

CHAPTER 121

Council

121.01 Council rules.

CROSS REFERENCES

Composition and term - see CHTR. § [2.01](#)

Qualifications - see CHTR. § [2.01](#)

Meetings - see CHTR. § [2.03](#)

General powers - see CHTR. § [2.05](#); Ohio R.C. 715.03, 731.47

Powers as to salaries and bonds - see CHTR. § [2.05](#) D., E.

Procedures for legislation - see CHTR. § [2.06](#), [2.09](#)

President pro tempore - see CHTR. § [2.07](#)

Rules - see CHTR. § [2.08](#)

Open meetings - see Ohio R.C. 121.22; ADM. [Ch. 109](#)

Release of treasurer's liability for loss of funds - see Ohio R.C. 131.18 et seq.

Vacancy - see Ohio R.C. 731.11, 731.43

Authority to purchase and sell real estate - see Ohio R.C. Ch. 721

To establish sewerage rates - see Ohio R.C. 729.49

Hearings against delinquent officers - see Ohio R.C. 733.35 et seq.

Misconduct - see Ohio R.C. 733.72 et seq.

Power to establish auxiliary police unit - see Ohio R.C. 737.161

Salaries - see ADM. [167.01](#) (b)

Contract interest - see GEN. OFF. 525.10

Council is Building Appeals Board - see BLDG. 1323.05 et seq.

121.01 RULES OF COUNCIL.

Time of Convening - Order of Business

Rule 1. Hour of Convening. Effective March 1, 2014, the regular meetings of Council shall be held in the Council Chambers on the fourth Tuesday of each month at 7:00 p.m. and the second Tuesday of the month in work session, if needed. Council may, by motion, dispense with any regular meeting, or change the day and hour of holding any meeting.

(Ord. 2011-06-CD. Passed 3-1-11.)

A special meeting may be called by the Mayor or any two Council members on at least twenty-four (24) hours notice to each member for the purpose of conducting urgent business. The Mayor may call a meeting pursuant to Section

(Ord. 2014-01-L&R. Passed 1-7-14.)

Rule 2. Mayor to Call Council to Order. The Mayor, or in the Mayor's absence, the President Pro Tempore, or in the President Pro Tempore's absence the Vice President Pro Tempore, shall take the chair precisely at the appointed hour and shall immediately call Council to order. A prayer, a moment of silent

reflection, or a word of inspiration may be offered, followed by the Pledge of Allegiance to the Flag, and a quorum being present, Council shall proceed with the order of business. A majority of all members elected shall be present to constitute a quorum to do business; but a smaller number may adjourn from time to time and shall have the power to compel the attendance of absent members by call of the house.

(Ord. 2014-01-L&R. Passed 1-7-14; Ord. 2014-06-L&R. Passed 8-26-14.)

Rule 3. Order of Business. The order of business of Council shall be as follows:

1. Roll Call.
2. Approval of the minutes of the previous meeting.
3. Public presentations with prior permission.
4. Public hearings (if any are scheduled).
5. Reports of Municipal officials.
6. Reports of committees.
7. Opportunity for residents and nonresidents to appear before Council. Nonresidents shall obtain prior permission.
8. Unfinished business.
9. New business.
10. Council comments.
11. Municipal calendar.

12. Executive Session (if needed).

13. Adjournment.

All questions relating to the priority of business shall be decided without debate.

(Ord. 2021-03-L&R. Passed 9-28-21.)

Rule 4. Changing Order of Business. The order of business shall not be changed, except by suspension of Rule 3.

Rule 5. Adjournment. A motion to adjourn shall always be in order except during roll call. When a motion is made to adjourn, it shall be in order for the Mayor, before putting the question, to state any fact to Council relating to the condition of the business of Council which would seem to make it advisable or inadvisable to adjourn at that time. Such statement, however, shall not be debatable, and no such statement shall occupy more than two minutes of time.

Duties of Mayor

Rule 6. Shall Preserve Order. The Mayor shall, at all times, preserve order and decorum. The Mayor shall decide questions of order, subject to an appeal to Council by any member, on which appeal no member shall speak more than once, unless by leave of Council.

Rule 7. Members Presiding. The Mayor may name any member to perform the duties of the chair; but such substitution shall not extend beyond adjournment.

Rule 8. Appointment of Committees. The Mayor shall appoint all committees, with the consent of Council, unless it shall be otherwise ordered by Council, in which case they shall be appointed by vote of Council.

Rule 9. Absence of Mayor.

In the absence of the Mayor, all the rights, privileges, authority, duties and responsibilities of the Mayor shall be delegated in accordance with the Charter of the Village of Greenhills.

Rule 10. Preparation of Agenda.

