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**WORK SESSION/SPECIAL COUNCIL MEETING**  
**Monday, February 4, 2018, 6:00 p.m.**  
**Police & Court, 1250 W. Fifth Street, Marysville, Ohio**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

AGENDA ITEMS:

- 1) Discussion regarding the sale of property on S. Maple Street  
(Celebrity Hats & T-shirts)
- 2) Rules of Council
- 3) Discussion regarding Parks & Recreation Commission terms
- 4) Japan Relationship & Trade Mission

Potential to adjourn to executive session to consider the purchase of property for public purposes, where no action would be taken.

ADJOURNMENT



To: Council  
From: Clerk Dible  
Date: January 28, 2019  
Regarding: Rules of Council

# Memo

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The Rules of Council, originally known as the “Council Rules of Procedure”, were first adopted in 1982 and have served City Council well. Over the past 37 years, rules have been added, repealed, and amended which currently brings us to the 41 Rules by which Council presides. As the list of rules has evolved and lengthened, quickly referencing specific rules has become more difficult. I have worked with Councilman Berbee and Law Director Aslaner to bring you the following proposed changes to the Rules of Council and the reorganized legislative history. In your packet, you will find the most current version of the rules & legislative history, the proposed version (clean copy), and the original rules including redlines & comments highlight and explain the specific recommendations.

## Formatting

1. By adding a table of contents and titling all rules, the rules would be easily searchable.
2. The rules were already broken down into sections, however they were not always listed under the applicable section. Specifically, rules 22, 23, 26, and 27 were moved to different sections.
3. By giving each section its own associated “section number” when rules are added or repealed, the entire document does not need renumbered.

## Specific Recommendations

1. Rule 1 (or Rule 1.0) - includes the change requested by Mr. Taylor regarding Council Meetings that fall on a holiday for which City Hall is closed, the meeting is understood to fall on the following day (Tuesday) at the same location and time.
2. Rule 8 (or Rule 1.10) Legislation for the upcoming Council agenda to be provided to the Clerk of Council by Noon, as opposed to 3pm.
3. Other clarifications, simplifications, and updates (as to how processes currently occur) were made to the document for Council’s review and input.

Please feel free to reach out to let me know if you have any questions, concerns or comments before the Work Session on February 4th.

# Rules of Council

## I RULES AND PROCEDURES OF COUNCIL MEETINGS

RULE 1 The day and hour of the Council meetings shall be the second and fourth Monday of each month at 7:00 p.m., unless modified by a majority of Council members present. (Effective July 1, 2016)

RULE 1.1 The officers of Council shall be the Mayor and Vice-Mayor who shall be elected by a majority of Council members present which shall take place at the first meeting in January and begin acting at the second meeting in January of each year. These votes shall be by secret ballot and read aloud at the completion of the ballot by the Clerk of Council. The Mayor of Council will preside at all the meetings unless absent, at which time the Vice-Mayor will preside. The most senior Council member will preside in the absence of the Mayor and the Vice-Mayor. If there is a tie vote for the Mayor and/or Vice-Mayor, the current Mayor and/or Vice-Mayor shall continue to serve until the tie can be broken. In addition, the Mayor will review, coordinate and finalize the agenda as set forth in Rule 8, and will further insure that the Committee Reports are prepared and ready for Council meetings.

RULE 1.2 The Mayor shall serve a one-year term as Mayor. The Mayor shall be elected (and may serve consecutive terms) by a majority vote of Council members present.

RULE 1.3 In the event that the Mayor resigns as an officer of Council, the Vice-Mayor shall assume the role of the Mayor for the remainder of the unexpired term. With the vacancy created by the Vice-Mayor becoming Mayor or by the resignation of the Vice-Mayor, Council shall vote to fill the position using the same procedure outlined in Rule 1.1.

RULE 2 The order of business of the Council meetings shall be:

A. Pledge of Allegiance

B. Invocation

C. Roll Call

D. Approval of Minutes

E. Reports

1. Administrative Report (City Manager or Acting City Manager )
2. Clerk of Council
3. Economic Development Director (first meeting of month)
4. Parks & Recreation Report (second meeting of month)
5. Planning Commission/Design Review Board Report (second meeting of month)
6. Committee Reports (second meeting of month)

F. Hearing of Citizens

G. Resolutions

Resolution: A resolution is the formal, written enactment of a municipal legislative authority of a less permanent nature, not prescribing any permanent rules of conduct and usually

required or applied to the preliminary declaration of legislative intent to be effectuated by the subsequent passage of an ordinance, or for the disposition of a specific matter not required by statute or charter provision to be done by ordinance.

Resolutions which do not involve the expenditure of money may be adopted by a majority vote of the members of Council following a single reading by title only, and such resolutions shall become effective immediately upon their adoption. However, if passed by a majority vote of members present, such resolutions may also be read at a second and/or third subsequent meeting. Resolutions which involve the expenditure of money shall require three readings on three separate days, unless a reading has been dispensed with by a three-fourths vote of all members of Council.

#### H. Ordinances

Ordinance: An ordinance is the formal, written enactment of the legislative authority of a municipality in the exercise of a governmental power vested by the Constitution or statutes in the municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration.

1. On First Reading  
*Legislation is introduced to the public. Council and Administration comments are heard.*
2. On Second Reading and Public Hearing  
*Legislation may be read in full and comments from the public, Council and Administration are heard.*
3. On Third Reading  
*Legislation shall be voted on for passage by Council.*

*\* Exception to Rule 2. H. 1. Pursuant to Chapter 1131 of the Codified Ordinances of the City of Marysville, a public hearing must be held for all zoning amendments, which would require a second public hearing that may be held at Council's third reading.*

*\*\* There may be exceptions where a citizen's comments may be heard at 3<sup>rd</sup> Reading. Citizens wishing to speak at 3<sup>rd</sup> Reading are required to contact the Clerk in advance of the meeting, and may only be heard with the consent of the presiding officer. ~~Council members, without prior consent and at the discretion of the presiding officer, may respond to the comments made by citizens and/or Council members.~~ \*\**

#### I. Comments from the City Manager and Council Persons and General Discussion

#### J. Adjournment

RULE 3 Each Council person, before speaking upon any subject, shall address the presiding officer and be recognized.

RULE 4 Anyone, other than a Council member, may address the Council by the consent of the presiding

officer and shall be limited to five minutes unless approved by a majority of the Council members present.

RULE 5 Each member of Council shall be required to vote upon all questions before the Council unless a member abstains due to a conflict of interest. An abstention reduces the number of members of the legislative body by the number of Council members who abstain.

RULE 6 The number of Council votes necessary to conduct business is set forth in Appendix A, Council Voting Procedure, which is fully incorporated herein.

RULE 7 A majority of all members of Council shall be considered a quorum for the conducting of business, and a majority vote of all members of Council is necessary for the passage of ordinary legislation. A lesser number may meet and adjourn to a date and time certain.

RULE 8 The Clerk of Council will prepare and make available to each Council member, the agenda of regularly scheduled Council meetings and Work Sessions at least three business days prior to each regular meeting. Persons desiring to introduce legislation will deliver the original of such legislation to the Clerk of Council by 3:00 p.m. four business days preceding the regular meeting. Proposed legislation submitted later than 3:00 p.m. four business days prior will be placed on the agenda for the next subsequent regular Council meeting, unless the legislation is of an emergency nature, in which case, if Council shall consent, which requires a three-fourths vote of all Council members present, it shall be presented at the meeting for which the filing deadline was not met. Clerk or a sponsor of the consent legislation shall give advance notice to Council Members of the consent legislation prior to the meeting at which it will be presented. Council may not present to the Clerk any changes to the proposed minutes of the preceding meeting after 5:00 p.m. on the day before Council is scheduled to vote to approve said minutes. (Effective March 1, 2016)

RULE 9 REPEALED (February 2013)

## II. MOTIONS

RULE 10 Purpose and form. Motions shall be used only to expedite the orderly transaction of the business of Council and shall not be substituted for resolutions or ordinances. The form of all motions shall be "I move that" followed by the substance of the motion. No second shall be required for any motion except as specifically provided for in a rule. Upon demand of any member, any motion shall be reduced to writing. Any such motion may be withdrawn by the maker before it has been amended or voted upon. When a motion is made, it shall be stated by the presiding officer before any debate shall be in order. All motions shall be included in the minutes.

RULE 10.1 After a motion to adjourn into Executive Session, there must be a second to the motion.

RULE 11 Precedence of motions. When a question is before the Council, no motion shall be entertained except the following:

- A. To adjourn
- B. To fix the hour of adjournment
- C. For the previous question
- D. To postpone to a day certain
- E. To postpone indefinitely
- F. To refer to a committee

G. To amend

These motions shall have precedence in the order indicated. The motion to adjourn and the motion for the previous question shall be put to a vote without debate; the motion to fix the hour of adjournment shall be debatable only as to the time of such adjournment and all other motions shall be debatable.

- RULE 12 The previous question. The motion for the previous question shall require a majority vote of all members present on Council; shall be considered only once; may be renewed after intervening business; shall take precedence over all debatable questions and shall be in order to prevent amendment of undebatable questions. When the previous question is moved, it shall be put as follows: "Shall the main question be now put?". There shall be no further amendment or debate, but pending amendments shall be put in their order before the main question. If the question, "Shall the main question be now put?" be decided in the negative, the main question remains before the Council.
- RULE 13 Motion to postpone to a day certain. A motion to postpone to a day certain shall require a majority vote of the members present; shall be subject to reconsideration; may be renewed after intervening business; shall be debatable as to the propriety of the postponement but not upon the merits of the legislation; and may be amended by changing the date. Upon the arrival of the date to which postponed, the legislation shall be considered in the regular order of business of that day.
- RULE 14 Motion to postpone indefinitely. The motion to postpone indefinitely shall have the same effect as motion to lay on the table, and shall require a majority vote of all members present on Council. Motion to postpone indefinitely shall not be reconsidered; shall be debatable and shall open the legislation to debate; may be renewed after intervening business and may not be amended or laid on the table, and shall be subject to previous question.
- RULE 15 Reconsideration. After the decision of any question, any members who voted with the prevailing side may move a reconsideration of any action at the same or the next succeeding meeting, provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. A motion to reconsider shall require a majority vote of all the members present on Council. After a motion for reconsideration has once been acted upon, no other motion for a reconsideration hereof shall be made without a three-fourths vote of members present of Council.

