

Rules of Council

WHEREAS, the Village of Weston, Wood County, Ohio ("Village") is duly incorporated under the Ohio Revised Code as a incorporated village, and

WHEREAS, the Village is governed by the legislative authority entitled Village Council of Weston, Ohio ("Council") as a representative body to conduct the business of the Village, and

WHEREAS, the Ohio Revised Code requires the Council's approval of clearly defined rules of conduct at the beginning of each organizational year for the orderly conduct of its public business meetings, and

WHEREAS, by direction of the Ohio Revised Code, the Council adopts standing committees for the purpose of detailed deliberation and public participation in the legislative process, and

WHEREAS, the Council recognizes that its rules may supplement but not be in conflict with the Ohio Revised Code as appropriate,

NOW, therefore, the duly elected/appointed members of Council do hereby resolve to adopt the hereinafter defined Rules of Council for the year beginning January 1, 202~~1~~³ to be in force for the conduct of all of its public meetings,

Rule 1 - Legislative Authority

The legislative power of the Village shall be vested in, and exercised by, the legislative authority, composed of six members, who shall be elected by the electors of the Village at large, for terms of four years (R.C. § 731.09)

Each member of the legislative authority of the Village shall have resided in the Village one year immediately preceding the member's election, and shall be an elector of the Village. No member of the legislative authority shall hold any other public office, be interested in any contract with the Village, or hold employment with the Village, except that such member may be a notary public, a member of the state militia, or a volunteer fireman of the Village, provided that such member shall not receive any compensation for his services as a volunteer fireman of the Village. Any member who ceases to possess any of such qualifications or who removes from the Village shall forfeit the member's office. (R.C. § 731.12)

The legislative authority may provide such employees for the Village as it determines, and such employees may be removed at any regular meeting by a majority of the members elected to such legislative authority. (R.C. § 731.10)

Rule 2 - President Pro Tempore

At the first regular meeting in January of each year, the Council shall immediately proceed to elect a president pro tempore from its own number, who shall serve until the first meeting in January next after his or her election. When the Mayor is absent from the Village or is unable, for any cause, to

perform his duties, the president pro tempore shall be the acting mayor, and shall have the same powers and perform the same duties as the Mayor. (R.C. § 731.10)

When the president pro tempore becomes the mayor, the Council vacancy thus created shall be filled as provided in section 731.43 of the Revised Code, and the legislative authority shall elect another president pro tempore from its own number, who shall serve until the first meeting in January next after their election and have the same rights, powers, and duties as his predecessor. (R.C. § 731.11)

Rule 3 - Presiding Officer

The Mayor shall be the president of the legislative authority and shall preside at all regular and special meetings thereof, but shall have no vote except in case of a tie. (R.C. § 733.24)

When the Mayor is absent from the Village or is unable, for any cause, to perform his duties, the president pro tempore shall be the presiding officer. (R.C. § 733.25)

The Mayor or presiding officer may, during the Council meeting, call any member of the Council to the Chair to serve as Presiding Officer, but this substitution shall not continue beyond adjournment.

In the absence of both the Mayor and president pro tempore, the Council shall appoint a temporary presiding officer by majority vote of the members present, not to continue beyond adjournment.

The Mayor or Presiding Officer shall take the chair at the hour appointed for the Council meeting to start, and shall immediately call the Council members to order following the Pledge to The Flag of the United States of America. The Presiding Officer shall then determine if a quorum is present and the Fiscal Officer/Clerk shall enter on the minutes the names of the members present.

Rule 4 - Mayor

The mayor of the Village shall be elected for a term of four years, commencing on the first day of January next after his or her election. The mayor shall be an elector of the Village and shall have resided in the Village for at least one year immediately preceding his or her election. The mayor shall be the chief conservator of the peace therein and shall have the powers and duties provided by laws. The mayor shall be the president of the legislative authority. The mayor shall preside at all regular and special council meetings thereof, but shall have no vote except in cases of a tie vote. (R.C. § 733.24)

The Mayor shall be sworn into office on or prior to the beginning of his or her term.

