

ORDINANCE NO. 2022 – 01
(as amended)

AN ORDINANCE MENDING AND RESTATING THE RULES OF VILLAGE COUNCIL

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEW LONDON, HURON COUNTY, OHIO, AS FOLLOWS:

Section 1. That, upon the effective date of this Ordinance, the “Rules of Council” for this legislative body shall be amended and restated to state as follows, in their entirety:

VILLAGE OF NEW LONDON
RULES OF COUNCIL

RULE 1: MEETINGS.

- 1.1 Regular meetings shall be held in the Council Chambers on the second and fourth Monday of each month at 7:00 p.m., excepting that the Council may, at its discretion, cancel or postpone any meeting or schedule only one monthly meeting. Meetings will normally be held at the Village Hall, unless otherwise directed by the Mayor or President *pro tempore* of Council.
- 1.2 Special meetings of Council may be called by the Mayor or any three members of Council. The Fiscal Officer of Council shall cause notice in writing of each special meeting to be served personally or to be left at the usual place of residence of each member of Council and the Mayor not less than twelve hours preceding the time for such special meeting. Such notice shall set forth the time, date and place of the meeting and a concise statement of the matters to be considered at the meeting. Action taken at a special meeting shall be limited to that contained in the notice calling the special meeting.
- 1.3 A Committee-of-the-Whole-Session or “Work Session” may be called by the Mayor or President *pro tempore*.
- 1.4 All meetings shall be open to the public except for Executive Sessions as allowed by State law.
- 1.5 Due to unusual weather conditions or illness when travel or meeting may not be safe, a meeting may be cancelled by agreement of the Mayor and President *pro tempore* of Council.

RULE 2: ORDER OF BUSINESS.

AGENDA

- 2.1 PREPARATION. The agenda for all meetings of Council shall be prepared by the Fiscal Officer under the guidance of the Mayor with the assistance of the Village Administrator. No item requiring action may be placed on the agenda later than 24 hours prior to the time of a meeting.
- 2.2 DELIVERY. It shall be the responsibility of the Fiscal Officer to be assured that the agenda is delivered to all members of Council, Mayor and Administration in their mailboxes in the Council room or by personal delivery or e-mail by Noon on the Friday before a regular meeting and not less than 24 hours prior to the time of the special meeting
- 2.3 CHANGES. Any change to the published agenda shall not be made other than by a majority

vote in council on the motion to amend which shall not be debatable except for a brief statement of necessity by the maker of the motion. Such a motion shall require a second.

2.4 **ORDER OF BUSINESS.** The agenda shall reflect the following order of business. It is noted that this section is directory in nature and is not mandatory and is subject to the discretion of the presiding officer.

- 1) Call Meeting to Order
- 2) Invocation
- 3) Pledge of Allegiance
- 4) Roll Call
- 5) Approval of Agenda
- 6) Approval of Minutes of Last Regular or Special Meeting
- 7) Public Questions & Statements (Note: Anyone wishing to speak must state their name and will be allowed 3 minutes on their subject)
- 8) Administrator
- 9) Mayor
- 10) Police
- 11) Fire
- 12) Ambulance
- 13) Zoning
- 14) Recreation
- 15) Proposed Resolutions and Ordinances
- 16) Old Business
- 17) New Business
- 18) Approval of Bill to be Paid .
- 19) Executive Session (If Needed)
- 20) Adjourn

For the second regular meeting in each month, the agenda may be abridged, subject to the further discretion/direction of the presiding officer, as follows.

- 1) Call Meeting to Order
- 2) Invocation
- 3) Pledge of Allegiance
- 4) Roll Call
- 5) Approval of Agenda
- 6) Approval of Minutes of Last Regular or Special Meeting
- 7) Public Questions & Statements (Note: Anyone wishing to speak must state their name and will be allowed 3 minutes on their subject)
- 8) Administrative comments (if necessary)
- 9) Proposed Resolutions and Ordinances
- 10) Old Business
- 11) New Business
- 12) Approval of Bill to be Paid .
- 13) Executive Session (If Needed)
- 14) Adjourn

RULE 3: COMMITTEES.