**III. ORDINANCES AND RESOLUTIONS**

- RULE 16 Introduction. Ordinances and resolutions shall be introduced in the Council only in typewritten form, with name of the member or the Mayor introducing the same endorsed thereon. Planning Commission may sponsor legislation specific only to zoning amendments or mandated recommendations to Council, only if unable to secure a sponsor from the Mayor or Council members.
- RULE 17 Form of ordinances. The enacting clause of all ordinances shall be "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO", except those submitted by initiative petition, which shall be "BE IT ORDAINED BY THE PEOPLE OF THE CITY OF MARYSVILLE". All ordinances before introduction shall be in typewritten form, with seven additional copies, on the forms to be provided by the Clerk of Council. No ordinance or resolution or section thereof shall be revised or amended unless the new ordinance or resolution contains the entire ordinance or

resolution, or section revised or amended, and the original ordinance, resolution, section, or sections so amended shall be repealed.

- RULE 18      Emergency ordinances. If any emergency ordinance or resolution fails to receive a two-thirds affirmative vote of all members of Council, such measure shall cease to be before the Council as an emergency measure and shall have the standing that a measure would have had if it had not been read as an emergency measure.
- RULE 19      All ordinances and resolutions shall be read by title only the day when introduced. Such legislation may be referred by the presiding officer to a Work Session, or an appropriate committee or committees, or may be referred by a vote of three members of Council. Such reference shall be reported back to Council on a date certain determined at time of referral, where it shall be heard on second reading. The committee or committees so referred shall, after due consideration, report the same back with or without proposed amendments and with recommendations for approval or disapproval. Written reports, including a minority report, if any, may be prepared and given to the Council Clerk in time to be placed in Council's packet for the next regularly scheduled meeting.
- RULE 20      Other matters, not yet in prepared legislation, may be referred to a Work Session or committee in the same manner as ordinances and resolutions in Rule 19, or referred to a committee by the corresponding committee chairperson. All matters referred to Work Session or committee shall be placed on the committee agenda. If the committee recommends legislation, it shall be placed on Council's agenda for first reading when it is reported to Council.
- RULE 21      Reference to committee on second or third reading. Any pending legislation may, by a vote of a majority of the members present on Council, be referred to any committee under these rules, or to any appropriate committee designated in the motion to refer. When referred back to the Council, such legislation shall have the same standing as it had at the time when referred.
- RULE 22      Mayor may appoint Ad Hoc committees as necessary to deal with matters that do not fall under the purview of standing committees or with matters that cut across several committees, or with affairs that involve a single unusual instance or matter needing attention.
- RULE 23      Mayor may appoint a single council member to act as a liaison between Council and one or more City Commissions or Boards and shall be authorized to assign specific duties as he deems necessary.
- RULE 24      Three readings. No ordinance or resolution shall be passed until it has been read on three separate days, unless the reading on three separate days has been dispensed with by a three-fourths vote of all members of Council. An exception to this rule is a resolution which does not involve an expenditure of money, per Rule 2, Section E, Paragraph 2 of these Council Rules of Procedure.

Furthermore, at second and third readings, all resolutions and ordinances shall be read by title only unless Council, by majority vote of all its members, requires a reading in full.

At the second reading, comments from the public shall be heard.

As an exception to the forgoing, legislation of condolence or congratulations shall be by motion, copies of which shall have been placed upon the desks of the members prior to the meeting and shall be read in full and adopted by voice vote and upon passage shall be included in full in Council's minute book.

**RULE 25** Amendments. It shall be in order to amend an ordinance or resolution at any time when not in the hands of a committee; but if amended on or after its second reading it shall again be read as the second reading thereof. Errors in copying or writing, apparent on the face of an ordinance or resolution, or which do not affect its substance, may be corrected by the Clerk of Council without a Motion to Amend. A majority vote of Council members present shall be necessary for the adoption of an amendment to any legislation pending before the Council.

**RULE 26** At the last meeting of Council in December, every other year, Council will recommend a Council member to serve on the Community Improvement Corporation (C.I.C.) for a two-year term. All members of Council shall have had the opportunity to serve once. If there is no interest by other Council members to serve, a Council member may be reappointed.

The current and all future Council members serving on the Community Improvement Corporation shall resign their appointment to the Community Improvement Corporation after two years. That resignation shall be tendered in January before the Community Improvement Corporation Annual Meeting.

**RULE 27** On an annual basis, the Council shall review Council Rules of Procedure. Any changes will be in effect immediately following support by a majority of Council members. If the changes are not approved by a majority of members, the existing Rules of Procedure remain in effect. Council Rules of Procedure may be amended at any time as deemed necessary by Council.

#### **IV. COMMITTEES**

**RULE 28.1** The following committees shall be the standing committees of this Council, which standing committee will have referred to it legislation or items for consideration for legislation concerning the divisions and departments of this City listed after their name, or as otherwise suggested in the referral. No committee shall be comprised of solely at-large Council members or ward Council members during their respective election years.

**COMMITTEE**

**RESPONSIBILITIES**

Finance

Finance/Audit Committee  
Review and accept monthly finance report per voice vote  
Boards, Commissions, Committees, and  
Recognition Resolutions and Personnel issues.

Public Service/  
Public Safety

Streets and Sanitation,  
Engineering, Division of Wastewater,  
Parks and Recreation,  
Division of Water,  
Buildings & Grounds, and  
Police and Fire

**RULE 28.2** The Mayor will assign all committee members and nominate committee chairpersons not later than the second council meeting in January. Committees shall not have exact duplication of

membership. Mayor and Vice-Mayor shall not be assigned to more than one committee. The nomination of the chairperson will be confirmed or denied by the members of the committee at the first meeting. If the majority votes against the nomination, the committee members will nominate and vote upon their choice for chairperson at the same meeting. Committee meetings shall be open to the public.

**RULE 28.3** An agenda for each meeting shall be made available to the public prior to a scheduled meeting. The meeting shall be advertised as a Committee Meeting /Special Council Meeting to allow additional Council members to attend and participate in discussions during the meeting. The agenda for every committee meeting will be sent to all Council members. Minutes shall be recorded and made available to the public. A draft copy of the minutes shall be made available to every council member when completed.

## **V. WORK SESSIONS**

**RULE 29.1** The City Council shall convene in Work Session on the first Monday of each month, at a time and location to be made available to the public along with the agenda. The primary purpose is to familiarize City Council members with issues, projects, and other matters to include (but are not limited to):

- A. Discussion of legislative proposals;
- B. Receipt and review of committee reports; and
- C. Receipt and review of legislative requests and communications from the members of Council and executive departments/divisions.

**RULE 29.2** City Council reserves the right to read, deliberate, and/or vote on the passage of legislation at a Work Session. If at a Work Session a piece of legislation to be heard at first reading had not been placed on the agenda, it may only be heard by consent, requiring a three-quarters vote of all members of Council present. Legislation scheduled at a subsequent Council meeting for second or third reading may not be heard by consent at a Work Session.

## **VI. EVALUATION OF CITY MANAGER AND CLERK OF COUNCIL**

**RULE 30** City Council shall be responsible for completing the annual evaluations of the City Manager and Clerk of Council and providing the finished forms to Human Resources (HR). The evaluations are based on the calendar year. HR shall provide a “reminder” to the Mayor, each year on or around December 1<sup>st</sup> and no later than the first Council meeting of December to prompt the start of the evaluation process. This HR reminder shall be by email and will include the appropriate forms. Form HR-2/CM is used for the City Manager and form HR-2 is used for the Clerk of Council. This email shall include a courtesy copy to each Council member so they are made aware the process has started. The Mayor is responsible for collecting input from each Council member regarding the evaluations.

**RULE 30.1** Each Council member shall provide their recommendation to the Mayor (by December 31<sup>st</sup> of the reporting period) for both the City Manager and Clerk Council, and using the appropriate forms provided by HR. Due to the timing of this process, Council members not responding by the deadline will not have their input on the final form. Council recommendations may include a rating under each Performance Factor (the 1 through 15 rating, under Section 2), a rating for an Overall Performance (also the 1 through 15, under Section 3), and/or comments to be placed in Section 4 of the forms.

- RULE 30.2 The Mayor shall average the ratings given under the Performance Factors (Section 2) and Overall Performance rating (Section 3) to establish the “recommended rating.” The Mayor has far more interaction with the City Manager and Clerk of Council under our form of government. The Mayor shall use the recommended (average) ratings collected from contributing Council members, and he/she may also adjust the 1 to 15 scoring by a maximum of two (2) points in either direction (up or down). This shall become the single, final rating placed on the final evaluation form.
- RULE 30.3 For the City Manager evaluation, the Mayor shall also include all comments provided by Council members in the “Other Council Member Comments” (Section 4) or via an attachment. For the Clerk of Council, additional Council comments may be included in the Section 3 narrative area. All comments on either form shall be attributed to the applicable Council member.
- RULE 30.4 The completed evaluation forms shall be used during respective meetings between the Mayor and City Manager and Clerk of Council, to review their annual evaluations. The meeting with the City Manager will include the Mayor, the Vice-Mayor and other Council members that may request through the Mayor to be included in the meeting. There will not be, however, more than three members present at this meeting in order to comply with public meeting law. This review shall be accomplished by the second Council meeting in January. The Mayor shall route the completed forms to HR and make the final version available to all Council members. HR shall ensure the form is filed and considered for executive merit program as applicable per City Policy.

The above Rules of Procedure were adopted at the May 13, 1982 meeting of Council.

Rule 1.1 was added; Rule 19 was amended; Rules 19.1 and 19.2 were added during March 24, 1983 meeting of Council.

Rule 2 was amended; Rule 12 was amended; Rule 16 was amended; Rule 19 was amended; Rule 24 was deleted during March 14, 1985 meeting of Council.

