



RULES OF COUNCIL
CITY OF FAIRFIELD, OHIO

As adopted on July 28, 2003

TABLE OF CONTENTS

Section 1	AUTHORITY.....	1
Section 2	COUNCIL OFFICES	
2.1	Council President.....	2
2.2	Vice-Mayor.....	2
2.3	Clerk of Council.....	2
2.4	Absence of Presiding Officer and President Pro-tem.....	2
Section 3	COUNCIL MEETINGS	
3.1	Council Meetings.....	3
3.2	Special Meetings.....	3
3.3	Regular Meetings.....	3
3.4	Public Hearings.....	3
3.5	Committee Meetings.....	3
3.6	Holidays on Monday.....	3
3.7	Executive Sessions of Council.....	3,4
Section 4	RULES OF COUNCIL; ORGANIZATIONAL MEETING	
4.1	Organizational Meeting.....	5
4.2	Rules of Council.....	5
4.3	Standing Committees.....	5
4.4	Special Committees.....	5
4.5	Form of Reports.....	5
4.6	Relieving a Committee.....	5
4.7	Reports.....	5
Section 5	COUNCIL PROCEDURE FOR REGULAR AND SPECIAL MEETINGS	
5.1	Council Attendance.....	6
5.2	Agenda for Regular and Special Meetings.....	6
5.3	Council Rules.....	7,8,9
Section 6	PUBLICATION OF ORDINANCES AND RESOLUTIONS	
6.1	Newspaper Publication.....	10
6.2	Required Public and Private Posting Locations.....	10
6.3	City Web Site.....	10
Section 7	NOTICE OF MEETINGS AND EXECUTIVE SESSIONS.....	11
Appendix A	GUIDELINES FOR CITIZEN COMMENTS	
Appendix B	CITY COUNCIL COMMITTEE RESPONSIBILITIES	

Section 1

AUTHORITY

The Charter of the City of Fairfield, Ohio provides for open meetings of the City Council at which reasonable opportunity shall be given for citizens to be heard under such rules as Council may provide. The Rules of Council establish guidelines to be followed by all persons attending a city council meeting, including members of Council, staff and visitors.

Section 2

COUNCIL OFFICES

- 2.1 Council President.** The Mayor shall be the President of Council and shall preside at all meetings of the Council. The Mayor shall have no vote on any matter before the Council except in the case of a tie vote among the members of the Council. The Mayor shall appoint the members of the Committees created by Council. As president of the Council, the Mayor shall have such other powers and duties, if any, as provided by the Rules of Council. [City Charter §3.04]
- 2.2 Vice-Mayor.** At the first meeting of the Council in January of each even numbered year, the Mayor shall appoint a member of the Council to serve as Vice-Mayor. During the temporary absence of the Mayor, the Vice Mayor shall exercise all the powers, duties and functions of the Mayor, provided that the Vice-Mayor shall retain his or her membership on the Council and shall be entitled to vote on all matters coming before the Council, but the Vice-Mayor shall not be entitled to vote to break a tie vote where he or she has previously voted on the issue. [City Charter §3.05]
- 2.3 Clerk of Council.** The Council shall appoint, by a majority of its members, a person to serve as the Clerk of Council. The Clerk of Council shall serve at the pleasure of the Council and may be removed without cause by a majority vote of the members of Council. [City Charter §3.06]
1. The Clerk of Council shall keep a full and complete record of all council meetings, special meetings and public hearings.
 2. The Clerk of Council shall keep minutes of the general subject matter of the discussions in executive sessions of Council.
 3. The Clerk of Council shall not be required to read said minutes of regular meetings of Council, but shall duly note and make any corrections to said minutes which may be ordered by Council.
 4. The Clerk of Council shall furnish each member of Council with a copy of the minutes of regular or special meetings prior to the next regular meeting of Council.
 5. The Clerk of Council and other employees and officers shall be under the control and direction of the presiding officer during sessions of Council.
 6. The Clerk of Council shall give notice of regular, special, committee, council-manager briefings, and public hearing meetings of the Council to the members of Council, the public, and the news media.
- 2.4 Absence of Presiding Officer and President Pro-tem.** In case of the absence of the Presiding Officer and President Pro-tem, the Clerk of Council shall call the Council to order; and the roll having been called and a quorum found to be present, Council shall proceed to elect by a majority vote, a Chairman of the meeting who shall preside until adjournment, or until the appearance of the Mayor or Vice-Mayor.

