetings of Council shall be held at the City Hall in the Municipal Complex of the City of Gahanna unless a change of location becomes necessary. Notice of a change in location shall be made as prescribed by Charter section 4.10.

#### *ARTICLE VI - CONDUCT OF COUNCIL BUSINESS*

6.10 The Agenda. An agenda of business to be considered by Council shall be prepared and distributed so as to be received by each Council member and the Mayor at least 48 hours prior to a regular meeting of Council and 24 hours prior to each special meeting. In the case of a special meeting, the notice of such meeting as required by Charter, Section 4.11, shall be the meeting agenda.

6.11 The agenda for a regular meeting shall contain:

A. A listing of all public hearings to be conducted and a description of the purpose of each hearing.

B. A listing by title of each ordinance to be considered.

- C. A listing by title by each resolution to be considered.
  - D. Any other matters of known business.
- 6.12 The agenda for each regular meeting of Council shall be distributed to each Administrative Department Head so as to be received at least 48 hours prior to a regular meeting of Council. Notice of special meetings of Council shall be distributed as directed by the President of Council.
- 6.13 Any member of Council may request a matter of business be placed on the agenda for a regular meeting provided such request is received by the Clerk of Council by Thursdays by 5:00 p.m. or at the discretion of the President of Council prior to distribution of the agenda.
- 6.14 Any member of Council may move to add a matter of business to the agenda during a regular meeting. The motion shall be seconded and approved and the agenda modified upon majority vote of Council.
- 6.15 There shall be no discussion on items on the Consent Agenda. Any item that warrants discussion or if a no vote is possible shall be referred to the Regular Agenda by simple request by any Council Member.
- 6.20 Order of Business. The presiding officer shall conduct Council meetings in the order outlined by the agenda. The agenda order for regular meetings shall be, at the discretion of the Council President, but should include the following:
- A. Call to order/Invocation/Pledge of Allegiance/Roll Call.
  - B. Additions/Corrections To The Agenda.
  - C. Hearing of Visitors.
  - D. Introductions and Assignment to Committee.
  - E. Consent Agenda.
  - F. Public Hearings.
  - G. Committee Updates.
  - H. Correspondence and Actions:
    - 1. Clerk.
    - 2. Council.
  - I. Second Reading of Ordinances.
  - J. First Reading of Ordinances.

- K. Resolutions/Motion Resolutions.
- L. Representatives:
  - 1. Community Improvement Corporation (CIC).
  - 2. Mid-Ohio Regional Planning Commission (MORPC).
  - 3. Board of Education, Gahanna-Jefferson Public Schools.
  - 4. Convention & Visitors Bureau.
- M. Official Reports:
  - 1. Mayor.
  - 2. City Attorney.
- N. Council Comment.
- O. Adjournment.

6.30 Hearing of Visitors: Visitors that wish to speak before Council must complete a speaker's slip, be recognized by the Chair, state their name and address, and the purpose of their comments. There will be a 3-minute limitation on individual comments. Such time schedule would prevail unless extended by the President without opposition by a Council member. Everyone addressing Council will approach the lectern and state their names and addresses for the record.

*ARTICLE VII - COUNCIL COMMITTEES AND THEIR RESPONSIBILITIES*

7.10 Standing Committees. There shall be the following standing committees:

- a) COMMITTEE OF THE WHOLE. To meet on a committee night as needed to discuss items and legislation from Administration, the City Attorney, and Council. Recommendations from Planning Commission and/or any Board, Committee, or Commission will be assigned to this Committee. Administrative items not otherwise assigned to another committee shall be in Committee of the Whole.
- b) FINANCE: To meet on a committee night as needed to discuss strategic, not routine, finance issues. Quarterly updates by the Director of Finance will be discussed

Reports will be required from all directors as requested by Council.

The President of Council shall appoint a chair for each standing committee except Committee of the Whole; all members of Council shall be assigned by the President of Council to various standing committees.