Rule 2A., E. and F. were amended during April 1986 meeting of Council.

Rule 25 was amended February 9, 1989.

Rule 15 amended January 10, 1991.

Rule 8 and Rule 9 amended June 27, 1991.

Rule 26 added July 11, 1991.

Rule 3 amended January 9, 1992  
Rule 19 amended January 9, 1992

Rule 8 amended January 13, 1994

Rule 19.2 amended August 11, 1994

Rule 26 amended December 8, 1994

Rule 1.1 amended November 9, 1995

Rule 1.1 amended October 24, 1996  
Rule 2(c)(7)(8) amended October 24, 1996

Rule 26 amended December 12, 1996

Rule 1.1 amended June 14, 2001  
Rule 1.2 and 1.3 added June 14, 2001  
Rule 2, C & G amended June 14, 2001  
Rule 5 amended June 14, 2001  
Rule 8 amended June 14, 2001  
Rule 9 amended June 14, 2001  
Rule 16 amended June 14, 2001  
Rule 19.1 amended June 14, 2001  
Rule 19.2 amended June 14, 2001  
Rule 20 amended June 14, 2001  
Rule 21 deleted June 14, 2001  
Rule 24 amended June 14, 2001  
Rule 25 amended June 14, 2001

Rule 1 amended June 27, 2002

Rule 21 added June 27, 2002  
Rule 22 amended June 27, 2002

Rule 1.2 amended July 11, 2002

Rule 8 amended January 23, 2003

Following rules were amended June 27, 2004:  
Rules 1, 1.1, 1.2, 2(C, E, F, G) 4, 10, 12, 14, 15, 16,  
19, 19.1, 20, 23\*, 25\*, 26\*

Following rules were deleted June 27, 2004:  
Rule 7\*, 22\*, 24\*

Following rules were added June 27, 2004:  
Rules 6\*, 10.1, 27\*

- \* Due to the addition of Rule 6, rule numbers were adjusted accordingly.*
- \* Due to the deletion of Rules 22 and 24, the rule numbers were adjusted accordingly.*

Rule 2 amended March 24, 2005  
Rule 22\* added March 24, 2005  
Rule 26 amended March 24, 2005

- Due to addition of Rule 22, rule numbers were adjusted accordingly.*

Rule 2. C. amended February 9, 2006  
Council Voting Procedure amended February 9, 2006

Rule 2, G. amended January 25, 2007

Rule 1.2. amended October 8, 2009

Rule 2, E. amended November 3, 2009

Rule 23 amended March 11, 2010

Rule 24 amended March 11, 2010

Following rules were amended February 24, 2011:  
Rules 1.1, 2, 5, 8, 15, 19

Following rules were amended March 10, 2011:  
Rules 1.3, 19, 26

Rule 2 amended April 14, 2011

Council Voting Procedure amended February 24, 2011

Following rules were amended March 8, 2012:  
Rules 2A, 2B, 2.H.1, Rule 23

Council Voting Procedure amended March 8, 2012

Following rules were amended on February 14, 2013:  
Rules 8, 25, 26

Rule 9 repealed February 14, 2013

Following rules were amended on March 28, 2013:  
Rules 2.G., 7, 18, 23

Following rule was amended on September 12, 2013:  
Rule 19

Following rule was amended on March 13, 2014:  
Rule 8

Following rule was amended on April 10, 2014:  
Rule 2, H. 2.

Following rules were amended on March 26, 2015:  
Rule 19.1 and 26

Following rule was amended on May 28, 2015:  
Rule 19

Following rules were amended on January 28, 2016:  
Rule 1; Rule 1.1; Rule 1.2; Rule 8; Rule 10; Rule 26

Following rules were amended on February 27, 2017:  
Title, Rule 19

Following rules were amended on June 11, 2018:  
Rule 2E; Rule 8; Rule 19; Rule 20; Rule 27; Rule 28;  
Rule 29; Rule 30

# Rules of Council



Amended on June 11, 2018



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## Rules of Council

City of Marysville  
209 South Main Street  
Marysville, Ohio 43040  
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Effective: XXXXXXXXXXXX

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# Rules of Council

## SECTION 1 RULES AND PROCEDURES OF COUNCIL MEETINGS

RULE 1.0 **Meeting Time & Dates:** The day and hour of the Council meetings shall be the second and fourth Monday of each month at 7:00 p.m., unless modified by a majority of Council members present. (Effective July 1, 2016) ~~If a meeting falls on a holiday for which City Hall is closed in observance, the meeting will take place on the following day (Tuesday) at the same place and time.~~

**Commented [BD1]:** Per Councilman Taylor's recommendation at the last Council Meeting.

RULE 1.1 **Officers:** The officers of Council shall be the Mayor and Vice-Mayor who shall be elected by a majority of Council members present which shall take place at the first meeting in January and begin acting at the second meeting in January of each year. ~~These votes shall be by secret ballot and read aloud at the completion of the ballot by the Clerk of Council.~~ The Mayor of Council will preside at all the meetings unless absent, at which time the Vice-Mayor will preside. The most senior Council member will preside in the absence of the Mayor and the Vice-Mayor. If there is a tie vote for the Mayor and/or Vice-Mayor, the current Mayor and/or Vice-Mayor shall continue to serve until the tie can be broken. In addition, the Mayor will review, coordinate and finalize the agenda ~~as set forth in Rule 8,~~ and will further insure that the Committee Reports are prepared and ready for Council meetings.

**Commented [BD2]:** Propose simply removing the word "secret" as in response to the past Memo from the Law Director.

RULE 1.2 **Mayoral Terms of the Mayor:** ~~The Both the~~ Mayor ~~and Vice-Mayor~~ shall serve ~~a~~ one-year terms ~~as Mayor.~~ The Mayor ~~and Vice-Mayor~~ shall be elected (and may serve consecutive terms) by a majority vote of Council members present.

RULE 1.3 **Resignation of Mayor:** In the event that the Mayor resigns as an officer of Council ~~or is no longer able to serve as Mayor,~~ the Vice-Mayor shall assume the role of the Mayor for the remainder of the unexpired term. With the vacancy created by the Vice-Mayor becoming Mayor or by the resignation of the Vice-Mayor, Council shall vote to fill ~~the the Vice-Mayor~~ position ~~using the same procedure outlined in Rule 1.1 prior to or at the next regularly scheduled meeting.~~

Note: What if Vice Mayor is unable or unwilling to serve as Mayor?

RULE 2-1.4 **Order of Business:** The order of business of the Council meetings shall be:

- A. Pledge of Allegiance
- \_\_\_\_\_ B. Invocation
- CC. Roll Call
- D. Approval of Minutes
- E. Reports
  1. Administrative Report \_\_\_\_\_ (City Manager or Acting City Manager )
  2. Clerk of Council
  3. Economic Development Director \_\_\_\_\_ (~~first~~ 1<sup>st</sup> meeting of month)
  4. Parks & Recreation Report \_\_\_\_\_ (2<sup>nd</sup> meeting of month)  
(~~second meeting of month~~)
  5. Planning Commission/Design Review Board Report \_\_\_\_\_ (2<sup>nd</sup> meeting of month)

~~(second meeting of month)~~

6. Committee Reports ~~(second 2<sup>nd</sup> meeting of month)~~

F. Commendations, Appointments, Special Announcements

G. Hearing of Citizens

H. Resolutions

I. Ordinances

J. Comments from the City Manager and Council Persons and General Discussion

~~H.K. Adjournments~~

I. Resolutions

Resolution: A resolution is the formal, written enactment of a municipal legislative authority of a less permanent nature, not prescribing any permanent rules of conduct and usually required or applied to the preliminary declaration of legislative intent to be effectuated by the subsequent passage of an ordinance, or for the disposition of a specific matter not required by statute or charter provision to be done by ordinance.

Resolutions which do not involve the expenditure of money may be adopted by a majority vote of the members of Council following a single reading by title only, and such resolutions shall become effective immediately upon their adoption. However, if passed by a majority vote of members present, such resolutions may also be read at a second and/or third subsequent meeting. Resolutions which involve the expenditure of money shall require three readings on three separate days, unless a reading has been dispensed with by a three-fourths vote of all members of Council.

J. H. Ordinances

Ordinance: An ordinance is the formal, written enactment of the legislative authority of a municipality in the exercise of a governmental power vested by the Constitution or statutes in the municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration.

1. On First Reading

*Legislation is introduced to the public. Council and Administration comments are heard.*

2. On Second Reading and Public Hearing

*Legislation may be read in full and comments from the public, Council and Administration are heard.*

3. On Third Reading

*Legislation shall be voted on for passage by Council.*

*\* Exception to Rule 2. H. 1. Pursuant to Chapter 1131 of the Codified Ordinances of the City of Marysville, a public hearing must be held for all zoning amendments, which would require a second public hearing that may be held at Council's third reading.*

*\*\* There may be exceptions where a citizen's comments may be heard at 3<sup>rd</sup> Reading. Citizens wishing to speak at 3<sup>rd</sup> Reading are required to contact the Clerk*

**Commented [BD3]:** Is it a rule that the reports are given at these specific monthly (1<sup>st</sup> or 2<sup>nd</sup>) meetings or only explaining what is typical?

**Commented [BD4]:** Could we set aside an order to assist with these atypical items?

**Commented [BD5]:** The definition of Resolution was moved to the Section Titled Resolutions & Ordinances.

~~in advance of the meeting, and may only be heard with the consent of the presiding officer. Council members, without prior consent and at the discretion of the presiding officer, may respond to the comments made by citizens and/or Council members.~~

**Commented [BD6]:** This definition & information was moved to the section titled Resolutions & Ordinances.

~~K. Comments from the City Manager and Council Persons and General Discussion~~

~~J. Adjournment~~

~~RULE 3-1.5~~ **Council Speaking:** Each Council person, before speaking upon any subject, shall address the presiding officer and be recognized.

RULE 1.64 **Others Speaking:** Anyone, other than a Council member, may address the Council by the consent of the presiding officer and shall be limited to five minutes unless approved by a majority of the Council members present.