Section 3

COUNCIL MEETINGS

- 3.1 Council Meetings.** Council shall determine, by majority vote of its members, the frequency, dates and times of regular meetings in order to properly conduct its business. At the beginning of each term, the Council shall determine and publicly announce the times, dates and places of meetings to be held other than at the municipal building for the sole purpose of obtaining citizen comments and input into the affairs of the City. [City Charter §3.07]
- 3.2 Special Meetings.** Special meetings may be called, for any purpose by the Mayor or any two members of Council upon at least twelve hours written notice to the Mayor and each member of the Council. Written notice may be served personally or left at the usual place of residence. Members of the Council and the Mayor who are present at a meeting when the presiding officer announces a special meeting need not receive notice of the special meeting. [City Charter §3.07]
- 3.3 Regular Meetings.** Regular meetings of Council shall be held on the second (2nd) and fourth (4th) Monday of each month commencing at 7:00 p.m., and shall include a council-manager briefing as part of the regular meeting commencing at 6:00 p.m., unless modified by Council.
- 3.4 Public Hearings.** Public hearings of Council are generally held on the second (2nd) or fourth (4th) Monday of each month and are generally the first item on the Council agenda following the call to order unless Council votes otherwise. Following the presentation of a project or issue by the applicant/proponent and/or City staff, citizen comments are generally limited to five (5) minutes per individual speaker unless additional time is approved by Council. Groups shall name a spokesperson whenever possible. Council reserves the right to conclude the public hearing if, in their opinion, Council determines that all viewpoints have been received and the comments have reached a point where they are repetitive.
- 3.6 Committee Meetings.** Meetings of committees of Council shall be held on an as-needed basis.
- 3.7 Holidays on Monday.** In the event that the second (2nd) and fourth (4th) Monday shall be a legal holiday, the regular meeting of Council shall be held on the following Tuesday unless changed by Council.
- 3.8 Executive Sessions of Council.** Executive sessions of City Council shall be held in accordance with the Ohio Revised Code and *The Sunshine Law*, the State of Ohio's Open Meetings Law. Executive sessions may be held only to:

- Consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual.
- Purchase of property
- Pending or imminent litigation
- Prepare for, conduct, or review collective bargaining strategy
- Discussion of matters required to be kept confidential by federal law, federal rules, or state statutes.
- Discuss details of security arrangements and emergency response protocols;
- Discuss trade secrets of a county hospital

During an open meeting of Council, a majority of the members must approve, by a roll call vote, the executive session of Council.

No member of Council, employee of the City, or any other person present during an executive session of Council shall disclose the content or substance of any discussion of such information unless such disclosure is necessary and appropriate.

