

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2024-03**

AN ORDINANCE RESCINDING ORDINANCE NO 89-30 IN ITS ENTIRETY AND ADOPTING RULES OF COUNCIL OF THE CITY OF SOUTH LEBANON, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10 of the City of South Lebanon Charter states that “The Council shall determine its own rules and order of business in conformity with the provisions of this Charter”; and

WHEREAS, the Mayor has created a special Council committee (Rules of Council Committee) for the purpose of reviewing the Rules of Council and to recommend any changes to the Rules of Council established by Ordinance No. 89-30; and

WHEREAS, on February 6, 2024, the Rules of Council Committee unanimously voted to recommend adoption of the attached Rules of Council; and

WHEREAS, immediate action is required to meet the requirements of Section 3.10 of the City Charter in establishing Rules of Council, and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

Be it **ORDAINED** by a two-thirds of the Council of the City of South Lebanon, Ohio as follows:

Section 1. The City Council hereby rescinds Ordinance No. 89-30 in its entirety and adopts the Rules of Council as attached and incorporated herein.

Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

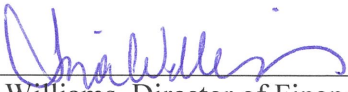
Section 3. All formal actions of City Council regarding this Ordinance were passed in an open meeting of City Council in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Ordinance shall be in full force and effective immediately upon its passage.

Adopted this 15th day of February, 2024.



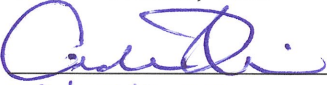
Linda S. Burke, Mayor

Attest: 
Petrina D. Williams, Director of Finance/Clerk

Rules Suspended:	<u>2/15/24</u>	(if applicable)
First Reading:	<u>-</u>	
Second Reading:	<u>-</u>	
Vote:	<u>6</u> Yeas	
	<u> </u> Nays	
Effective Date:	<u>2/15/24</u>	

Prepared by and approved as to form:

Andrew P. Meier
Law Director
City of South Lebanon, Ohio

By: 
Date: 2/15/2024

**CITY OF SOUTH LEBANON, OHIO
RULES OF COUNCIL**

The Council of the City of South Lebanon, Ohio shall operate according to the following Rules:

A. Compliance with Law

The Rules of the Council of the City of South, Lebanon, Ohio (“the Rules”) shall be in addition to all provisions set forth in the Charter of the City of South Lebanon, Ohio (“the Charter”) and Ohio law. To the extent the Rules conflict with the Charter and Ohio law, the Charter and Ohio law shall apply.

B. Meetings of Council

1. Regular Meetings: Regular meetings of Council shall be held on the first and third Thursdays of each month and shall commence at 6:00 p.m.
2. Workshop Meetings: A Workshop meeting of Council shall be held immediately following the first Regular meeting of the month. No formal action of Council shall be taken during a Workshop meeting.
3. Special Meetings: Special meetings are governed by Section 3.12 of the Charter. Unless otherwise provided in the notice of any such special meeting, special meetings shall commence at 6:00 p.m. on the day provided in the notice.
4. Open to the Public: All meetings of Council shall be open to the public and held in accordance with the Charter and Ohio law and, unless otherwise ordered by majority vote of the Council, shall be held in Council Chambers in the Municipal Building currently located at 10 High Street, South Lebanon, Ohio 45065.

C. The Chair – Powers and Duties

1. Roll Call: The Mayor shall take the chair at the hour appointed by Council to meet and shall immediately call the meeting to order. The roll shall be called by the Clerk of Council, who shall enter into the minutes of the meeting the names of the members present. If a quorum is present, the meeting shall proceed consistent with the rules. If there is not a quorum, then the Mayor shall adjourn the meeting.
2. Temporary Chair: If the Mayor is absent, the Vice Mayor shall call the meeting to order and chair the meeting. If both the Mayor and Vice Mayor are absent, the Clerk of Council shall call the meeting to order and call the roll. If a quorum is present, Council shall proceed to elect, by a majority vote, a temporary chair for the meeting.
3. Appeals from Decision of the Chair: The chair shall preserve decorum and decide all questions on order, subject to appeal to Council. If there is an appeal from a ruling of the chair, the question shall be: “Shall the decision of the chair stand as the decision of

Council?” If a member violates the rules, the Chair shall call him or her to order, in which case he or she shall relinquish the floor, unless permitted to explain.