When the mayor is absent from the Village, or is unable for any cause to perform his or her duties, the president pro tempore of the legislative authority shall be acting mayor. In the case of the death, resignation or removal of the mayor, the president pro tempore shall become the mayor and shall hold the office until his or her successor is elected and qualified. Such successor shall be elected to the office for the unexpired term, at the first regular municipal election that occurs more than forty days after the vacancy has occurred; except that when the unexpired term ends within

one year immediately following the date of such election, an election to fill such unexpired term shall not be held and the president pro tempore of the Council shall hold the office for such unexpired term. (R.C. § 733.25)

When the president pro tempore becomes the mayor, a successor shall be appointed to Council to hold office only for the period the president pro tempore of the legislative authority holds the office of mayor. (R.C. § 731.43)

Rule 5 – Fiscal Officer/Clerk

The Fiscal Officer/Clerk shall be appointed by majority vote of the Council. The Fiscal Officer/Clerk need not be an elector of the Village.

The Fiscal Officer/Clerk shall be sworn into office on or prior to the beginning of his or her term.

The Fiscal Officer/Clerk shall have the same duties as that of an elected Fiscal Officer/Treasurer, and shall attend all meetings of the legislative authority of the Village, and keep a record of its proceedings and of all rules, bylaws, resolutions, and ordinances passed or adopted, which shall be subject to the inspection of all persons interested.

In the case of the absence of the Fiscal Officer/Clerk during a Council meeting, such legislative authority may appoint an alternate person to record minutes of the meeting.

Rule 6 - Council Vacancies

When the office of a member of Council becomes vacant, the vacancy shall be filled by election by Council for the unexpired term. If Council fails to act within thirty days to fill such vacancy, the Mayor shall fill the vacancy by appointment. (R.C. § 731.43)

The thirty day period commences either on the effective date of the member's resignation, the date of the member's expulsion or the member's date of death.

Whenever a vacancy exists in the membership of Council, the Fiscal Officer/Clerk shall notify the local newspaper that such vacancy exists and that the Mayor and Council will accept applications from qualified citizens who desire to fill the vacancy. Such notification shall also be posted on all public bulletin boards in the Village.

Rule 7 - Council Resignation

Any member of Council who desires to resign their term of office shall submit their resignation in writing to the Mayor and Council and such resignation shall be granted when the same has been accepted by a vote of the majority of the members present, exclusive of the person tendering their resignation.

The effective date of the resignation is either the date the resignation is accepted by the Council or the date the member indicates in writing that their resignation is effective, whichever is later.

Rule 8 - Standing and Special Committees

There shall be such standing committees, as determined by the Mayor, appointed of three members each. All standing and special committee chairmen and members shall be recommended by the Mayor no later than the third regular meeting of Council after its organization. Appointments of standing and special committee chairmen shall be subject to the approval of Council. Whenever possible the Mayor shall ensure that the previous committee chairman remains on the committee for at least one year after being replaced as chairman. No member of any committee of Council if such member has a financial obligation due the Village that would, in the sole opinion of the Mayor, interfere with the administration of Village affairs or inhibit such members' objectivity.

The Mayor, with or without approval by a majority of Council, may at any time remove any member or members of any committee appointed by him/her and appoint a new member or members of such committee to serve in place of such member or members so removed.

Special committees shall be formed whenever deemed appropriate by the Mayor or Council.

Rule 9 - Committee Responsibilities

The committee chairman and members shall:

- Follow Council direction in matters referred to it.
- Normally be expected to investigate or study a given problem or need, taking no decisive action itself but to submit a committee report and recommendations to Council.
- Within its area of responsibility assume both short and long range study plans and needs, work to establish desirable economic, budgetary, and work standards.
- Act in an advisory capacity, reporting to Council for action. The committee shall assume no direction nor issue any orders in conflict with the executive officers of the Village, or the law.
- The members of a committee shall meet on the call of the chairman, who shall be the first named person on the committee assignment listing appointed by the President Pro Tem. In the case of the absence of the chairman, the person named second on the committee listing shall be recognized as chairman. A committee, except Cemetery and Parks & Recreation, may not do any business unless a quorum is present. A majority shall constitute a quorum to do business.
- Its members at the next committee meeting shall approve minutes of committee meetings.
- The reports of all committees shall be in writing turned into Fiscal Officer/Clerk, shall be agreed to in committee assembled, and shall not be presented unless signed by a majority of the committee, and the papers referred shall be returned with the report. Nothing in this section shall be construed to prevent the introduction of minority reports.
- A Special Committee shall be given direction by Council when appointed, and will be discharged on receipt of its report or completion of its assigned task.