~~RULE 5-1.7~~ **Voting:** Each member of Council shall be required to vote upon all questions before the Council unless a member abstains due to a conflict of interest. An abstention reduces the number of members of the legislative body by the number of Council members who abstain.

~~RULE 61.8~~ **Voting Procedure:** The number of Council votes necessary to conduct business is set forth in ~~the Appendix A,~~ Council Voting Procedure, which is fully incorporated herein.

~~RULE 71.9~~ **Quorum:** A majority of all members of Council shall be considered a quorum for the conducting of business, and a majority vote of all members of Council is necessary for the passage of ordinary legislation. A lesser number may meet and adjourn to a date and time certain.

~~RULE 8-1.10~~ **Agenda:** The Clerk of Council will prepare and make available to each Council member, the agenda of regularly scheduled Council meetings and Work Sessions at least three business days prior to each regular meeting. ~~Persons desiring to introduce legislation will deliver the original of such legislation to the Clerk of Council by 3:00 p.m. noon, four business days preceding the regular meeting. Proposed legislation submitted later than 3:00 p.m. noon, four business days prior will be placed on the agenda for the next subsequent regular Council meeting, unless the legislation is of an emergency nature, in which case, if Council shall consent, which requires a three-fourths vote of all Council members present, it shall be presented at the meeting for which the filing deadline was not met. Clerk or a sponsor of the consent legislation shall give advance notice to Council Members of the consent legislation prior to the meeting at which it will be presented. Council may not present to the Clerk any changes to the proposed minutes of the preceding meeting after 5:00 p.m. on the day before Council is scheduled to vote to approve said minutes. (Effective March 1, 2016)~~

**Commented [BD7]:** Requested change to noon.

~~RULE 9~~ **REPEALED (February 2013)**

**SECTION 2H. MOTIONS**

**RULE 40-2.0 Purpose and Form:** Motions shall be used only to expedite the orderly transaction of the business of Council and shall not be substituted for resolutions or ordinances. The form of all motions shall be "I move that" followed by the substance of the motion. No second shall be required for any motion except as specifically provided for in a rule. Upon demand of any member, any motion shall be reduced to writing. Any such motion may be withdrawn by the maker before it has been amended or voted upon. When a motion is made, it shall be stated by the presiding officer before any debate shall be in order. All motions shall be included in the minutes.

~~RULE 10.1 After a motion to adjourn into Executive Session, there must be a second to the motion.~~

**RULE 41-2.1 Precedence of motions:** When a question is before the Council, no motion shall be entertained except the following:

- A. To adjourn
- B. To fix the hour of adjournment
- C. For the previous question
- D. To postpone to a day certain
- E. To postpone indefinitely
- F. To refer to a committee
- G. To amend

These motions shall have precedence in the order indicated. The motion to adjourn and the motion for the previous question shall be put to a vote without debate; the motion to fix the hour of adjournment shall be debatable only as to the time of such adjournment and all other motions shall be debatable.

~~RULE 40.12.2 Motion to Adjourn into Executive Session: After a motion to adjourn into Executive Session, there must be a second to the motion.~~

**RULE 42-2.3 Motion for the previous question:** The motion for the previous question shall require a majority vote of all members present on Council; shall be considered only once; may be renewed after intervening business; shall take precedence over all debatable questions and shall be in order to prevent amendment of undebatable questions. When the previous question is moved, it shall be put as follows: "Shall the main question be now put?". There shall be no further amendment or debate, but pending amendments shall be put in their order before the main question. If the question, "Shall the main question be now put?" be decided in the negative, the main question remains before the Council.

**RULE 43-2.4 Motion to postpone to a day certain:** A motion to postpone to a day certain shall require a majority vote of the members present; shall be subject to reconsideration; may be renewed after intervening business; shall be debatable as to the propriety of the postponement but not upon the merits of the legislation; and may be amended by changing the date. Upon the arrival of the date to which postponed, the legislation shall be considered in the regular order of business of that day.

**RULE 44-2.5 Motion to postpone indefinitely:** The motion to postpone indefinitely shall have the same effect as motion to lay on the table, and shall require a majority vote of all members present on Council. Motion to postpone indefinitely shall not be reconsidered;

**Commented [BD8]:** Rule 10.1 and Rule 11 traded order for consistency

shall be debatable and shall open the legislation to debate; may be renewed after intervening business and may not be amended or laid on the table, and shall be subject to previous question.

RULE ~~45-2.6~~ **Reconsideration**- After the decision of any question, any members who voted with the prevailing side may move a reconsideration of any action at the same or the next succeeding meeting, provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. -A motion to reconsider shall require a majority vote of all the members present on Council.- After a motion for reconsideration has once been acted upon, no other motion for a reconsideration hereof shall be made without a three-fourths vote of members present of Council.

**III. SECTION 3- \_\_\_\_\_ ORDINANCES AND RESOLUTIONS**

**RULE 3.0 Resolution:** A resolution is the formal, written enactment of a municipal legislative authority ~~of a less permanent nature, not prescribing any permanent rules of conduct and usually required or applied to the preliminary declaration of legislative intent to be effectuated by the subsequent passage of an ordinance, or for the disposition of a specific matter not required by statute or charter provision to be done by ordinance.~~

~~Resolutions which do not involve the expenditure of money may be adopted by a majority vote of the members of Council following a single reading by title only, and such resolutions shall become effective immediately upon their adoption. However, if passed by a majority vote of members present, such resolutions may also be read at a second and/or third subsequent meeting. Resolutions which involve the expenditure of money shall require three readings on three separate days, unless a reading has been dispensed with by a three-fourths vote of all members of Council.~~

**RULE 3.1 Ordinance:** ~~An ordinance is the formal, written enactment of the legislative authority of a municipality in the exercise of a governmental power vested by the Constitution or statutes in the municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration.~~

**A.**

**1. On First Reading**

- ~~1. Legislation is introduced to the public.~~
- ~~2. Council and \_\_\_\_\_ Administration comments are heard.~~

**B. On Second Reading and Public Hearing**

- ~~1. Legislation may be read in full and comments from the public, Council and Administration are heard.~~

**C. ~~3.~~ On Third Reading**

- ~~1. Legislation shall be voted on for passage by Council.~~

~~\*Exception 1: to Rule 2-H, 1- Pursuant to Chapter 1131 of the Codified Ordinances of the City of Marysville, a public hearing must be held for all zoning amendments, which would require a second public hearing that may be held at Council's third reading.~~

~~Exception 2: \*\*There may be exceptions where a citizen's comments may be heard at 3<sup>rd</sup> Reading. Citizens wishing to speak at 3<sup>rd</sup> Reading are required to contact the Clerk in advance of the meeting, and may only be heard with the consent of the presiding officer. ~~Council members, without prior consent and at the discretion of the presiding officer, may respond to the comments made by citizens and/or Council members.~~\*\*~~

**RULE ~~46-3.2~~ 3.2 Introduction:** Ordinance and resolutions shall be introduced in the Council only in typewritten form, with name of the member or the Mayer-City Manager introducing the same endorsed thereon. Planning Commission may sponsor legislation specific only to zoning amendments or mandated recommendations to Council, only if unable to secure a sponsor from the Mayer-City Manager or Council members.

**Commented [BD9]:** This definition & information was moved to the section titled Resolutions & Ordinances.

**Commented [BD10]:**

**Commented [BD11R10]:** Removing this section that was previously "struck-out" will eliminate unnecessary confusion, questioning, etc.

**Commented [BD12]:** Mayor changed to reflect City Manager

RULE ~~47~~-3.3 **Form of ordinances.** The enacting clause of all ordinances shall be "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO", except those submitted by initiative petition, which shall be "BE IT ORDAINED BY THE PEOPLE OF THE CITY OF MARYSVILLE". The enacting clause of all resolutions shall be "BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO", except those submitted by initiative petition, which shall be "BE IT RESOLVED BY THE PEOPLE OF THE CITY OF MARYSVILLE". All ordinances legislation before introduction shall be presented by the Clerk of Council in typewritten form, ~~with seven additional copies, on the forms to be provided by the Clerk of Council.~~ No ordinance or resolution or section thereof shall be revised or amended unless the new ordinance or resolution contains the entire ordinance or resolution, or section revised or amended, and the original ordinance, resolution, section, or sections so amended shall be repealed.

**Commented [BD13]:** Changed to encompass the form of both Ordinances & Resolutions.

**Commented [BD14]:** Removed the 7 paper copies, as this no longer occurs.

RULE ~~48~~3.4 **Emergency ordinancesMeasure.** -If any emergency measure attached to an ordinance or resolution fails to receive a two-thirds affirmative vote of all members of Council, such measure shall cease to be before the Council as an emergency measure and shall have the standing that a measure would have had if it had not been read as an emergency measure.

**Commented [BD15]:** "Emergency Ordinances" changed to "Emergency Measure" to more clearly define the process of emergency clauses.

RULE ~~49~~3.5 **Introduction and Reference to a Committee.** All ordinances and resolutions shall be read by title only the day when introduced. -Such legislation may be referred by the presiding officer to a Work Session, or an appropriate committee or committees, or may be referred by a vote of three members of Council. -Such reference shall be reported back to Council on a date certain determined at time of referral, where it shall be heard on second reading. -The committee or committees so referred shall, after due consideration, report the same back with or without proposed amendments and with recommendations for approval or disapproval. -Written reports, including a minority report, if any, may be prepared and given to the Council Clerk in time to be placed in Council's packet for the next regularly scheduled meeting.

RULE ~~20~~-3.6 **Other Matters Referred.** Other matters, not yet in prepared legislation, may be referred by a Councilman or City Manager, to a Work Session or standing committee in the same manner as ordinances and resolutions in Rule 193.5, or referred to a committee by the corresponding committee chairperson. - All matters referred to Work Session or committee shall be placed on the committee agenda. -If the committee recommends legislation, it shall be placed on Council's agenda for first reading when it is reported to Council.