The Mayor shall prepare or shall cause to be prepared an agenda to be distributed to Council members and the Municipal administration before the next scheduled meeting. Council members should have all matters pertaining to new business to the person preparing the agenda on Tuesday, a week before the next regularly scheduled meeting, which shall then be available for distribution or pick-up on Friday; however, subsequent agenda items may be added with the consent of Council. Committee Chairs shall be responsible for developing background information on the issue to be placed on the agenda. This material should be available for distribution or pick- up with the agenda.

Duties of Clerk of Council

Rule 11. Distribution of Ordinances, Resolutions and Motions.

The Clerk of Council shall be responsible for the distribution of all ordinances, resolutions and motions to the heads of the departments including the Chief of Police, Finance Director and other parties directly affected.

Rule 12. Custody of Records. The Clerk of Council shall be responsible for the care and preservation of all ordinances introduced in or placed before Council, and of all documents, records and printed matter belonging to Council. Further, it shall be the duty of the Clerk of Council to keep an index record of all ordinances and resolutions passed by Council. The information

on such index record shall be available at all reasonable times to the members of Council. The Clerk of Council shall also be responsible for updating books containing the Codified Ordinances. The books to be updated are to be as follows: Police Department, Law Director, Municipal Manager, Clerk of Council, Public Library, and the Hamilton County Law Library.

(Ord. 2018-10-L&R. Passed 1-22-19.)

Committees of Council

Rule 13. Standing Committees. The Standing Committees of Council shall be appointed by the Mayor not later than ten days after the commencement of their term of office in the order as herein below indicated:

Community Development Committee

Finance and Audit Committee

Intergovernmental Affairs/Laws and Rules Committee

Recreation and Cable TV Committee

Safety Committee

Service and Streets Committee

Each member shall serve as Chair of one Standing Committee and Vice Chair of another Standing Committee.

Rule 14. Committee Chairman. The Chair, Vice Chair, or in their absence, a designated member presenting an ordinance for passage, shall, when the same is called up for passage, cause such ordinance to be properly presented to Council. The Mayor may also propose ordinances pursuant to Section 2.06 of the Charter of the Village of Greenhills. When bringing an ordinance

to be presented to Council, after being recognized, the Chair, Vice Chair, or a designated member, shall address the chair and state: "I would like to introduce an ordinance."

Rule 15. Special Committees. Special committees for the consideration of special matters or measures, or the performance of special functions may be appointed by the Mayor.

Rule 16. Committee Meetings. Meetings of Committees, Joint Committees or Council Committee of the Whole shall be announced at Council meetings when practical and shall be open to the public pursuant to Section [2.03](#) of the Greenhills Charter. Meetings should be held in the Municipal Building, if practical, unless otherwise announced.

Rule 17. Committee Reports. Each Committee Chair, or in the Chair's absence another member, may report on business being handled. At the conclusion of a report, any member of Council may make a minority report. Any member of Council may ask questions of the Committee Chair on any part of the report. Questions from residents must be in writing and may be directed to Committee Chair or the Municipal Manager by the Mayor.

(Ord. 2010-44-CD. Passed 11-2-10.)

Decorum of Members

Rule 18. Members Desiring to Speak. When a member desires to address Council, they shall address the chair. If the Mayor desires to recognize the member the Mayor shall announce the member's name. When two or more members address the chair at the same time, the Mayor shall name the member who is to have the floor. No member shall speak more than twice on the same question except with permission of Council and the statement shall be limited to the question under debate and shall avoid personalities.

Rule 19. How Long Member May Speak. No member shall speak upon any one question, ordinance or resolution more than a total of ten minutes at any one meeting, unless additional time be granted by vote of Council by motion.

Rule 20. Member Called to Order. If any member, in speaking, or otherwise, transgresses the rules of Council, the Mayor shall call the offending member to order. The member so called to order shall immediately yield the floor unless permitted by the Mayor to explain. Any member may, by raising the point of order, call the attention of the Mayor to such transgression. The point of order shall be decided by the Mayor without debate. Every such decision of the Mayor shall be subject to appeal to Council by any two members.

Rule 21. Member May Read from Books, etc. Any member, while discussing a question, may read from books, papers or documents, any matter pertinent to the subject under consideration, without asking leave.

Rule 22. Statement of Division of Question. Any member may call for a statement of the question or for a division of the question; and the decision of the Mayor as to its divisibility, shall be subject to appeal, as in the case of questions of order.

Rule 23. Members Shall Vote. Every member present when the question is put shall vote unless Council excuses him/her. A request to be excused for personal or other interests, from voting shall be accompanied by a brief oral statement of the reasons for making such request, which shall be acted upon by Council without debate.

(Ord. 2011-06-CD. Passed 3-1-11.)

Rule 24. Explanation of Vote. A member so desiring to explain their vote shall make a request therefor, before Council divides or before the call of the yeas and nays is commenced. If such request is granted by Council, such statement shall not consume more than two minutes of time.