Rule 10 - Council Meetings

Council meetings may be held at such time and place as is prescribed by ordinance and shall, at all times, be open to the public. (R.C. § 731.46)

The first meeting of Council each year shall be held on the first Monday of January, or such other time established by Council.

Regular meetings of the Council shall be held in the Council Chambers of the Town Hall at 6:00 p.m. official time, on the first and third Monday of each month, unless otherwise established by Council or canceled by Council. When any regular meeting of the Council falls on a legal holiday, or on an election day, the Council may meet in regular session on a pre-determined date, place and time. The Mayor may provide a schedule of regular meetings for the year at the first Council meeting of each year.

Special meetings may be called by the Mayor or any three members of Council providing at least twenty-four hour notice is given to each member, served personally or left at their usual place of residence. (R.C. § 731.46)

At the first regular Council meeting in January of each year, and at such other times as the Mayor deems expedient, the Mayor shall report to Council concerning the affairs of the Village and recommend such measures as seem proper to him. (R.C. § 733.41)

Council shall adjourn its meetings no later than 8:00 p.m. official time, and in the event that business has not been completed, Council shall adjourn on a day to day basis until the same is completed.

Any member of the public desiring to be heard before Council or to introduce any business before Council, must notify the Fiscal Officer/Clerk in writing by the Friday prior to the Regular or Special Council meeting in order to be placed on the agenda for the meeting. The Mayor or Presiding Officer may at their discretion recognize members of the public without prior notification. Discussion by any individual shall be limited to five minutes, or longer at the discretion of the Mayor or Presiding Officer or Council by vote of a majority of those present.

The Fiscal Officer/Clerk shall keep a record of the proceedings, and of all motions, rules, by-laws, ordinances and resolutions passed or adopted. The Fiscal Officer/Clerk shall provide public documents for inspection by interested members of the public. In the case of the absence of the Fiscal Officer/Clerk during a Council meeting, such legislative authority may appoint an alternate person to record minutes of the meeting.

The Fiscal Officer/Clerk shall be notified by committee chairmen of matters to be presented, including ordinances and resolutions, in order that they may be listed on the meeting agendas, and placed in Council meeting folder prior to the Council meeting. It is the intent of Council that it will consider only those items included in the agenda on the Friday prior to the Regular Council meetings. Items received later than the Friday prior to the Regular Council meetings may be added to the agenda by verbal resolution of Council.

The Fiscal Officer/Clerk shall prepare an agenda for every meeting, attend to all correspondence resulting from Council meetings, and perform such other duties as may be assigned by a majority vote of Council present or as required by law.

Rule 11 - Attendance at Council Meetings

In addition to Council members and the Mayor, attendance at regular Council meetings shall ordinarily include the Fiscal Officer/Clerk. It is encouraged that any person not able to attend a Council meeting notify the Fiscal Officer/Clerk as soon as practicable prior to the meeting.

Rule 12 - Order of Business

The business of regular council meetings may be transacted in the following order unless agreed to by a majority of Council members:

- Establishment that a quorum is present
- Presentation of preliminary agenda by the Mayor, and approval of any changes to the agenda by Council
- Approval of the minutes of prior meetings of the Council
- Appointments
- Public presentations and hearings
- Old business - legislative items carried over from the prior meeting (readings, tabled items, second or third read of ordinances, etc.)
- Reports from the Fiscal Officer/Clerk, Mayor, Administrator/Maintenance, Zoning Inspector, Standing Committees, Special Committees
- New business - new ordinances and resolutions
- Approval of expenditures since the last Council meeting.
- Miscellaneous Business - Discussion of matters of general interest, communications, petitions, claims (Filed in writing with the Fiscal Officer/Clerk not later than seven days prior to the meeting)
- Visitor's Input
- Adjournment.

The Mayor or presiding officer may at any time permit a member to introduce an ordinance, motion or resolution out of the regular order for the same unless it is objected to by a majority of the Council members present.

All questions are to be stated and put by the Mayor or presiding officer, who shall decide all votes. In doubtful cases he or she may direct, or any member may call for, a division, which shall be taken by a roll call.