- 3.1 **STANDING COMMITTEES.** Council shall have the following standing committees with the responsibilities shown:
 - 3.1.1 **AUDIT COMMITTEE.**
 - a. The Council shall establish itself as an Audit Committee, consisting of all members of the Council, serving as a Committee of the Whole.
 - b. The Audit Committee shall meet at least quarterly.
 - c. Its duties shall include:
 - 1. To periodically review the process used to prepare interim financial information;
 - 2. To periodically review the statements and notes issued by the Fiscal Officer in order to correct any identified errors or omissions;
 - 3. To confirm that documents are being properly executed and submitted to the county and state auditor's offices as may be required by law;
 - 4. To review with administration and outside auditors, upon completion of an audit, the financial results and findings prior to their finalization and dissemination to the public;
 - 5. To discuss with outside auditors the quality of the Village's financial and accounting process and any recommendations for improvements to internal financial controls, controls over compliance with laws and regulations, or the selection of accounting principles and management reporting systems; and
 - 6. To review letters of management and audit results on an ongoing basis to confirm that necessary efforts are undertaken for correction and compliance;
 - d. The Committee shall report its findings and conclusions, if any, in its official minutes.
 - 3.1.2 **ADDITIONAL STANDING COMMITTEES.** The mayor may from time to time appoint additional standing committees, subject to the approval of the majority of council.
- 3.2 **SPECIAL COMMITTEES.** The Presiding Officer may from time to time appoint special committees for limited purposes, subject to the approval of the majority of Council.
- 3.3 **COMPOSITION OF COMMITTEES.** Standing and special committees shall consist of not less than three members of Council, appointed by the presiding officer and approved by a majority vote of Council.
- 3.4 **DUTIES OF COMMITTEE CHAIRMAN**
 - 3.4.1 The Chairman shall:
 - a. Appoint a vice-chairman to serve in the chairman's absence.
 - b. Be responsible for the delivery, not less than five days before the next scheduled meeting, of the agenda to all elected officials and members of the administration.
 - c. Provide copies of whatever supporting material is available, that is germane to the discussion of items on the agenda. If supporting material is unchanged between meetings it need be provided only upon its first availability. Whenever possible, supporting material shall be delivered with the agenda.
 - d. Be responsible for maintaining an up to date status of all legislation directed to the committee until such time as legislation has received final approval or disapproval of Council
 - e. Assist the Fiscal Officer in the preparation of committee meeting minutes and assure their delivery to all elected office holders and administration.
- 3.5 **COMMITTEE MEETINGS.**
 - 3.5.1 Meetings of all committees of Council shall be public meetings and whenever possible shall be held in public buildings; however, each committee by a majority of its voting

members may elect to hold meetings wherever it deems necessary to properly further its assigned purpose. All committee meetings will be called by the Chairman of such committee or by two voting members giving notice of the date, time and place to all members of the committee, Mayor, Village Administrator, Council members and Fiscal Officer. The Fiscal Officer shall notify all members of Council of all committee meetings. Any members of Council shall have to right to sit with any committee, present information, take part in any discussion, and question witnesses, however members of Council shall have a vote only when regularly assigned to such committee.

RULE 4: LEGISLATION.

- 4.1 **FORM.** Before an ordinance or resolution is adopted, it shall be prepared by the Solicitor to insure it is correct as to form and legality of purpose. Proposed ordinances or resolutions shall be prepared at the request of the Mayor, Administrator, Fiscal Officer, Solicitor, any Department Head, or any member of Council.
- 4.2 **ORDINANCES.** The term “ordinances” refers to the type of action by Council which is of general or permanent nature, creates a right, grants a franchise or involves the expenditure of money, the levying of a tax, or authorizes the purchase, lease, sale or transfer of property. Ordinances shall be presented to Council in writing in the form required by law.
- 4.3 **RESOLUTIONS.** The term “resolution” is used in connection with the action of Council in passing legislation generally referred to a declaration of intent or purpose, the authorization of some temporary act or administrative procedure. A resolution may initiate, direct or carry out administrative duties and functions which are granted to Council under statutory laws or Municipal ordinances. Resolutions shall be presented to Council in writing in the form required by law.
- 4.4 **ZONING ORDINANCES.** No zoning ordinance or any amendment thereto shall be passed unless it is first submitted to the Planning Commission for approval, disapproval of recommendations and the Commission is allowed not less than thirty days for consideration and report. Council shall hold a public hearing on the zoning ordinance or amendment with notice of the time and place as required by Ohio Revised Code 713.12. No such ordinance or amendment which violates, differs from or departs from the Planning Commission recommendations, plan or report shall take effect unless passed by not less than three-fourths of the full membership of Council. No such ordinance or amendment which agrees with the recommendation, plan or report of the Planning Commission shall take effect unless passed by a majority of members elected to Council.
- 4.5 **PENDING LEGISLATION.**
 - 4.5.1 All ordinances and/or resolutions that have been tabled or postponed in excess of twelve months shall be considered null and void, and any further action on the subjects covered shall be reintroduced as new legislation.
 - 4.5.2 Any ordinance and/or resolution tabled to a date indefinite or definite shall be removed from the table upon a motion to remove the ordinance and/or resolution from the table with appropriate second and upon passage by a majority of Council.
 - 4.5.3 When an ordinance or resolution fails to receive approval of a majority of council on its first or second readings, it shall be deemed to have been tabled.
 - 4.5.4 Any matter submitted to Council with a request for passage on an emergency basis [*i.e.*, to waive the statutory requirement for reading on three separate days, and to take effect immediately] shall specify the reason for the emergency.

RULE 5: DELIBERATIONS.

