

**RULES & REGULATIONS  
FOR  
VILLAGE COUNCIL MEMBERS**

ACCEPTED: SEPTEMBER 9, 1996  
EFFECTIVE: JANUARY 1, 1997  
AMENDED BY COUNCIL: April 13, 2009

## AGENDA FOR VILLAGE COUNCIL MEETING

Date:

Time:

Pledge of Allegiance

Roll Call

Approval of Minutes

Motion to Pay Current Bills

Audience Participation

Introduction of Visitors Appearing Before Council

Reports of Municipal Offices

1. Village Mayor
2. Village Administrator
3. Village Clerk-Treasurer
4. Sheriff's Department

Reading of Communications

Reports of Standing Committees

Reading of Ordinances & Resolutions

1. Third Readings
2. Second Readings
3. First Readings

Unfinished Business

New Business

Council Comments

Adjourn

## RULES OF COUNCIL

### I. MEETINGS

#### 1. Regular Meetings

Regular meetings of Council shall be held in the Council Chambers at 7:30 p.m. on the second and fourth Monday of each month. Council may, by majority vote, change the day and hour of holding any regular meeting or adjourn the same to a day and hour determined by a like vote of the members present if constituting a quorum.

#### 2. Special Meetings

Council shall hold such special meetings as may be found necessary, which may be called by the Clerk upon the written request of the Mayor or upon the written request of three (3) members of Council or by act of Council or, written, verbal request. Any such vote or request for the calling of a special meeting shall state the subject or subjects to be considered thereat, and no other subjects shall be considered except upon the approval of four (4) or more of the members of Council in attendance at such special meeting.

Notice of such special meeting, if called by the Mayor or by three (3) members of Council, shall be given to each member of Council and to the Mayor by personal service or by delivery thereof at their usual place of residence.

### II. THE CHAIR -- POWERS AND DUTIES

#### 1. Roll Call

The Mayor, or in the absence of the Mayor, the President Pro Tempore of Council, shall take the chair at the hour appointed for Council to meet, and immediately shall call the Council to order with the Pledge of Allegiance. The roll shall then be called by the Clerk, who shall enter in the journal of each meeting the names of the members present thereat. In the absence of a quorum at the time appointed for a meeting, the members present may by a majority vote, take a recess or recesses for not more than thirty (30) minutes and cause the Clerk to procure the attendance of absent members.

#### 2. Temporary Chairman

In case of the absence of the Mayor, and the President Pro Tempore of Council, the Clerk shall call the Council to order. The Clerk shall call the roll and if a quorum is found to be present, the Council shall proceed to elect by a

majority vote, a substitute chairman of the meeting until the appearance of the Mayor or President Pro Tempore of Council.

3. Appeals From Decision of the Chair

The Chair shall preserve decorum and decide all questions of order, subject to appeal of Council. If any member transgresses the Rules of Council, the Chair shall, or any member may, call him to order and in the latter instance, the Chair shall render a decision as to the point of order. In case of an appeal from a ruling of the Chair, the question shall be, "Shall be the decision of the Chair stand as the decision of Council?" The Chair shall be sustained unless overruled by a majority vote of the members of Council present.

4. Votes

All questions shall be stated and put by the Chair as follows:

- a. Roll Call Votes: When the Clerk calls each member of Council's name, the member shall respond with a "yea" or "nay" or "yes" or "no" or abstain when said member's name is called. In the event of a tie vote of Council, the Mayor shall then cast a vote. The Chair shall declare the vote after the Clerk has announced the number of votes on each side.
- b. Upon the request of a member of Council, a motion may be made to vote by ballot. The motion then seconded needs majority vote to pass.

A ballot will be passed out to each member for them to write their vote. The ballot is collected and counted by the Clerk or Acting Clerk in the presence's of the Chairman or Acting Chairman. A ballot vote will be used when Council is electing the President Pro Tempore of Council.

5. Chair's Power to Vote

The Mayor shall have no veto power, and shall have no vote except in the event of a tie vote of the members of Council present, in which case, the Mayor shall have the power to vote and the Mayor's vote shall have the same legal effect as a vote of a member of Council. Any member of council who is serving as Chairman shall have the same power to vote as other members.

### III MEMBERS' DUTIES AND PRIVILEGES

1. Seating Arrangement

Seats in the Council Chamber shall be arranged in numerical order and all members shall occupy said seats after drawing same by a lot at the first

Council meeting each calendar year.

2. Addressing the Chair

Members when about the speak or question, or make a motion, shall address the Chair as “Mayor” or “Acting Mayor”. Members addressing Council shall confine themselves to the question under debate and avoid personalities.

3. Limitation of Debate

No member or Mayor shall be allowed to speak more than once upon any one subject until every member choosing to speak shall have spoken, no more than twice upon the same subject, nor for a time longer than five (5) minutes, without leave of Council as expressed by a majority vote of the members present.

4. Voting

Every member present, when a question is put, shall vote on the same.