- 7.20 Special committees composed of not more than three members of Council shall be appointed by the President of Council for a specific purpose and a specified period in time. The specified purpose of a special committee must be one that cannot properly be assigned to a standing committee.
- 7.30 All committees shall meet in Gahanna City Hall unless a change of location becomes necessary, and shall be open to the public. Standing and special committees may not meet in executive session.
- 7.40 Council shall take no official action of any kind during a committee meeting but shall make recommendations.
- 7.41 Additional committee meetings may be scheduled by the Committee Chair or Council President during a regular or committee meeting of Council.
- 7.60 A Request for Council Action (RCA) Form with supporting material will be required on all matters to be addressed by Council. The RCA Form is to be transmitted to the Clerk of Council digitally by the end of day on the Thursday prior to the Committee meeting.

#### *ARTICLE VIII – LEGISLATION*

- 8.10 Legislation in the form of any ordinance or resolution may be proposed or recommended by any member of Council, the Mayor, an Administrative Department Head, any City Board or Commission acting as a body or any committee of Council.
- 8.11 All proposed or recommended legislation shall be introduced by a member of Council at a regular or special meeting.
- 8.12 All legislation shall be in proper written form approved by the City Attorney prior to enactment by Council.
- 8.13 Proposed or recommended legislation which has been introduced may be assigned to a standing or special committee for additional study and evaluation if such action is deemed necessary or in the best public interest by the President of Council. Council may, by majority vote at a regular or special meeting of Council, direct the President of Council to assign pending legislation to committee.
- 8.14 Recommended legislation which has been referred to committee shall not be acted upon by Council until the committee reports have been completed and sent to Council.
- 8.20 All ordinances or statutory resolutions before Council shall be read by title at two different regular or special meetings of Council unless the second reading is waived as provided by Charter, provided however, if the

ordinance or statutory resolution has been approved for introduction or for the consent agenda, publication of the agenda with complete titles of all ordinances and/or statutory resolutions shall be a substitute for reading by title at the meeting.

- 8.21 Council may, for any ordinance or statutory resolution, waive the second reading, declare an emergency or both, as provided by Charter.
- 8.22 Should a situation exist which requires waiver of second reading of an ordinance or statutory resolution, all members of Council shall receive a written explanation of the legislation and the reason a waiver of second reading is required.
- 8.23 An ordinance may be declared an emergency only to immediately preserve the public peace, property, health, safety or welfare.
- 8.30 Copies of all ordinances, resolutions, any Mayor's veto notice and supporting documentation, if applicable, shall be distributed so as to be received by each Council member at least 48 hours prior to the regular meeting or 24 hours prior to the special meeting of Council at which such matters are to be considered.
- 8.40 Resolutions and motion resolutions may be acted upon at the same regular or special meeting of Council at which they are introduced.
- 8.41 Statutory resolutions require the same procedure as ordinances.

#### ARTICLE IX – PUBLIC HEARINGS

- 9.10 The President of Council shall give a brief statement or explanation of the item under hearing.

Prior to the opening of the public hearing, the administration may make a presentation of slides, videos, photos, staff comments, or combination thereof, regarding the application in question.

- 9.11 The public hearing shall be opened with any proponents being allowed seven minutes, opponents ten minutes, then three minutes for rebuttal by the proponents. Such time schedule shall prevail unless extended by the President without opposition by a Council member. Everyone addressing Council will approach the lectern and state their names and addresses for the record.
- 9.12 Comments and questions by Council and administration shall be reserved for the period following the public discussion.
- 9.13 Questions presented by any speaker during the public hearing and subsequent answers from members of Council or the administration will be

considered as part of the time allotted for either the proponent or opponent during the public hearing.

9.20.1 Finance Hearings being a special circumstance shall have the following Rules:

- A. Speakers shall have five (5) minutes to speak on increases or additions of an item.
- B. Speakers shall have five (5) minutes to speak on reductions or removal of an item.
- C. Speakers shall have three (3) minutes to speak on general comments.

#### *ARTICLE X – DEBATE BY COUNCIL*

10.10 The President of Council shall control debate according to the following rules:

10.11 No person shall be permitted to speak on any motion longer than that period of time or number of times, which is considered appropriate by the President of Council.

10.12 While members of Council may yield to other persons, the limitations outlined in Section 10.11 will prevail.

10.13 The President of Council may refuse the floor to any person when tactics are obviously dilatory and not in the best interest of Council or the conduct of public business.