4. Votes: All questions shall be stated by the Chair. In the case of a roll call vote, the roll call shall be taken by the Clerk of Council. Upon completion of the roll call, the Clerk of Council shall announce the result. The result of an oral vote, such as on a Motion to Adjourn, shall be declared by the chair without reference to the Clerk. Where the results of an oral vote are in doubt, the chair may, and on the demand of any member shall, call for a roll call vote. It shall not be an order for members to explain their votes during the call of the roll.

D. Members of Council – Duties and Privileges

1. Seating Arrangements: Seats in the Council chambers shall be arranged at the discretion of the Mayor.
2. Addressing the Chair: Members, when about to speak to a question or make a motion, shall address the chair as “Mayor”, who shall then pronounce the name of the member entitled to the floor. Members addressing Council shall confine themselves to the question under debate and avoid personalities.
3. Limitations on Debate: No member shall be aloud to speak more than once upon any one subject until every member choosing to speak has spoken, no more than twice upon the same subject, nor for a longer time than five minutes each, without leave of Council as expressed by a majority vote of the members present.
4. Voting: Council shall vote in order of the roll call, with each member voting by use of the word “yea” or “nay” or “yes” or “no”. Any member who abstains from voting shall be deemed to have voted with a majority on the issue at hand, unless the member was prohibited from voting by Ohio law or was compelled to abstain by circumstances which in his or her opinion give rise to a conflict of interest.
5. Division of a Question: On demand of any member, a question under consideration that covers two or more subjects shall be divided where the question admits of such division.
6. Personal Privilege: The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are assailed, questioned, or impuned.
7. Dissents and Protest: Any member shall have the liberty to consent to or protest against any Council ordinance, resolution, or decision, and have the reason or reasons thereof entered upon the journal. Such dissent may be made in writing, in respectful language, and presented to Council not later than the next regular meeting following the passage of such ordinance, resolution, or decision.

8. Demand for Roll Call: Any member may demand a roll call vote upon any question before Council at any time before the decision on said question is announced by the chair.
9. Excusal from Attendance: Any member who will be absent from a meeting shall notify the Mayor, Clerk of Council, or City Administrator of such absence as soon as possible before such meeting. Absences reported shall be brought before Council for approval and inclusion in the minutes.
10. Excusal During Meeting: No member shall be excused while Council is in session except upon permission of the chair.

E. Order of Proceedings

1. Agendas: The Clerk of Council shall prepare the agenda for each meeting and make available to each Council member and other individuals as necessary, copies of the agenda, along with copies of items of business filed by Council members, ordinances, resolutions, petitions, correspondence, reports, or any other items placed on the agenda. These packets shall be made available, to the extent possible, to each member not later than 48 hours before the meeting. The deadline for filing of agenda items shall be no later than 12:00 p.m. on the Monday before the meeting, unless otherwise approved by the City Administrator. Copies of the agenda will be available in Council chambers for the use of the public.
2. Order of Business: At all regular meetings of Council, the order of procedure shall be as follows unless otherwise provided herein or by majority vote of Council:
 - a. Call to order at 6:00 p.m.
 - b. Roll Call
 - c. Pledge of Allegiance
 - d. Approval of Minutes of Prior Meetings
 - e. Guests
 - f. Floor open to the public. Any items brought before Council by a citizen of an administrative nature shall be referred to the City Administrator for a report at the next regular meeting. Any matter of a policy nature shall be placed on the agenda of the next regular Council meeting. Citizens desiring to address Council must sign the visitor sheet and state their name and address prior to speaking. Comments are limited to three minutes. Large groups are encouraged to select no more than three spokespersons.
 - g. New business
 - h. Old business
 - i. Communications or reports from City Officials, Committees, and Boards
 - j. Adjournment

3. Change in Order of Proceedings: Upon motion of any member, the order of business in any meeting may be altered by affirmative vote of the majority of the members present.

F. Motions

1. Passage of 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 movant without the consent of Council. A motion must be seconded in order to be brought to a vote and the motion shall be deemed passed if it receives the affirmative vote of a majority of the members of Council according to the charter.
2. Order of Procedure: When a question is before Council, no motion shall be entertained except for the following:
 - a. To adjourn
 - b. To lay on the table
 - c. Previous question
 - d. To postpone to a certain time
 - e. To refer
 - f. To amend
 - g. To postpone indefinitely

Said motions shall have precedence in the foregoing order.