RULE ~~24~~-3.7 **Reference to Committee on Second or Third Reading.** Any pending legislation may, by a vote of a majority of the members present on Council, be referred to any committee under these rules, or to any appropriate committee designated in the motion to refer. When referred back to the Council, such legislation shall have the same standing

as it had at the time when referred.

~~RULE 22~~ Mayor may appoint Ad Hoc committees as necessary to deal with matters that do not fall under the purview of standing committees or with matters that cut across several committees, or with affairs that involve a single unusual instance or matter needing attention.

~~RULE 23~~ Mayor may appoint a single council member to act as a liaison between Council and one or more City Commissions or Boards and shall be authorized to assign specific duties as he deems necessary.

RULE 24-3.8 **Three readings** Readings:- No ordinance or resolution shall be passed until it has been read on three separate days, unless the reading on three separate days has been dispensed with by a three-fourths vote of all members of Council. An exception to this rule is a resolution which does not involve an expenditure of money, per ~~Rule 2, Section E, Paragraph 2 of these Council Rules of Procedure~~ 3.0 of these Rules of Council.

Furthermore, at second and third readings, all resolutions and ordinances shall be read by title only unless Council, by majority vote of all its members, requires a reading in full.

At the second reading, comments from the public shall be heard.

~~As an exception to the forgoing, legislation matters of condolence, commendation, or congratulations shall be by motion, copies of which shall have been placed upon the desks of the members prior to the meeting, and shall be read in full, and adopted by voice vote, and upon passage acceptance by Council, shall be included in full in Council's minutes book.~~

RULE 25-3.9 **Amendments**:- It shall be in order to amend an ordinance or resolution at any time when not in the hands of a committee; but if amended on or after its second reading it shall again be read as the second reading thereof. Errors in copying or writing, apparent on the face of an ordinance or resolution, or which do not affect its substance, may be corrected by the Clerk of Council without a Motion to Amend. A majority vote of Council members present shall be necessary for the adoption of an amendment to any legislation pending before the Council.

**Commented [BD16]:** Rules 22 & 23 moved to Section 4 Committees

**Commented [BD17]:** Changed the Rule Reference, also used the updated title: Rules of Council.

**Commented [BD18]:** Does Council continue to want paper copies printed out for distribution to Council?

**Commented [BD19]:** These matters have not been treated as "legislation" and wording was altered to reflect current practice.

**SECTION 4**

~~RULE 26~~ At the last meeting of Council in December, every other year, Council will recommend a Council member to serve on the Community Improvement Corporation (C.I.C.) for a two-year term. All members of Council shall have had the opportunity to serve once. If there is no interest by other Council members to serve, a Council member may be reappointed.

~~The current and all future Council members serving on the Community Improvement Corporation shall resign their appointment to the Community Improvement Corporation after two years. That resignation shall be tendered in January before the Community Improvement Corporation Annual Meeting.~~

~~RULE 27~~ On an annual basis, the Council shall review Council Rules of Procedure. Any changes will be in effect immediately following support by a majority of Council members. If the changes are not approved by a majority of members, the existing Rules of Procedure remain in effect. Council Rules of Procedure may be amended at any time as deemed necessary by Council.

Commented [BD20]: Rule 26 moved to Section 4 Committees.

Commented [BD21]: As this rule does not fit into the current section by nature, perhaps make a new section?

**IV. COMMITTEES**

RULE ~~28.14.0~~ **Standing Committees:** The following committees shall be the standing committees of this Council, which standing committee will have referred to it legislation or items for consideration for legislation concerning the divisions and departments of this City listed after their name, or as otherwise suggested in the referral. No committee shall be comprised of solely at-large Council members or ward Council members during their respective election years.

<u>COMMITTEE</u>	<u>RESPONSIBILITIES</u>
<del>Finance</del>	Finance/Audit Committee Review and accept monthly finance report per voice vote Boards, Commissions, Committees, and Recognition Resolutions and Personnel issues.
<del>Public Service/ Public Safety</del>	Streets and Sanitation, Engineering, Division of Wastewater, Parks and Recreation, Division of Water, Buildings & Grounds, and Police and Fire

RULE ~~28.24.1~~ **Committee Assignments:** The Mayor will assign all committee members and nominate committee chairpersons not later than the second council meeting in January. Committees shall not have exact duplication of membership. Mayor and Vice-Mayor shall not be assigned to more than one committee. The nomination of the chairperson will be confirmed or denied by the members of the committee at the first meeting. If the majority votes against the nomination, the committee members will nominate and vote upon their choice for chairperson at the same meeting. Committee meetings shall be open to the public.

RULE ~~28.34.2~~ **Committee Agendas:** An agenda for each meeting shall be made available to the public prior to a scheduled meeting. The meeting shall be advertised as a Committee Meeting

/Special Council Meeting to allow additional Council members to attend and participate in discussions during the meeting. -The agenda for every committee meeting will be sent to all Council members. Minutes shall be recorded and made available to the public. A draft copy of the minutes shall be made available to every council member when completed.

**RULE 224.3 Ad Hoc Committees:** Mayor may appoint Ad Hoc committees as necessary to deal with matters that do not fall under the purview of standing committees or with matters that cut across several committees, or with affairs that involve a single unusual instance or matter needing attention.

**RULE 234.4 Board & Commissions:** Mayor may appoint a single council member to act as a liaison between Council and one or more City Commissions or Boards and shall be authorized to assign specific duties as he deems necessary.

**Commented [BD22]:** Rules 22 & 23 moved to Section 4 Committees

**RULE 264.5 Community Improvement Corporation:** At the last meeting of Council in December, every other year, Council will recommend a Council member to serve on the Community Improvement Corporation (C.I.C.) for a two-year term.- All members of Council shall have had the opportunity to serve once.- If there is no interest by other Council members to serve, a Council member may be reappointed.

The current and all future Council members serving on the Community Improvement Corporation shall resign their appointment to the Community Improvement Corporation after two years. That resignation shall be tendered in January before the Community Improvement Corporation Annual Meeting.

**Commented [BD23]:** Rule 26 moved to Section 4 Committees.

**SECTION 5V. WORK SESSIONS**

RULE 29.45.0 **Purpose & Time:** The City Council shall convene in Work Session on the first Monday of each month, at a time and location to be made available to the public along with the agenda. If a meeting falls on a holiday for which City Hall is closed in observance, the meeting will take place on the following day (Tuesday) at the same place and time.

The primary purpose is to familiarize City Council members with issues, projects, and other matters to include (but are not limited to):

- A. Discussion of legislative proposals;
- B. Receipt and review of committee reports; and
- C. Receipt and review of legislative requests and communications from the members of Council and executive departments/divisions.

RULE 29.25.1 **Legislation:** City Council reserves the right to read, deliberate, and/or vote on the passage of legislation at a Work Session. If at a Work Session a piece of legislation to be heard at first reading had not been placed on the agenda, it may only be heard by consent, requiring a three-quarters vote of all members of Council present. Legislation scheduled at a subsequent Council meeting for second or third reading may not be heard by consent at a Work Session.

**Commented [BD24]:** Per Councilman Taylor's recommendation at the last Council Meeting.

**SECTION 64- \_\_\_\_\_ EVALUATION OF CITY MANAGER AND CLERK OF COUNCIL**

- RULE ~~306.0~~ **Responsibilities:** City Council shall be responsible for completing the annual evaluations of the City Manager and Clerk of Council and providing the finished forms to Human Resources (HR). The evaluations are based on the calendar year. HR shall provide a “reminder” to the Mayor, each year on or around December 1<sup>st</sup> and no later than the first Council meeting of December to prompt the start of the evaluation process. This HR reminder shall be by email and will include the appropriate forms. Form HR-2/CM is used for the City Manager and form HR-2 is used for the Clerk of Council. This email shall include a courtesy copy to each Council member so they are made aware the process has started. The Mayor is responsible for collecting input from each Council member regarding the evaluations.
- RULE ~~30-16.1~~ **Recommendations:** Each Council member shall provide their recommendation to the Mayor (by December 31<sup>st</sup> of the reporting period) for both the City Manager and Clerk Council, and using the appropriate forms provided by HR. Due to the timing of this process, Council members not responding by the deadline will not have their input on the final form. Council recommendations may include a rating under each Performance Factor (the 1 through 15 rating, under Section 2), a rating for an Overall Performance (also the 1 through 15, under Section 3), and/or comments to be placed in Section 4 of the forms.
- RULE ~~30-26.2~~ **Final Rating:** The Mayor shall average the ratings given under the Performance Factors (Section 2) and Overall Performance rating (Section 3) to establish the “recommended rating.” The Mayor has far more interaction with the City Manager and Clerk of Council under our form of government. The Mayor shall use the recommended (average) ratings collected from contributing Council members, and he/she may also adjust the 1 to 15 scoring by a maximum of two (2) points in either direction (up or down). This shall become the single, final rating placed on the final evaluation form.
- RULE ~~30-36.3~~ **Comments:** For the City Manager evaluation, the Mayor shall also include all comments provided by Council members in the “Other Council Member Comments” (Section 4) or via an attachment. For the Clerk of Council, additional Council comments may be included in the Section 3 narrative area. All comments on either form shall be attributed to the applicable Council member.
- RULE ~~306.4-4~~ **Completion:** The completed evaluation forms shall be used during respective meetings between the Mayor and City Manager and Clerk of Council, to review their annual evaluations. The meeting with the City Manager will include the Mayor, the Vice-Mayor and other Council members that may request through the Mayor to be included in the meeting. There will not be, however, more than three members present at this meeting in order to comply with public meeting law. This review shall be accomplished by the second Council meeting in January. The Mayor shall route the completed forms to HR and make the final version available to all Council members. HR shall ensure the form is filed and considered for executive merit program as applicable per City Policy.

SECTION 7 ~~Review of Rules of Council~~ **VIEW OF RULES OF COUNCIL**

**RULE 7.0 Annual Review:** On an annual basis, the Council shall review ~~Council Rules of Procedure~~ Council. Any changes will be in effect immediately following the passage of a Resolution supported by a majority of Council members. ~~If the changes are not approved by a majority of members, the existing Rules of Procedure~~ Council remain in effect. ~~Council Rules of Procedure~~ Rules of Council may be amended at any time as deemed necessary by Council.