- 5.1 All deliberations of Council shall be governed by the Constitution of the United States, the Constitution of the State of Ohio, the Ohio Revised Code, duly enacted ordinances and resolutions of the Municipality, the Rules of Council as contained herein, and in those areas of parliamentary procedure not specifically set forth in the foregoing documents by Robert's Rules of Order, newly revised.
- 5.2 **DUTY OF THE PRESIDING OFFICER.** The Presiding Officer shall recognize members and other persons who wish to address Council, prior to such member of person taking the floor.

The Presiding Officer may utilize the following rules when exercising his control of the discussion of any ordinance, resolution of motion:

- 5.2.1 No member or person shall be permitted to speak longer than five minutes at any one time;
- 5.2.2 No member or person shall be permitted to speak more than two times for or against the proposition under consideration;
- 5.2.3 The above rules may be suspended to permit unlimited debate by a vote of three-fourths majority of Council.

RULE 6: COUNCIL ACTION.

- 6.1 **VOTING.** Except as otherwise provided in these rules or by law, all ordinances and resolutions will be voted upon in open Council. Any member or the Mayor may request that a vote on an ordinance or resolution be conducted by roll call vote. In the absence of such prior request, the Fiscal Officer shall ask for those voting "aye" and those voting "no"; if the vote is all "aye," it shall be so recorded in the minutes; if the vote is not all "aye," then a roll call vote shall be taken. For a roll call vote, the Fiscal Officer shall call the roll each Council member will respond either "aye" or "yes", "nay" or "no", or "abstain". No other comment shall be considered proper during the vote. The Fiscal Officer shall record the vote and the same shall be preserved in the minutes of the meeting. After the vote is complete, the Presiding Officer shall disclose the results thereof, Except as otherwise provided herein, or by law, a majority shall carry any resolution, ordinance, or motion. The Mayor shall have no vote except as provided by the Ohio Revised Code in a tie vote. The President *pro tempore* of Council shall have a vote while conducting a council meeting. No question concerning the vote of any member will be proper after the vote is called. A vote to enter into executive session shall be by roll call vote.
- 6.2 **ABSTAINING VOTE.** No member shall be questioned concerning the necessity of an abstaining vote. A decision to abstain is a matter personal to each member and under no condition may this action be challenged. Each member is urged to use his careful discretion in this matter.
- 6.3 **RECONSIDERATION.** A motion to reconsider shall only be in order at the same or next regular meeting following the actions to be reconsidered. Motions to reconsider must be made by a member voting on the prevailing side, or one who was absent.
- 6.4 **DEFINITIONS:**
 - 6.4.1 **QUORUM:** A quorum at any meeting of Council shall consist of a majority of the current members of council.
 - 6.4.2 **MAJORITY:** When all six Council positions are filled, four members of Council shall

constitute the necessary majority for the normal transaction of business.

- 6.4.3 TWO-THIRDS MAJORITY: When all six Council positions are filled, a two-thirds majority shall mean four (4) members of Council.
- 6.4.4 THREE-FOURTHS MAJORITY: When all six Council positions are filled, a three-fourths majority shall mean five (5) members of Council.

RULE 7: GENERAL PROVISIONS.

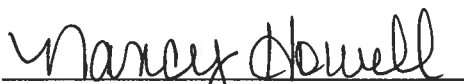
- 7.1 Except as expressly required by law or these Rules, any Rule may be suspended by the affirmative votes of a majority of Council.
- 7.2 These Rules may be changed permanently by the affirmative vote of a majority of council.
- 7.3 In the absence of the Fiscal Officer, a majority of Council shall have the authority to appoint one of its members to perform those duties of the Fiscal Officer, as Temporary Acting Fiscal Officer, per the Ohio Revised Code.
- 7.4 SUSPENSION OF RULES. Suspension of rules regarding reading of ordinances or resolutions shall be as provided in the Ohio Revised Code. When a motion is properly made and seconded to suspend the rule requiring reading at three separate meeting days, no debate shall be permitted on the motion.
- 7.5 EMERGENCY LEGISLATION. Emergency legislation shall be enacted as provided by the Ohio Revised Code.
- 7.6 EFFECTIVE DATE. The effective date of legislation shall be as provided by the Ohio Revised Code.
- 7.7 AMENDING LEGISLATION. Any new language or any additions to existing ordinances or resolutions must be printed so that any change is readily apparent.
- 7.8 PUBLIC NOTICES FOR SPECIAL MEETINGS & PUBLIC HEARINGS. The following places are hereby designated as places for posting:
Office of Village Fiscal Officer
New London Public Library
New London School
New London Post Office
- 7.9 NEWSPAPERS DESIGNATED FOR LEGAL PUBLICATION. The New London Record and Norwalk Reflector are hereby designated as newspapers in which legal publications required by law may be published.
- 7.10 EXECUTIVE SESSIONS. No tape recorders shall be permitted in Executive Sessions.

Section 2. That this Ordinance shall take effect from and after the earliest period allowed by law.

PASSED: February 14, 2022


MAYOR

ATTEST:


FISCAL OFFICER