The presiding officer shall avoid appearance of partisanship on any question. His or her function is solely to see that the business properly brought before Council is conducted in an orderly manner, and that the members of Council observe the Rules of Council.

Rule 13 - Council Quorum

A majority of all the members elected shall be a quorum, but a less number may adjourn from day to day and compel attendance of absent members in such manner and under such penalties as are prescribed by ordinance. (R.C. § 731.44)

Rule 14 - Order and Decorum at Council Meetings

The Mayor or Presiding Officer shall preserve order and decorum and confine members in debate to the question. If any member transgresses the Rules of Council, the Mayor shall call him or her to order, in which case the member called to order shall take their seat, unless permitted to explain.

Rule 15 - Discipline of Council Members

The Council may punish or expel any member for disorderly conduct or violation of its rules. Council may declare any council seat vacant for absence without valid excuse from eight (8) regular or special council meetings where such absence has occurred between January 1st and December 31st. No expulsion shall take place without the concurrence of two thirds of the members elected and until the delinquent member has been notified of the charge against him or her and has had an opportunity to be heard.

Rule 16 - Rules of Council

The legislative authority of the Village shall determine its own rules and keep a journal of its proceedings. (R.C. § 731.45)

At the January organizational meeting of Council each year, the Council shall adopt by motion Rules of Council for the calendar year. The Rules of Council must be in compliance with applicable Ohio Revised Code and Ohio Attorney General Opinions.

Rule 17 - Precedence

The order of precedence is as follows: Ohio Revised Code, Rules of Council, and Robert's Rules of Order.

Rule 18 - Robert's Rules of Order

When Robert's Rules of Order are mentioned in this document they refer to Webster's New World Robert's Rules of Order Simplified and Applied, copyright 1999 by Robert McConnell Productions.

The Council may suspend Robert's Rules of Order by a two-thirds vote.

Rule 19 - Suspension of Rules of Council

Council shall have the authority to suspend Rules of Council at any time they feel it is necessary by a vote of three-fourths of the members which shall be considered without debate. Rules adopted from the Ohio Revised Code may not be suspended unless authorized to do so in the Ohio Revised Code itself.

Rule 20 - Hearings before Council

When the Council is about to decide on any issue, it may invite the public to appear and offer their views on the subject being discussed. They can also invite non-residents who have expertise in the subject. This is usually referred to as a hearing or town meeting.

While under the main obligation of conducting its scheduled business within normal time limits, Council customarily accommodates visitors by providing a time of ten minutes to each individual to hear their concerns or requests. When electors or any other persons desire to address Council and the time required may exceed the time usually available, Council may schedule a public hearing for such by arranging for a special time and place therefore.

Rule 21 - Referral to Committee

Any new business brought before Council shall be referred to the proper committee, if such referral is deemed by Council to be necessary or proper. If such referral is not needed, and the matter can be disposed of quickly, then such action should be taken at once. When communications are read, they may if necessary be referred to committee immediately after being read by the Fiscal Officer/Clerk. Prolonged argument, discussion and debate shall be avoided in the Council meeting. If the matter under consideration requires investigation and study or is of such a nature that long discussion may be required, the Mayor or Presiding Officer may recommend that the matter be referred to committee.

If any matters referred by the Council to any committee or officer are to be reported upon at the next regularly scheduled meeting as old business, such matters shall be brought by the Fiscal Officer/Clerk to the attention of the Council by inclusion in the next meeting's agenda.

Any matter referred to a committee may, by a two-thirds vote of Council at any time prior to the report of such committee, be taken from the hands of such committee for consideration.

Council may accept or reject any committee report in whole or part.

Rule 22 - Legislation Presented to Council

The legislative authority may amend or change the number, shape, area, or regulations of any zoning ordinance, but no such amendment or change shall become effective unless the ordinance proposing it is first submitted to the planning commission and the commission is allowed a reasonable time, not less than thirty days, for consideration and report. (R.C. § 713.10)

Before any zoning ordinance, measure, regulation, or amendments thereto, authorized by the Revised Code, may be passed, the legislative authority of the municipal corporation shall hold a public hearing thereon, and shall give at least thirty day notice of the time and place thereof. (R.C. § 713.12)

The Solicitor or Fiscal Officer/Clerk has the primary responsibility of preparing legislation for Council consideration in the manner prescribed by law. Ordinances and resolutions may be introduced during a Council meeting by the Mayor. Members of the Council present may also introduce ordinances and resolutions. In addition, ordinances and resolutions may be presented to the

Council upon written recommendation of a committee of the Council.