**Commented [BD25]:** Explains the Rules are altered in the form of a Resolution.

**Commented [BD26]:** Also updated all "Rules of Procedure" to "Rules of Council"

**Commented [BD27]:** As this rule does not fit into the current section by nature, perhaps make a new section?

— The above Rules of Procedure were adopted at the May 13, 1982 meeting of Council.

— Rule 1.1 was added; Rule 19 was amended; Rules 19.1 and 19.2 were added during March 24, 1983 meeting of Council.

— Rule 2 was amended; Rule 12 was amended; Rule 16 was amended; Rule 19 was amended; Rule 24 was deleted during March 14, 1985 meeting of Council.

— Rule 2A., E. and F. were amended during April 1986 meeting of Council.

— Rule 25 was amended February 9, 1989.

— Rule 15 amended January 10, 1991.

— Rule 8 and Rule 9 amended June 27, 1991.

— Rule 26 added July 11, 1991.

— Rule 3 amended January 9, 1992

— Rule 19 amended January 9, 1992

— Rule 8 amended January 13, 1994

— Rule 19.2 amended August 11, 1994

— Rule 26 amended December 8, 1994

— Rule 1.1 amended November 9, 1995

— Rule 1.1 amended October 24, 1996

— Rule 2(c)(7)(8) amended October 24, 1996

— Rule 26 amended December 12, 1996

Rule 1.1 amended June 14, 2001

— Rule 1.2 and 1.3 added June 14, 2001

— Rule 2, C & G amended June 14, 2001

— Rule 5 amended June 14, 2001

— Rule 8 amended June 14, 2001

— Rule 9 amended June 14, 2001

— Rule 16 amended June 14, 2001

— Rule 19.1 amended June 14, 2001

— Rule 19.2 amended June 14, 2001

— Rule 20 amended June 14, 2001

— Rule 21 deleted June 14, 2001

— Rule 24 amended June 14, 2001

— Rule 25 amended June 14, 2001

— Rule 1 amended June 27, 2002

— Rule 21 added June 27, 2002

— Rule 22 amended June 27, 2002

— Rule 1.2 amended July 11, 2002

— Rule 8 amended January 23, 2003

— Following rules were amended June 27, 2004:

— Rules 1, 1.1, 1.2, 2(C, E, F, G) 4, 10, 12, 14, 15, 16,

— 19, 19.1, 20, 23\*, 25\*, 26\*

— Following rules were deleted June 27, 2004:

— Rule 7\*, 22\*, 24\*

— Following rules were added June 27, 2004:

— Rules 6\*, 10.1, 27\*

— \* Due to the addition of Rule 6, rule numbers were adjusted accordingly.

— \* Due to the deletion of Rules 22 and 24, the rule numbers were adjusted accordingly.

Rule 2 amended March 24, 2005

Rule 22\* added March 24, 2005

Rule 26 amended March 24, 2005

• Due to addition of Rule 22, rule numbers were adjusted accordingly.

— Rule 2. C. amended February 9, 2006

— Council Voting Procedure amended February 9, 2006

— Rule 2, G. amended January 25, 2007

— Rule 1.2. amended October 8, 2009

— Rule 2, E. amended November 3, 2009

— Rule 23 amended March 11, 2010

— Rule 24 amended March 11, 2010

— Following rules were amended February 24, 2011:

— Rules 1.1, 2, 5, 8, 15, 19

— Following rules were amended March 10, 2011:

— Rules 1.3, 19, 26

— Rule 2 amended April 14, 2011

— Council Voting Procedure amended February 24, 2011

— Following rules were amended March 8, 2012:  
— Rules 2A, 2B, 2.H.1, Rule 23

— Council Voting Procedure amended March 8, 2012

— Following rules were amended on February 14, 2013:

— Rules 8, 25, 26

— Rule 9 repealed February 14, 2013

— Following rules were amended on March 28, 2013:

— Rules 2.G., 7, 18, 23

— Following rule was amended on September 12, 2013:

— Rule 19

— Following rule was amended on March 13, 2014:

— Rule 8

— Following rule was amended on April 10, 2014:

— Rule 2, H. 2.

— Following rules were amended on March 26, 2015:

— Rule 19.1 and 26

— Following rule was amended on May 28, 2015:

— Rule 19

— Following rules were amended on January 28, 2016:

— Rule 1; Rule 1.1; Rule 1.2; Rule 8; Rule 10; Rule 26

— Following rules were amended on February 27, 2017:

— Title, Rule 19

— Following rules were amended on June 11, 2018:

— Rule 2E; Rule 8; Rule 19; Rule 20; Rule 27; Rule 28;

— Rule 29; Rule 30

~~Rules of Council~~



~~Amended on June 11, 2018~~



## Rules of Council

City of Marysville  
209 South Main Street  
Marysville, Ohio 43040  
(937) 645-7356  
[www.marysvilleohio.org](http://www.marysvilleohio.org)

Effective: XXXXXXXXXXXX

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## SECTION 1 RULES AND PROCEDURES OF COUNCIL MEETINGS

- RULE 1.0 **Meeting Time & Dates:** The day and hour of the Council meetings shall be the second and fourth Monday of each month at 7:00 p.m., unless modified by a majority of Council members present. (Effective July 1, 2016) If a meeting falls on a holiday for which City Hall is closed in observance, the meeting will take place on the following day (Tuesday) at the same place and time.
- RULE 1.1 **Officers:** The officers of Council shall be the Mayor and Vice-Mayor who shall be elected by a majority of Council members present which shall take place at the first meeting in January and begin acting at the second meeting in January of each year. These votes shall be by ballot and read aloud at the completion of the ballot by the Clerk of Council. The Mayor of Council will preside at all the meetings unless absent, at which time the Vice-Mayor will preside. The most senior Council member will preside in the absence of the Mayor and the Vice-Mayor. If there is a tie vote for the Mayor and/or Vice-Mayor, the current Mayor and/or Vice-Mayor shall continue to serve until the tie can be broken. In addition, the Mayor will review, coordinate and finalize the agenda, and will further insure that the Committee Reports are prepared and ready for Council meetings.
- RULE 1.2 **Mayoral Terms:** Both the Mayor and Vice-Mayor shall serve one-year terms. The Mayor and Vice-Mayor shall be elected (and may serve consecutive terms) by a majority vote of Council members present.
- RULE 1.3 **Resignation of Mayor:** In the event that the Mayor resigns as an officer of Council or is no longer able to serve as Mayor, the Vice-Mayor shall assume the role of the Mayor for the remainder of the unexpired term. With the vacancy created by the Vice-Mayor becoming Mayor or by the resignation of the Vice-Mayor, Council shall vote to fill the Vice-Mayor position prior to or at the next regularly scheduled meeting.
- RULE 1.4 **Order of Business:** The order of business of the Council meetings shall be:
- A. Pledge of Allegiance
  - B. Invocation
  - C. Roll Call
  - D. Approval of Minutes
  - E. Reports
    - 1. Administrative Report (City Manager or Acting City Manager )
    - 2. Clerk of Council
    - 3. Economic Development Director (1<sup>st</sup> meeting of month)
    - 4. Parks & Recreation Report (2<sup>nd</sup> meeting of month)
    - 5. Planning Commission/Design Review Board Report (2<sup>nd</sup> meeting of month)
    - 6. Committee Reports (2<sup>nd</sup> meeting of month)
  - F. Commendations, Appointments, Special Announcements
  - G. Hearing of Citizens
  - H. Resolutions
  - I. Ordinances
  - J. Comments from the City Manager and Council Persons and General Discussion
  - K. Adjournment
- RULE 1.5 **Council Speaking:** Each Council person, before speaking upon any subject, shall address the presiding officer and be recognized.

- RULE 1.6     **Others Speaking**: Anyone, other than a Council member, may address the Council by the consent of the presiding officer and shall be limited to five minutes unless approved by a majority of the Council members present.
- RULE 1.7     **Voting**: Each member of Council shall be required to vote upon all questions before the Council unless a member abstains due to a conflict of interest. An abstention reduces the number of members of the legislative body by the number of Council members who abstain.
- RULE 1.8     **Voting Procedure**: The number of Council votes necessary to conduct business is set forth in the Council Voting Procedure, which is fully incorporated herein.
- RULE 1.9     **Quorum**: A majority of all members of Council shall be considered a quorum for the conducting of business, and a majority vote of all members of Council is necessary for the passage of ordinary legislation. A lesser number may meet and adjourn to a date and time certain.
- RULE 1.10    **Agenda**: The Clerk of Council will prepare and make available to each Council member, the agenda of regularly scheduled Council meetings and Work Sessions at least three business days prior to each regular meeting. Persons desiring to introduce legislation will deliver the original of such legislation to the Clerk of Council by noon, four business days preceding the regular meeting. Proposed legislation submitted later than noon, four business days prior will be placed on the agenda for the next subsequent regular Council meeting, unless the legislation is of an emergency nature, in which case, if Council shall consent, which requires a three-fourths vote of all Council members present, it shall be presented at the meeting for which the filing deadline was not met. Clerk or a sponsor of the consent legislation shall give advance notice to Council Members of the consent legislation prior to the meeting at which it will be presented. Council may not present to the Clerk any changes to the proposed minutes of the preceding meeting after 5:00 p.m. on the day before Council is scheduled to vote to approve said minutes. (Effective March 1, 2016)

## SECTION 2 MOTIONS

RULE 2.0 **Purpose and Form**: Motions shall be used only to expedite the orderly transaction of the business of Council and shall not be substituted for resolutions or ordinances. The form of all motions shall be "I move that" followed by the substance of the motion. No second shall be required for any motion except as specifically provided for in a rule. Upon demand of any member, any motion shall be reduced to writing. Any such motion may be withdrawn by the maker before it has been amended or voted upon. When a motion is made, it shall be stated by the presiding officer before any debate shall be in order. All motions shall be included in the minutes.