Rule 25. Yeas and Nays, How Demanded. Any two members may demand a record of the yeas and nays upon any question before Council votes; and, upon the call of the yeas and nays, the Clerk of Council shall call the names of members and record the vote. When once begun, voting shall not be interrupted. When there is a call for the yeas and nays, members shall respond, "Yea", "Affirmative" or, "Nay", "Negative". After the vote is announced, no member shall be allowed to change their vote, except by unanimous consent of Council. The history of each ordinance or resolution shall be recorded on a single record form which shall include the dates of each reading, whether two readings were dispensed with, whether it was an emergency measure, whether the measure passed, whether a complete reading was made, how each Council member voted, and when publication ended.

Rule 26. Letterhead. The original of a letter issued by Council as a whole or by any Committee Chair of Council shall be on the current Village letterhead.

Rule 27. Signatures on Committee Letters. A letter by any Committee Chair of Council shall be issued over the signature of the Chair with the following (example) signature format:

John or Jane Doe, Chair

Laws and Rules Committee

Village of Greenhills Council

No Council member shall issue a letter that would commit or imply commitment of Council. All letters of this type shall be issued by Council as a whole.

Rule 28. Signature on Council Letters. All letters issued by Council as a whole shall be over the signature of the Clerk of Council or the acting Clerk of Council or with the consent of Council.

Rule 29. Copies of Letters. Copies of all letters issued by Council and committees of Council shall be filed by the Clerk of Council for permanent record.

Motions and Questions

Rule 30. Motions. Motions to be introduced should be in writing, and shall be read by the Clerk of Council before debate is had. Verbal motions shall be restated by the Mayor, and shall be reduced to writing by the Clerk of Council. Such motions may, by leave of Council, be withdrawn at any time before a decision thereon or an amendment thereto is made.

Rule 31. Motions Which Take Precedence. When a question is under consideration, no motion shall be in order, except the following, which motions shall have precedence in the following order:

1. To adjourn.
2. To take recess.
3. To lay on the table.
4. To call for the previous question.
5. To postpone to a day certain.

6. To commit or refer.
7. To amend.
8. To postpone indefinitely.

Rule 32. No Debate Permitted. The following shall be decided without debate:

1. To adjourn.
2. To take recess.
3. To lay on the table.
4. The previous question.
5. To take from the table.
6. All questions relating to the priority of business.
7. The question under consideration.
8. The suspension of Council rules.

Rule 33. No Motion During Roll Call. No member shall be allowed to explain their vote or discuss the question being voted upon, while the yeas and nays are being called. After the Clerk of Council has commenced to call the yeas and nays on any question, no motion shall be in order until a decision has been announced by the chair.

Rule 34. Motion Not to be Repeated. A motion to adjourn or a motion to postpone to a day certain or to postpone indefinitely being decided in the negative, shall not again be in order until after some motion, call, order or debate shall have taken place.

Rule 35. Council Spokesperson. When a project or other work is under consideration a council spokesperson may be identified and all questions or correspondence directed to that spokesperson. Any Village official may be designated as that spokesperson.

Previous Question

Rule 36. How and When Put. The previous question shall be in this form: "Shall the debate now close?" It shall be put when demanded by two or more members, and shall be sustained by a majority vote; and when put, and until decided, it shall preclude further debate and all amendments and motions, except one motion to adjourn, one motion to recess or one motion to lay on the table. If the previous question is demanded when an amendment to an ordinance or resolution is under consideration, the previous question shall apply only to the debate on the amendment.

Rule 37. No Debate or Appeal. All incidental questions or questions of order, arising after a motion is made for the previous question, shall be decided without debate and shall not be subject to appeal.

Rule 38. Question of Order. All questions of order shall be decided by the Mayor without debate, but such decision shall be subject to appeal to Council by any member; on which appeal no member shall speak more than once, unless by the leave of Council, except the member appealing who may speak twice; and the Mayor may speak in preference to any other member. If the decision be in favor of the member called to order, they shall be at liberty to proceed.

Rules of Council

Rule 39. How Amended. The rules of Council may be amended, provided notice of the intended amendment shall have been given on the floor of Council at the previous regular meeting. A majority of all the members elected shall be required for the adoption of such amendment.

Rule 40. How Suspended. Any rule except Rule 2 may be suspended by a two-thirds vote of all members present.

Rule 41. Ordinance Discussion Prior to Suspension of Two Readings. When an ordinance is introduced to Council and a motion to suspend the two separate readings on two separate days is properly moved and seconded, a Council member may request that the floor be opened for discussion on the ordinance before the vote is called for on the motion to suspend the two readings of the ordinance. Such discussion is subject to existing rules of Council. (A.O.)

Rule 42. Roberts Rules of Order. Roberts Rules of Order, Newly Revised, shall govern in all cases not provided for in the foregoing rules.

(Ord. 2012-05-L&R. Passed 5-1-12.)