When ordinances and resolutions are prepared they may be referred directly to Council or to the committee concerned with the subject matter of the ordinance or resolution. When they are submitted directly to the Council for action, the Council may refer the pending legislation to the appropriate committee or take action at the Council meeting. The committee will then report on the ordinance or resolution at the next Regular Council meeting as Old Business. The committee will also furnish a copy of the ordinance or resolution to the Fiscal Officer for review and inclusion of the agenda for the next meeting.

Rule 23 - Passage of 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 the rule by a vote of at least three-fourths of its members.

The vote on the passage of each ordinance or resolution shall be taken by yeas and nays and entered upon the journal.

Each ordinance or resolution shall be passed, except as otherwise provided by laws, by a vote of at least a majority of all the members of the Council.

Actions by the Council, not required by law to be by ordinance or resolution, may be taken by motion approved by at least a majority vote of the members present at the meeting when the action is taken. (R.C. § 731.17)

No ordinance, resolution, or bylaw shall contain more than one subject, which shall be clearly expressed in its title. No bylaw or ordinance, or section thereof, shall be revived or amended, unless the bylaw, ordinance, or section so amended shall be repealed. Each such bylaw, resolution and ordinance shall be adopted or passed by a separate vote of the legislative authority of the Village and the yeas and nays shall be entered upon the journal. (R.C. § 731.19)

Ordinances, resolutions, and bylaws passed by Council shall be authenticated by the signature of the presiding officer and Fiscal Officer/Clerk. Ordinances of a general nature or providing for improvements shall be published as provided by sections 731.21 and 731.22, or 731.25, of the Revised Code, as applicable, before going into operation. Failure to meet with particularity said provisions shall not invalidate any legislation passed by the Council. As soon as a bylaw, resolution or ordinance is passed and signed, it shall be recorded by the Fiscal Officer/Clerk in a book furnished by the legislative authority for that purpose.

In the event publication is required pursuant to R.C. 731.25, each Village ordinance or resolution or a succinct summary of each ordinance and resolution and all statements, orders, proclamations, notices, and reports required by law or ordinance to be published shall be accomplished in either of the following methods: (RC 731.25)

- By posting on the designated bulletin boards for not less than fifteen days prior to the

effective date thereof

- By publication in any newspaper printed in this state and of general circulation in such municipal corporation.

The Fiscal Officer/Clerk may, in addition to either of the above, publish on the Village Website.

Where such publication is by posting, the Fiscal Officer/Clerk shall make a certificate as to posting, and as to the times when and the places where such posting is done, in the manner provided in section 731.24 of the Revised Code, and such certificate shall be prima-facie evidence that the copies were posted as required. (R.C. 731.25)

In the event publication is required pursuant to R.C. 731.21 and 731.22, immediately after the expiration of the period of publication for ordinances or summaries of ordinances required by R.C. § 731.22 of the Ohio Revised Code, the Fiscal Officer/Clerk may enter on the record of ordinances, in a blank to be left for such purpose under the recorded ordinance, a certificate stating in which newspapers and on what dates such publication was made, and may sign this name thereto officially. Such certificates shall be prima-facie evidence that legal publication of the ordinance or summary of the ordinance was made.

Failure of the Fiscal Officer/Clerk to comply with the above shall not invalidate the legislation passed by Council.

Every member present when a question is introduced shall vote, unless the member notifies the Council of their intention and reason for abstaining before the call of yeas and nays is commenced.

Any member shall have the liberty to dissent from and protest against any ordinance, resolution, or order of the Council, and have the reason for their dissent entered upon the minutes.

Each motion shall be seconded before discussion or further action thereon.

Rule 24 - Reading of Ordinances and Resolutions

When ordinances and resolutions are presented by members of the Council present or by written recommendation of a committee, they shall be given a first reading at the Regular Council meeting or a special meeting called for such purpose. Resolutions shall be voted and acted upon in the same manner as ordinances.

When an ordinance or resolution is presented, it shall be read by title by the Mayor or Fiscal Officer/Clerk.