RULE 2.1 **Precedence of Motions**: When a question is before the Council, no motion shall be entertained except the following:

- A. To adjourn
- B. To fix the hour of adjournment
- C. For the previous question
- D. To postpone to a day certain
- E. To postpone indefinitely
- F. To refer to a committee
- G. To amend

These motions shall have precedence in the order indicated. The motion to adjourn and the motion for the previous question shall be put to a vote without debate; the motion to fix the hour of adjournment shall be debatable only as to the time of such adjournment and all other motions shall be debatable.

RULE 2.2 **Motion to Adjourn into Executive Session**: After a motion to adjourn into Executive Session, there must be a second to the motion.

RULE 2.3 **Motion for the Previous Question**: The motion for the previous question shall require a majority vote of all members present on Council; shall be considered only once; may be renewed after intervening business; shall take precedence over all debatable questions and shall be in order to prevent amendment of undebatable questions. When the previous question is moved, it shall be put as follows: "Shall the main question be now put?". There shall be no further amendment or debate, but pending amendments shall be put in their order before the main question. If the question, "Shall the main question be now put?" be decided in the negative, the main question remains before the Council.

RULE 2.4 **Motion to Postpone to a Day Certain**: A motion to postpone to a day certain shall require a majority vote of the members present; shall be subject to reconsideration; may be renewed after intervening business; shall be debatable as to the propriety of the postponement but not upon the merits of the legislation; and may be amended by changing the date. Upon the arrival of the date to which postponed, the legislation shall be considered in the regular order of business of that day.

RULE 2.5 **Motion to Postpone Indefinitely**: The motion to postpone indefinitely shall have the same effect as motion to lay on the table, and shall require a majority vote of all members present on Council. Motion to postpone indefinitely shall not be reconsidered; shall be debatable and shall open the legislation to debate; may be renewed after intervening business and may not be amended or laid on the table, and shall be subject to previous question.

RULE 2.6     **Reconsideration**: After the decision of any question, any members who voted with the prevailing side may move a reconsideration of any action at the same or the next succeeding meeting, provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. A motion to reconsider shall require a majority vote of all the members present on Council. After a motion for reconsideration has once been acted upon, no other motion for a reconsideration hereof shall be made without a three-fourths vote of members present of Council.

## SECTION 3 ORDINANCES AND RESOLUTIONS

RULE 3.0 **Resolution:** A resolution is the formal, written enactment of a municipal legislative authority of a less permanent nature, not prescribing any permanent rules of conduct and usually required or applied to the preliminary declaration of legislative intent to be effectuated by the subsequent passage of an ordinance, or for the disposition of a specific matter not required by statute or charter provision to be done by ordinance.

Resolutions which do not involve the expenditure of money may be adopted by a majority vote of the members of Council following a single reading by title only, and such resolutions shall become effective immediately upon their adoption. However, if passed by a majority vote of members present, such resolutions may also be read at a second and/or third subsequent meeting. Resolutions which involve the expenditure of money shall require three readings on three separate days, unless a reading has been dispensed with by a three-fourths vote of all members of Council.

RULE 3.1 **Ordinance:** An ordinance is the formal, written enactment of the legislative authority of a municipality in the exercise of a governmental power vested by the Constitution or statutes in the municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration.

- A. On First Reading
  - 1. Legislation is introduced to the public.
  - 2. Council and Administration comments are heard.
- B. On Second Reading and Public Hearing
  - 1. Legislation may be read in full and comments from the public, Council and Administration are heard.
- C. On Third Reading
  - 1. Legislation shall be voted on for passage by Council.

Exception 1: Pursuant to Chapter 1131 of the Codified Ordinances of the City of Marysville, a public hearing must be held for all zoning amendments, which would require a second public hearing that may be held at Council's third reading.

Exception 2: There may be exceptions where a citizen's comments may be heard at 3<sup>rd</sup> Reading. Citizens wishing to speak at 3<sup>rd</sup> Reading are required to contact the Clerk in advance of the meeting, and may only be heard with the consent of the presiding officer.

RULE 3.2 **Introduction:** Ordinances and resolutions shall be introduced in the Council only in typewritten form, with name of the member or the City Manager introducing the same endorsed thereon. Planning Commission may sponsor legislation specific only to zoning amendments or mandated recommendations to Council, only if unable to secure a sponsor from the City Manager or Council members.

- RULE 3.3     **Form:** The enacting clause of all ordinances shall be "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO", except those submitted by initiative petition, which shall be "BE IT ORDAINED BY THE PEOPLE OF THE CITY OF MARYSVILLE". The enacting clause of all resolutions shall be "BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO", except those submitted by initiative petition, which shall be "BE IT RESOLVED BY THE PEOPLE OF THE CITY OF MARYSVILLE". All legislation before introduction shall be presented by the Clerk of Council in typewritten form. No ordinance or resolution or section thereof shall be revised or amended unless the new ordinance or resolution contains the entire ordinance or resolution, or section revised or amended, and the original ordinance, resolution, section, or sections so amended shall be repealed.
- RULE 3.4     **Emergency Measure:** If any emergency measure attached to an ordinance or resolution fails to receive a two-thirds affirmative vote of all members of Council, such measure shall cease to be before the Council as an emergency measure and shall have the standing that a measure would have had if it had not been read as an emergency measure.
- RULE 3.5     **Introduction and Reference to a Committee:** All ordinances and resolutions shall be read by title only the day when introduced. Such legislation may be referred by the presiding officer to a Work Session, or an appropriate committee or committees, or may be referred by a vote of three members of Council. Such reference shall be reported back to Council on a date certain determined at time of referral, where it shall be heard on second reading. The committee or committees so referred shall, after due consideration, report the same back with or without proposed amendments and with recommendations for approval or disapproval. Written reports, including a minority report, if any, may be prepared and given to the Council Clerk in time to be placed in Council's packet for the next regularly scheduled meeting.
- RULE 3.6     **Other Matters Referred:** Other matters, not yet in prepared legislation, may be referred by a Councilman or City Manager, to a Work Session or standing committee. All matters referred to Work Session or committee shall be placed on the committee agenda. If the committee recommends legislation, it shall be placed on Council's agenda for first reading when it is reported to Council.
- RULE 3.7     **Reference to Committee on Second or Third Reading:** Any pending legislation may, by a vote of a majority of the members present on Council, be referred to any committee under these rules, or to any appropriate committee designated in the motion to refer. When referred back to the Council, such legislation shall have the same standing as it had at the time when referred.

RULE 3.8 **Three Readings:** No ordinance or resolution shall be passed until it has been read on three separate days, unless the reading on three separate days has been dispensed with by a three-fourths vote of all members of Council. An exception to this rule is a resolution which does not involve an expenditure of money, per Rule 3.0 of these Rules of Council.

Furthermore, at second and third readings, all resolutions and ordinances shall be read by title only unless Council, by majority vote of all its members, requires a reading in full.

At the second reading, comments from the public shall be heard.

As an exception to the forgoing, matters of condolence, commendation, or congratulations shall be read in full, adopted by voice vote, and upon acceptance by Council, shall be included in full in Council minutes.

RULE 3.9 **Amendments:** It shall be in order to amend an ordinance or resolution at any time when not in the hands of a committee; but if amended on or after its second reading it shall again be read as the second reading thereof. Errors in copying or writing, apparent on the face of an ordinance or resolution, or which do not affect its substance, may be corrected by the Clerk of Council without a Motion to Amend. A majority vote of Council members present shall be necessary for the adoption of an amendment to any legislation pending before the Council.

## SECTION 4 COMMITTEES

RULE 4.0 **Standing Committees**: The following committees shall be the standing committees of this Council, which standing committee will have referred to it legislation or items for consideration for legislation concerning the divisions and departments of this City listed after their name, or as otherwise suggested in the referral. No committee shall be comprised of solely at-large Council members or ward Council members during their respective election years.

<b><u>COMMITTEE</u></b>	<b><u>RESPONSIBILITIES</u></b>
Finance	Finance/Audit Committee Review and accept monthly finance report per voice vote Boards, Commissions, Committees, and Recognition Resolutions and Personnel issues.
Public Service/ Public Safety	Streets and Sanitation, Engineering, Division of Wastewater, Parks and Recreation, Division of Water, Buildings & Grounds, and Police and Fire

RULE 4.1 **Committee Assignments**: The Mayor will assign all committee members and nominate committee chairpersons not later than the second council meeting in January. Committees shall not have exact duplication of membership. Mayor and Vice-Mayor shall not be assigned to more than one committee. The nomination of the chairperson will be confirmed or denied by the members of the committee at the first meeting. If the majority votes against the nomination, the committee members will nominate and vote upon their choice for chairperson at the same meeting. Committee meetings shall be open to the public.

RULE 4.2 **Committee Agendas**: An agenda for each meeting shall be made available to the public prior to a scheduled meeting. The meeting shall be advertised as a Committee Meeting /Special Council Meeting to allow additional Council members to attend and participate in discussions during the meeting. The agenda for every committee meeting will be sent to all Council members. Minutes shall be recorded and made available to the public. A draft copy of the minutes shall be made available to every council member when completed.

RULE 4.3 **Ad Hoc Committees**: Mayor may appoint Ad Hoc committees as necessary to deal with matters that do not fall under the purview of standing committees or with matters that cut across several committees, or with affairs that involve a single unusual instance or matter needing attention.

RULE 4.4 **Board & Commissions**: Mayor may appoint a single council member to act as a liaison between Council and one or more City Commissions or Boards and shall be authorized to assign specific duties as he deems necessary.

RULE 4.5 **Community Improvement Corporation**: At the last meeting of Council in December, every other year, Council will recommend a Council member to serve on the Community Improvement Corporation (C.I.C.) for a two-year term. All members of Council shall have had the opportunity to serve once. If there is no interest by other Council members to serve, a Council member may be reappointed.

The current and all future Council members serving on the Community Improvement Corporation shall resign their appointment to the Community Improvement Corporation after two years. That resignation shall be tendered in January before the Community Improvement Corporation Annual Meeting.