In the event a member has a conflict of interest or a strong personal involvement in the matter under consideration, the member shall notify the Chair before **discussion or** vote is called that the member will choose to abstain when called to vote. The member shall state his or her conflict of interest or personal involvement. After which, the Council shall vote to accept the member’s reason to abstain. The abstaining members shall not **be part of the discussion or** vote on this question. A member voting “abstain” shall be counted with and become a part of the majority of the members of Council voting on the matter under consideration.

5. Division of a question

On demand of any member, a question under consideration which covers two or more points, shall be divided where the question admits of such division.

6. Order for Roll Call Vote

The Clerk shall rotate the vote for each matter before Council.

7. Attendance

It is the duty and obligation of each Council member to attend Council meetings and the Committee Meetings of which they are members of. If a Council member cannot attend a meeting, he/she should notify the Mayor or Clerk, giving the reason for said absence. An excused absence may include: vacation, unanticipated job requirement, illness of a family member, death of

a relative or family member. If questioned by Council, the reason for the absences is to be provided by the Mayor or the Clerk. Council can decide if a absence is excused. Three (3) unexcused absences in a twelve (12) month period is cause for dismissal.

8. Appointing a Council Person

Upon announcement of resignation:

1. Approval of Council by majority vote.

Post notice of vacancy at the same public locations which ordinances are posted.

By the next meeting date, have all candidates submit a resume to the Village Clerk which includes:

1. Name of Candidate
- d. Residence Address
- e. The date which the candidate became a Village Resident
- f. The candidate's experience, occupation, etc.
- g. Why the candidate wants to be on Council.

The Candidate's resume shall be read aloud during the regular meeting.

Enter into executive session to review candidate(s) – include all Council members, Mayor, Village Clerk, and Village Administrator.

Return to meeting.

Motion to nominate candidate(s):

This may be postponed until next meeting, which would be approximately 30 days from the resignation of former council person.

Council shall vote by written ballot. The Clerk shall then read aloud the ballots which shall be confirmed by the Mayor.

It shall require a majority vote of the remaining Council members to appoint a candidate for the unexpired term to Village Council.

If Council fails to fill the vacancy by a majority vote within 30 days, the Mayor shall fill it by appointment.

#### IV ORDER OF BUSINESS

The order of business at meetings of Council shall be as follows:

1. Order of Business
  - a. Pledge of Allegiance
  - b. Roll Call
  - c. Approval of Agenda and Registered Additions
  - d. Approval of Minutes of Preceding Meeting -- If no objection is made to the minutes, the same shall be approved as submitted without vote.
  - e. Current Bills.
  - f. Audience Participation -- Any person wishing to address Council, will register upon entering meeting and indicate the topic on the roster sheet. The presiding officer of Council shall determine if the topic is of interest for the Council to review before allowing the person to speak. Persons wishing to speak will address the presiding officer of Council. Persons wishing to provide comment to Council may speak for a period of five minutes unless extended by motion and approval of Council. Council reserves the right to limit repetitive comments.
  - g. Introduction of Visitors -- Persons pre-registered with the Mayor, Administrator, Clerk, or Council Person shall be introduced and may speak at this time and/or during the appropriate Committee reporting times.
  - h. Reports and Communications from the Mayor, Clerk, Village Administrator, or Police, having been filed with the Clerk not later than 4 p.m. on the second municipal working day next preceding the meeting day.
  - i. Reports of Standing Committees and motions deemed necessary upon recommendation of Committee Chairman.
  - j. Reports of Special Committees and motions deemed necessary upon recommendation of Committee Chairman.
  - k. Ordinances and Resolutions appearing on the agenda. It shall be the duty of the Clerk to include the same on the calendar of said meeting day, in their order upon call. The Clerk is to prepare the agenda and see it is in each Council member's hand prior to the Council Meeting.

Matters not filed with the Clerk and introduced upon said call shall not be read or referred to, but shall be held over until the next meeting, to be placed on the calendar and taken up on the regular call of the member, unless leave for immediate consideration be granted by a majority of the members present.

1. The first reading of an ordinance and resolution by title only.

l. Second reading of ordinances and resolutions.

1. By Title Only

m. Third reading of ordinances and resolutions.

1. By Title Only

n. If any changes are made in an ordinance or resolution, said ordinance or resolution should be read in its entirety.

o. Upon motion of any Council member, the order of business at any meeting may be altered by affirmative vote of two-thirds (2/3) of the members present.

2. Unfinished Business

The Mayor will address each Council member with regard to matters once discussed that still have not been acted upon. Upon the request of any member of Council, the reading of the journal to which information is pertinent to the old business at hand may be read.

3. New Business

4. Council Member's Comments

5. Adjourn

## V. COMMITTEES

The appointment of all Committees, Boards, Commissions, or Inspectors shall be made by the Mayor after discussing the appointment with each appointee and receiving their acceptance and after the approval of Council.

The Mayor, at his or her discretion, shall appoint a Chairman from within each group.