Any ordinance or resolution, tabled pursuant to these rules and that is not again taken up by the Council before the year's last meeting of the members shall be considered rejected.

After a member moves for passage in accordance with these rules, a vote shall be taken. If a majority approves the passage of the ordinance, it shall be signed by the Fiscal Officer/Clerk, President Pro Tempore and the Mayor.

Rule 25 - Majority Defined; Three-Fourths Defined

Each ordinance or resolution shall be passed, except as otherwise provided by laws, by a vote of at least a majority of all the members of the Council. Actions by the Council, not required by law to be by ordinance or resolution, may be taken by motion approved by at least a majority vote of the members present at the meeting when the action is taken. (R.C. § 731.17)

Whenever the term "majority" is used herein, unless otherwise expressly indicated, it shall be held to mean a majority of those elected; likewise, whenever a two-thirds or three-fourths vote is indicated, it shall mean two-thirds or three-fourths of the members elected to Council. Thus, in a council of six members, a majority shall be four, two-thirds shall always be four, and three-fourths shall always be five.

Rule 28 - Emergency Ordinances or Resolutions

Ordinances or other measures providing for appropriations for the current expenses of the Village, or for street improvements petitioned for by the owners of a majority of the feet front of the property benefited and to be especially assessed for the cost thereof, and emergency ordinances or measures necessary for the immediate preservation of the public peace, health, or safety in such municipal corporation, shall go into immediate effect. Such emergency ordinances or measures must, upon a yea and nay vote, receive a two-thirds vote of all the members elected to the legislative authority, and the reasons for such necessity shall be set forth in one section of the ordinance or other measure. (R.C. § 731.30)

Rule 27 - Amending Resolutions or Ordinances

It shall be in order to amend a resolution or ordinance at any time before passage, but if such ordinance or resolution is of a general or permanent nature and such material amendment is made after the second reading it shall again be read as amended as the second reading and laid over to the next meeting for final action.

Rule 28- Limitations on debate

No member of the Council, while Council is in session, shall engage in debate or discussion with anyone save another member of the Council or the Mayor or a person who has either been granted by the Mayor or presiding officer the privilege to address the Council or is present at a Council meeting on invitation of the Council.

Every member, when about to speak on a question or make a motion, shall respectfully address the Mayor or presiding officer, who shall pronounce the name of the member entitled to the floor. The member shall confine himself to the question under debate and shall avoid personalities.

Rule 29- Adjourned Meetings

When the business of council is not completed within the available time at a given meeting, the meeting, by motion, may be adjourned to a definite time. When the council reconvenes at the appointed time, if a quorum is present, it takes up the business where it left off at its former meeting. An adjourned meeting is merely a continuation of the meeting from which it was

adjourned and not for the introduction of new business.

Rule 30 - Motions; when Debatable; Withdrawal

When a motion is made and seconded, it shall, before debate, be stated by the Mayor or presiding officer. Every motion shall be reduced to writing if the Mayor or presiding officer requires it, and cannot be withdrawn after acknowledgement by the presiding officer without the consent of the Council.

Rule 31 - Adjournment-Unqualified-Qualified

A motion to adjourn shall always be in order except upon immediate repetition or when a member has the floor, or when the previous question has been ordered, or when the Council is engaged in voting. When any business is pending the motion must be made in its simplest form, and is not subject to amendment or debate, but if made when no other business is pending, it can be amended the same as other questions.

When the consideration of a question is interrupted by an adjournment it is removed from before the Council and must be brought forward in the usual way. A motion to lay on the table shall preclude all debate or amendments. If the motion prevails, the consideration of the subject cannot be resumed, except as unfinished business, without the consent of a majority of the members present.

Rule 32 - Acceptable Motions; Order of Precedence

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

- To lay matters of business on the table
- For the previous question (request that discussion end and vote taken)
- To postpone definitely to a certain time or day
- To commit (to refer back to standing or special committee)
- To amend the motion on the floor
- To recess

Rule 33 - Excusal from Attendance

No Council member shall be excused from attendance at more than eight council meetings per calendar year except upon request and permission of roll call and by a vote of the majority of the Council members present.