## SECTION 5 WORK SESSIONS

RULE 5.0 **Purpose & Time**: The City Council shall convene in Work Session on the first Monday of each month, at a time and location to be made available to the public along with the agenda. If a meeting falls on a holiday for which City Hall is closed in observance, the meeting will take place on the following day (Tuesday) at the same place and time.

The primary purpose is to familiarize City Council members with issues, projects, and other matters to include (but are not limited to):

- A. Discussion of legislative proposals;
- B. Receipt and review of committee reports; and
- C. Receipt and review of legislative requests and communications from the members of Council and executive departments/divisions.

RULE 5.1 **Legislation**: City Council reserves the right to read, deliberate, and/or vote on the passage of legislation at a Work Session. If at a Work Session a piece of legislation to be heard at first reading had not been placed on the agenda, it may only be heard by consent, requiring a three-quarters vote of all members of Council present. Legislation scheduled at a subsequent Council meeting for second or third reading may not be heard by consent at a Work Session.

## SECTION 6 EVALUATION OF CITY MANAGER AND CLERK OF COUNCIL

- RULE 6.0 **Responsibilities:** City Council shall be responsible for completing the annual evaluations of the City Manager and Clerk of Council and providing the finished forms to Human Resources (HR). The evaluations are based on the calendar year. HR shall provide a “reminder” to the Mayor, each year on or around December 1<sup>st</sup> and no later than the first Council meeting of December to prompt the start of the evaluation process. This HR reminder shall be by email and will include the appropriate forms. Form HR-2/CM is used for the City Manager and form HR-2 is used for the Clerk of Council. This email shall include a courtesy copy to each Council member so they are made aware the process has started. The Mayor is responsible for collecting input from each Council member regarding the evaluations.
- RULE 6.1 **Recommendations:** Each Council member shall provide their recommendation to the Mayor (by December 31<sup>st</sup> of the reporting period) for both the City Manager and Clerk Council, and using the appropriate forms provided by HR. Due to the timing of this process, Council members not responding by the deadline will not have their input on the final form. Council recommendations may include a rating under each Performance Factor (the 1 through 15 rating, under Section 2), a rating for an Overall Performance (also the 1 through 15, under Section 3), and/or comments to be placed in Section 4 of the forms.
- RULE 6.2 **Final Rating:** The Mayor shall average the ratings given under the Performance Factors (Section 2) and Overall Performance rating (Section 3) to establish the “recommended rating.” The Mayor has far more interaction with the City Manager and Clerk of Council under our form of government. The Mayor shall use the recommended (average) ratings collected from contributing Council members, and he/she may also adjust the 1 to 15 scoring by a maximum of two (2) points in either direction (up or down). This shall become the single, final rating placed on the final evaluation form.
- RULE 6.3 **Comments:** For the City Manager evaluation, the Mayor shall also include all comments provided by Council members in the “Other Council Member Comments” (Section 4) or via an attachment. For the Clerk of Council, additional Council comments may be included in the Section 3 narrative area. All comments on either form shall be attributed to the applicable Council member.
- RULE 6.4 **Completion:** The completed evaluation forms shall be used during respective meetings between the Mayor and City Manager and Clerk of Council, to review their annual evaluations. The meeting with the City Manager will include the Mayor, the Vice-Mayor and other Council members that may request through the Mayor to be included in the meeting. There will not be, however, more than three members present at this meeting in order to comply with public meeting law. This review shall be accomplished by the second Council meeting in January. The Mayor shall route the completed forms to HR and make the final version available to all Council members. HR shall ensure the form is filed and considered for executive merit program as applicable per City Policy.

## SECTION 7 REVIEW OF RULES OF COUNCIL

RULE 7.0 **Annual Review**: On an annual basis, the Council shall review Rules of Council. Any changes will be in effect immediately following the passage of a Resolution supported by a majority of Council members. If the changes are not approved by a majority of members, the existing Rules of Council remain in effect. Rules of Council may be amended at any time as deemed necessary by Council.

The above Rules of Procedure were adopted at the May 13, 1982 meeting of Council.

Rule 1.1 was added; Rule 19 was amended; Rules 19.1 and 19.2 were added during March 24, 1983 meeting of Council.

Rule 2 was amended; Rule 12 was amended; Rule 16 was amended; Rule 19 was amended; Rule 24 was deleted during March 14, 1985 meeting of Council.

Rule 2A., E. and F. were amended during April 1986 meeting of Council.

Rule 25 was amended February 9, 1989.

Rule 15 amended January 10, 1991.

Rule 8 and Rule 9 amended June 27, 1991.

Rule 26 added July 11, 1991.

Rule 3 amended January 9, 1992  
Rule 19 amended January 9, 1992

Rule 8 amended January 13, 1994

Rule 19.2 amended August 11, 1994

Rule 26 amended December 8, 1994

Rule 1.1 amended November 9, 1995

Rule 1.1 amended October 24, 1996  
Rule 2(c)(7)(8) amended October 24, 1996

Rule 26 amended December 12, 1996

Rule 1.1 amended June 14, 2001  
Rule 1.2 and 1.3 added June 14, 2001  
Rule 2, C & G amended June 14, 2001  
Rule 5 amended June 14, 2001  
Rule 8 amended June 14, 2001  
Rule 9 amended June 14, 2001  
Rule 16 amended June 14, 2001  
Rule 19.1 amended June 14, 2001  
Rule 19.2 amended June 14, 2001  
Rule 20 amended June 14, 2001

Rule 21 deleted June 14, 2001  
Rule 24 amended June 14, 2001  
Rule 25 amended June 14, 2001

Rule 1 amended June 27, 2002

Rule 21 added June 27, 2002  
Rule 22 amended June 27, 2002

Rule 1.2 amended July 11, 2002

Rule 8 amended January 23, 2003

Following rules were amended June 27, 2004:  
Rules 1, 1.1, 1.2, 2(C, E, F, G) 4, 10, 12, 14, 15, 16, 19, 19.1, 20, 23\*, 25\*, 26\*

Following rules were deleted June 27, 2004:  
Rule 7\*, 22\*, 24\*

Following rules were added June 27, 2004:  
Rules 6\*, 10.1, 27\*

*\* Due to the addition of Rule 6, rule numbers were adjusted accordingly.*

*\* Due to the deletion of Rules 22 and 24, the rule numbers were adjusted accordingly.*

Rule 2 amended March 24, 2005  
Rule 22\* added March 24, 2005  
Rule 26 amended March 24, 2005

*Due to addition of Rule 22, rule numbers were adjusted accordingly.*

Rule 2. C. amended February 9, 2006  
Council Voting Procedure amended February 9, 2006

Rule 2, G. amended January 25, 2007

Rule 1.2. amended October 8, 2009

Rule 2, E. amended November 3, 2009

Rule 23 amended March 11, 2010

Rule 24 amended March 11, 2010

Following rules were amended February 24, 2011:  
Rules 1.1, 2, 5, 8, 15, 19

Following rules were amended March 10, 2011:  
Rules 1.3, 19, 26

Rule 2 amended April 14, 2011

Council Voting Procedure amended February 24, 2011

Following rules were amended March 8, 2012:  
Rules 2A, 2B, 2.H.1, Rule 23

Council Voting Procedure amended March 8, 2012

Following rules were amended on February 14, 2013:  
Rules 8, 25, 26

Rule 9 repealed February 14, 2013

Following rules were amended on March 28, 2013:  
Rules 2.G., 7, 18, 23

Following rule was amended on September 12, 2013:

Rule 19

Following rule was amended on March 13, 2014:  
Rule 8

Following rule was amended on April 10, 2014:  
Rule 2, H. 2.

Following rules were amended on March 26, 2015:  
Rule 19.1 and 26

Following rule was amended on May 28, 2015:  
Rule 19

Following rules were amended on January 28, 2016:  
Rule 1; Rule 1.1; Rule 1.2; Rule 8; Rule 10; Rule 26

Following rules were amended on February 27, 2017:  
Title, Rule 19

Following rules were amended on June 11, 2018:  
Rule 2E; Rule 8; Rule 19; Rule 20; Rule 27; Rule 28;  
Rule 29; Rule 30

**CHAPTER 131**  
**Parks and Recreation Commission**

**131.01 Established: compensation;  
powers and duties.**

CROSS REFERENCES

Criminal mischief - see GEN. OFF. 541.04

Destruction of shrubs, trees or crops - see GEN. OFF. 541.06

Parks - see S.U. & P.S. Ch. 951

**131.01 ESTABLISHED: COMPENSATION; POWERS AND DUTIES.**

(a) Established. There is hereby created and established a Parks and Recreation Commission for the City, which Commission shall consist of the following seven members: a Council member appointed by the President of Council, a student member appointed by the Mayor from recommendations submitted by Marysville Exempted Village School District, and five residents who shall be appointed by the President of Council with the approval of Council. Public members shall represent all geographical sections of the City insofar as reasonable and practical.

(Ord. 52-96. Passed 9-26-96.)

(b) Term of Office. The term of the original Council member shall expire December 31, 1976, and thereafter appointments shall be for a term of three years. Any vacancy shall be filled by the President of Council for the unexpired portion of such term.

The term of the five persons to be appointed by the President of Council, with the approval of Council, shall be two terms expiring November 30, 1983, and two terms expiring November 30, 1984, and one term expiring November 30, 1985. Thereafter each appointment shall be for three-year terms. In the event that a vacancy occurs during the term of any member, his successor shall be appointed by the President of Council and approved by the Council, for the unexpired portion of such term.

The term of the student member shall be one year beginning on June 1 and ending on May 31. Any vacancy shall be filled by the Mayor from the recommendations of the Marysville Exempted Village School District.

(c) Compensation. Members of the Commission shall receive such compensation as is set by Council.

(d) Powers and Duties. The Commission shall have the power to study, investigate, plan, advise and report to Council, the Director of Public Service or the Director of Administration any action, program, plan or legislation which the Commission finds or determines to be necessary to advisable for the effective operation and maintenance of public parks and recreation facilities for use of the residents of the City. The Commission shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business. The Clerk of Council shall be ex-officio secretary of the Commission.  
(Ord. 21-88. Passed 9-22-88.)