## 1. Appointment of Committees

The following standing committees consisting of three (3) members are each hereby authorized. Appointment of members to such committees shall be made at the first meeting of the year.

- a. Finance, Benefits, Wages & Insurance
- b. Safety, Welfare, & Legislative
- c. Buildings, Properties & Maintenance
- d. Streets, Alleys, Parks & Sidewalks
- e. Sewer, Utilities, & Street Lights
- f. Industrial & Commercial Development

## 2. Committee of the Whole

The President Pro Tempore of Council shall preside when Council resolves itself into the Committee of the Whole. These rules of Council shall govern the Committee of the Whole except that no limit shall be placed on time or frequency of speaking and that the previous question cannot be moved. All questions shall be decided by a majority vote of members present. When this Committee arises any measure, together with any amendments thereto, reported out, shall receive the immediate consideration of Council unless otherwise ordered placed on the calendar.

## 3. Meetings

Committees shall meet on call of the Mayor or head of the Committee or on the request of two (2) members of a Committee. Outcome of the meeting shall be reported to the Mayor prior to Council Meeting. A written recommendation shall be given to the Clerk when said committee reports to Council.

## 4. Quorum

A majority of members of a Committee shall constitute a quorum.

## 5. Temporary Chairman

In the absence of the Chairman, the member named next shall act as Temporary Chairman.

## 6. Report

The Chairman of each committee shall have prepared a written report to be presented to the Clerk for inclusion on the agenda and in the minutes of

Council.

## 7. Recommendations

Recommendations of committees shall be agreed to by a majority thereof. All documents referred shall be returned to Council with the report of the Committee. Upon motion, and by a majority vote, Council may relieve a committee of further consideration of any question, and order it placed on the calendar. When any matter is referred to a committee with instructions to report at a time named in the order of reference, failure to report at such time, shall be considered as if reported back without recommendation, unless the time for report is extended by Council. If no such extension is granted, the committee shall forthwith return to the Municipal Clerk the documents pertaining thereto, and the matter shall take its appropriate place on the calendar.

## VI MOTIONS

When a motion is made, it shall be stated by the Chair before debate. Any member may demand that it be reduced to writing. A motion shall not be withdrawn by the mover without the consent of Council. Unless otherwise required by law, a motion shall be deemed passed if it receives the affirmative vote of a majority of the members present including the Chair, if entitled to vote thereon.

### 1. Order of Precedence

When a question is before Council, no motion shall be entertained except the following:

- a. To adjourn
- b. To table
- c. The previous question
- d. To postpone to a time certain
- e. To refer
- f. To amend
- g. To postpone indefinitely

Said motions shall have precedence in the foregoing order.

### 2. Motion to adjourn

A motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion
- b. When made while another member is speaking
- c. When the previous question has been ordered

d. While a vote is being taken

A motion to adjourn is not debatable, except as to time to which the meeting is adjourned.

3. Motion to Table

A motion to lay on the table shall reclude all amendments or debate of the subject under consideration. If the motion prevails, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of the majority of the members present.

4. Previous Question

The previous question shall be stated in these words: "Shall debate now close?" The motion shall pass if two-thirds (2/3) of the members present shall favor it. If the said motion is ordered, there shall be no further amendments or debate, but the question shall be put immediately.

5. Motions to Postpone

Motions to postpone may be amended as to time, excepting a motion to postpone indefinitely. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

## VII EXECUTIVE SESSION

Any member of Council or the Mayor may request an Executive Session of Council. The member so requesting said Executive Session must state the purpose of said session and the persons to be included. A majority vote is required to go into Executive Session as well as to come out of Executive Session. Said session discussions are limited to those matters referred to in the Executive Session request.

**There shall be no minutes written, audio recordings, or any other type of written notes taken during any executive session. No member of Council, Mayor, or Village employee or others attending shall reveal or repeat any information discussed during any executive session.**

**Council can not punish or expel others attending an executive session for revealing information. Therefore, Council shall be discreet when considering those who attend an executive session.**

## VIII VILLAGE PROPERTY

Council Members and Mayor shall sign out all Village Ordinance Books, policy Manuals, Keys and any other Village items. At the end of the Member's term, the Clerk/Treasurer shall withhold final pay until the Member has returned all Village items.

## IX COUNCIL MEMBER REIMBURSEMENT

Council members shall be reimbursed for their expenses after attending meetings **pre-approved by the majority of Council** outside the Village. This expense shall include cost of seminar, meals, parking and mileage if personal vehicle is driven. Reimbursement shall not include cost of spouse's expenses.

## X EXPULSION AND PUNISHMENT OF MEMBERS OF COUNCIL

**Council may punish or expel any member for disorderly conduct or violation of its rules and declare his/her seat vacant for absence without excuse, where such absence has continued for two months. (731.45 R.C.)**

## XI EFFECTIVE DATE

Council rules shall remain in full force and effect until amended or repealed by Council.