Rule 34 - Executive Sessions

The Council may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a Regular or Special Council meeting for the sole purpose of the consideration of any of the following matters:

- 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. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

- B. To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to the other side.
- C. Conferences with an attorney for the public body concerning disputes involving the public body that is the subject of pending or imminent court action;
- B. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;
- E. Matters required to be kept confidential by federal law or regulations or state statutes;
- F. 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;

If a public body holds an executive session to consider any of the matters listed in this section, the motion and vote to hold that executive session shall state which one or more of the approved matters listed in those divisions are to be considered at the executive session.

A resolution, rule, or formal action of any kind is invalid unless adopted in an open meeting of the public body. A resolution, rule, or formal action adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid unless the deliberations were for a purpose specifically authorized in this section and conducted at an executive session held in compliance with this section. A resolution, rule, or formal action adopted in an open meeting is invalid if the public body that adopted the resolution, rule, or formal action violated this section. (R.C. § 121-22)

The topic must be clearly stated in the meeting minutes. Prior to commencing the executive session, a motion will be made and seconded to adjourn the Regular Council meeting, all in attendance, including audience members, Village employees will be excused from the meeting unless authorized to stay by a majority of Council members. At the conclusion of the executive session, a motion will be made and seconded to resume the Regular Council meeting.

There will be no tape recordings or minutes of the executive session's proceedings. All matters

discussed are to remain confidential including statements made by participants.

Rule 35 - Sunshine Law; Open Meetings

Public officials are required to take official action and to conduct all deliberations upon official business only in open meetings unless the subject matter is specifically accepted by law. Meetings mean any prearranged discussion of the public business of the public body by a majority of its members.

This section does not apply to an audit conference conducted by the auditor of state or independent certified public accountants with officials of the public office that is the subject of the audit.

Every public body, by rule, shall establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings. A public body shall not hold a special meeting unless it gives at least twenty-four hours' advance notice to the news media that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.

The rule shall provide that any person, upon request and payment of a reasonable fee, may obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. Provisions for advance notification may include, but are 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. (R.C. § 121.22)

The Fiscal Officer/Clerk shall post a statement of the time and place of Regular and Special meetings of Council, or any other public meetings being held not later than the second day preceding the day of the meeting in the designated posting places in the Village for the public to be notified.

The Fiscal Officer/Clerk shall post a statement of the time and place of any organizational meeting of the Council at least twenty-four hours before the time of such organizational meeting.

Upon qualified adjournment of any regular or special meeting to another day, the Fiscal Officer/Clerk shall promptly post notice of the time and place of such adjourned meeting.

Except in the case of emergency special meetings, the Fiscal Officer/Clerk shall, not later than twenty-four hours before the time of a special meeting, post a statement of the time, place and purpose of such special meeting in the designated posting places for the public to read.

Any news medium organization that desires to be given advance notification of special meetings of any municipal body shall file with the Fiscal Officer/Clerk a written request thereof. Except in the event of an emergency requiring immediate action, a special meeting shall not be held unless at least twenty-four hours advance notice of the time, place and purpose of such meeting is given to the news media requesting advance notification.

New media requests for such advance notification of special meetings shall specify; the municipal body that is subject of such request; the name of the medium; the name and address of person to whom notification may be sent or delivered; the names, addresses and telephone numbers (both during and after business hours) of at least two persons, to either of whom oral notifications to the media may be given and at least one telephone number which the request identifies as being manned and which can be called at any hour for the purpose of giving oral notification to such medium. Such request shall be effective for one year from the date of filing with the Fiscal Officer/Clerk. Each news medium shall be informed of such period of effectiveness at the time it files its request. Any notification provided herein to be given by the Fiscal Officer/Clerk or other official may be given by or under authority of the Fiscal Officer/Clerk and a reasonable attempt at notification shall constitute notification in compliance with these rules.

All ordinances, resolutions, statements, orders, proclamations, notices, and reports now and hereafter requiring publication shall be published by posting copies thereof at the designated bulletin boards and the Village Website, unless otherwise required by law or directed by Council.

Rule 36- Training

All newly elected or appointed Village Official shall complete all training as required by Ohio Law. Failure to comply with this rule may subject the official to disciplinary action in accordance with these rules.

PASSED 11/3/2023

Absent
PRESIDENT PRO TEMPORE

Attest:
Stephan Mauer
FISCAL OFFICER/CLERK

[Signature]
MAYOR