#### *ARTICLE XI – MOTIONS*

11.10 When an issue is under discussion before Council and a motion has been made, no motion shall be proper except the following in order of precedence:

- A. Motion to adjourn.
- B. Motion to recess.
- C. Motion to end discussion and call the question.
- D. Motion to refer to a standing or special committee.
- E. Motion to postpone until a stated future time.
- F. Motion to postpone for an indefinite time.

G. Motion to amend a motion under discussion.

11.11 All motions shall require a second except motion to adjourn.

11.12 A motion to amend is susceptible to but one amendment. An amendment, once rejected, may not be moved again in the same form, or moved for reconsideration.

11.13 If a motion to table for an indefinite time is carried, the principle question shall be declared lost.

~~11.14 A motion to reconsider may be made by any member during the meeting at which the vote on the original issue was taken, regardless of their vote on the original motion.~~

11.141 Only one (1) motion to reconsider will be allowed on a topic.

~~11.15~~ 11.14 A motion to bring any matter from committee or to bring any matter from postponement shall be in order at any regular meeting following action under Section 11.10, Items D or E.

~~11.16~~ 11.15 A motion to postpone until a stated future time or to table for an indefinite time shall be debatable only as to the motion itself.

~~11.17~~ 11.16 A motion to end discussion and call the question shall not be considered until all members of Council have had an opportunity to debate the original motion.

~~11.18~~ 11.17 A motion to adjourn by any member of Council must be recognized by the chair and won't be in effect until the chair declares the meeting adjourned. No second to the motion of adjournment is necessary.

## ARTICLE XII – VOTING

12.10 Voting on all matters shall be oral and open. The Clerk of Council shall call the roll and each member of Council shall respond their vote on the question.

12.11 Members of Council shall vote in the affirmative or negative on all matters coming to vote at a regular or special meeting of Council. A member of Council may abstain from a vote only by declaring a conflict of interest on the question at the time of abstention. No other comment shall be considered during voting.

An abstention shall be treated as a vote not cast and the abstaining member is absent for voting purposes on that particular issue only.

- 12.12 The order of voting by members of Council shall rotate with each vote except the member who moved the question shall be called to vote first followed by the member who seconded the motion.
- 12.13 A majority vote of Council consisting of four affirmative votes shall carry, adopt or approve any motion before Council unless otherwise provided for by Charter or by law.
- 12.14 Any motion receiving a tie vote is not carried, is not adopted and fails.
- 12.15 The President of Council shall declare the results of each vote.
- 12.16 No member of Council shall be permitted to change their vote after the vote results have been declared unless the motion is reconsidered by majority vote of Council.

*ARTICLE XIII – ELECTED OFFICERS AND APPOINTED OFFICIALS OF THE CITY AS THEY RELATE TO COUNCIL.*

- 13.10 Elected officers and appointed officials of the City of Gahanna, except as provided by the Charter of the City of Gahanna, may be requested to attend Council meetings and answer any proper questions directed to them by the Council.
- 13.11 Such requests of elected officers and appointed officials shall be made in writing and distributed so as to be received by the officer or official at least 24 hours prior to the scheduled meeting.
- 13.12 The notice shall state the time, place, and purpose of the meeting.

*ARTICLE XIV – MISCELLANEOUS PROVISIONS*

~~14.10 Council may waive any rule contained herein for a specific instance by majority vote of Council provided such action is not in violation of the Charter of the City of Gahanna or the laws of the State of Ohio.~~

- 14.20 When a ruling of order has been made by the President of Council, such ruling may be reversed or declared null, void and of no effect by majority vote of Council.
- 14.40 Following the municipal general election day and during transition between terms of Council, Council members elect will select a temporary chair to prepare for reorganization and to assure the conduct of public business continues without interruption.

14.50 Requests for change of content or design of the Council web page must be approved by the President of Council.

*APPROVED AND ADOPTED BY THE COUNCIL OF THE CITY OF GAHANNA, OHIO, this 17<sup>th</sup> day of January, 2017.*

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Brian D. Larick  
President of Council

ATTEST:

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Kimberly Banning  
Clerk of Council