3. Motion to Adjourn: A motion to adjourn shall be an order at any time except as follows:
 - a. When repeated without intervening business or discussion
 - b. When 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 the time to which the meeting shall be adjourned.

4. Motion to Lay on the Table: A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the consideration of the subject may be resumed upon motion of a member voting with the majority and the consent of the majority of the members present.
5. Previous Question: Previous question shall be stated in these words: "Shall debate now close?" The motion shall pass if the majority of the members present shall favor it. If the motion is ordered, there shall be no further amendment or debate, but the question shall be put immediately to a vote.

6. Motion to Postpone: Motions to postpone may be amended as to time, except a motion to postpone indefinitely. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.
7. Motion to Amend: A motion to amend shall be susceptible of but one amendment. An amendment once rejected may not be moved again in the same form.
8. Motion to Suspend Rules: Section 4.04 of the Charter shall be applicable.
9. Motion to Reconsider: A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the session of Council at which the vote was taken. A motion to reconsider any other action taken by Council may be made not later than the next regular meeting after the vote of Council thereon. In either case, such motion may be made only by a member who voted with the prevailing side. The concurrence of a majority of the members present shall be sufficient for reconsideration of the vote. If a motion for reconsideration is lost, it shall not be entertained again.
10. Motion to Pass Ordinance or Resolution: The reading and passage of each ordinance or resolution shall be made pursuant to the Charter. A suggested statement of a motion for emergency ordinances is as follows:
 - a. "I move to suspend the rule requiring the reading of ordinance number _____ on two separate days and authorize adoption on the first reading."
 - b. "I move to adopt ordinance number _____."

G. Committees

1. Standing Committees: In order to facilitate the functioning of Council and to coordinate Council's operations with the City Administrator and Administration, the following committees of Council are hereby established. These committees are intended to compliment and not conflict with the duties of the City Administrator and the Administration as developed in the Charter. All committees are developed to assist the Administration and to provide Council with information regarding the functions of the City.
 - a. Finance and Budget Committee
 - b. Economic Development Committee
 - c. Parks and Recreation Committee
 - d. Personnel Committee
 - e. Public Works Committee
 - f. Public Utilities Committee
 - g. Annexation Committee
 - h. Events Committee
 - i. New Housing Authority Review Committee

2. Special Committees: Special committees for particular purposes may be formed and appointed by the Mayor at any time.

H. Miscellaneous

1. Record of Proceedings: The Clerk of Council shall maintain a written record of all meetings of Council, which shall be approved at the following regular meeting if possible. To assist the Clerk of Council in reviewing the proceedings and maintaining the record of Council meetings, audio recordings shall be taken and maintained for a period of two years. There shall be no audio and/or video recording device used by anyone except by the Clerk of Council for the purpose of maintaining audio and/or video recordings of Council meetings.
2. Decorum in Council Chambers: The chair shall maintain decorum in Council chambers during sessions. Persons, other than members of Council, City Officials, and Members of the Press, shall not be permitted upon the floor of the Council, or to address Council, except upon introduction by the chair or a member of Council. ~~If anyone, other than a municipal official, desires to speak to a member of Council while it is in session, the member, if agreeable to the request, shall leave his seat and retire to the rear of the Council chambers or elsewhere until the conversation is finished.~~
3. Amending Rules: A majority vote is required to alter, amend, rescind, or supplement these rules. Any proposed alterations, amendments, or supplements shall be submitted in writing at a regular meeting and placed on the agenda for the next regular meeting under the Order of new business. Such proposed alterations, amendments, or supplements may be adopted at the meeting at which the same are submitted.
4. Law Director: The Law Director shall, when requested by a member of Council, give a verbal opinion on any question of law concerning municipal affairs, in open Council, but he may if he deems the matter of importance, take a reasonable time to submit his opinion in writing.
5. Use of Electronic Devices: With the exception of the City-provided devices to Council members, the use of personal electronic devices within the Council Chambers is strictly prohibited while a Council meeting is in-session, unless granted permission by the Chair. This shall include City officials and audience members.
6. Social Media Activity: No member of Council shall post, comment or share on any social media platform where such activity of an individual member of Council could be construed (either explicitly or implicitly) as being an official or approved representation of the City or the City Council.