Section 4

RULES OF COUNCIL; ORGANIZATIONAL MEETING

- 4.1 Organizational Meeting.** The Council shall be a continuing body, but shall meet in the Council Chambers at its first meeting in January of each even numbered year for the purpose of organization. [City Charter §3.08]
- 4.2 Rules of Council.** Council shall adopt, by majority vote of its members, its own Rules of Council including Guidelines for Citizen Comments, a copy of which is attached hereto as Appendix A and incorporated herein by reference, which shall not conflict with the Charter and which shall remain in effect until amended, changed or repealed by a majority vote of the members of Council. The Rules shall go into immediate effect unless a later date is specified, and shall not be subject to initiative or referendum. The Rules of Council shall provide: for the number and composition of committees of Council, if any, subject to the Mayor's right to appoint members of Council to its committees, and such other matters as Council shall determine to be necessary for the proper functioning and government of Council. [City Charter §3.08]
- 4.3 Standing Committees.** In implementing this Section, the Mayor shall appoint three members of Council, designating the Chair and Vice-Chair, to serve on each of the following committees:
1. Community and Public Relations
 2. Development Services
 3. Finance and Budget
 4. Parks, Recreation and Environment
 5. Public Safety
 6. Public Utilities
 7. Public Works
- The responsibilities of the above committees shall be as described in the attached Appendix B which is incorporated herein by reference.
- 4.4 Special Committees.** The Mayor shall appoint members of Council to any special committees created by the Council.
- 4.5 Form of Reports.** The reports of all committees may be presented in writing or orally unless, upon a majority vote of Council, a written report is requested. The report shall be agreed to in committee. Nothing in these Rules prevents the introduction of minority reports.
- 4.6 Relieving a Committee.** Upon a majority vote, Council may relieve a committee of further consideration of any question and order it placed on the agenda.
- 4.7 Reports.** When any matter is referred to a committee with instructions to report at a time named in the order of reference, should such committee be not ready to report at such time, unless further time be granted, the matter so referred shall be considered as if reported back without recommendations, and such committee shall forthwith return to the Clerk of Council, the documents pertaining thereto, and the matter shall take its appropriate place in the order of business.

Section 5

COUNCIL PROCEDURE FOR REGULAR AND SPECIAL MEETINGS

5.1 Council Attendance.

1. Councilmembers shall attend all regular meetings, special meetings, public hearings, council-manager briefings, and appropriate committee meetings.
2. A Councilmember shall notify the Clerk of Council if he or she is unable to attend a meeting of Council.
3. The absence of a Councilmember may be excused by a majority vote of Council.
4. Unexcused absences from any three consecutive regular meetings of Council may be cause for removal from office in the case of elected officials. [City Charter §11.03]

5.2 Agenda for Regular and Special Meetings.

1. Prior to each regular Council meeting the Clerk of Council shall publish an agenda which contains all items the Council anticipates acting upon at the meeting. The agenda as published by the Clerk of Council shall be followed unless amended by majority vote of Council or by the introduction of any ordinance, resolution or motion by any member of Council.
2. The agenda shall generally include a call to order (which includes prayer, pledge of allegiance, roll call, agenda modifications, executive session requests), public hearings, if any, special presentations and citizen comments, Mayor and Council reports, approval of minutes, old business, new business, meeting notices, executive session (if needed), and adjournment.
3. The normal deadline for the submission of agenda material for regular meetings for all new, non-emergency items shall be Monday at 3:00 p.m., one week prior to the regular meeting of Council at which the matter is to be considered by Council. If that Monday is a holiday, the normal deadline shall be at 3:00 p.m. on the following Tuesday.
4. Legislation shall be prepared and delivered to the Clerk of Council by the Wednesday preceding the meeting. The agenda shall be prepared and posted by the Clerk of Council by the end of the day on Thursday preceding the meeting.
5. The Clerk of Council shall prepare an agenda for any special meeting of Council as soon as possible after notice of the meeting is given.

5.3 Council Rules.

1. Call to Order. The Presiding Officer shall take the Chair at the hour appointed for Council to meet, and shall immediately call the members to order. The Call to Order includes prayer, pledge of allegiance, roll call, agenda modifications and executive session requests. Following the roll call of Council, the Clerk of Council shall enter into the minutes of each meeting the names of the members present.
2. Quorum. A majority of the members of Council constitutes a quorum to conduct business. In the absence of a quorum at the time appointed for a meeting, the members may, by a majority vote of those present, take a recess, and cause the Clerk of Council, or any police officer, to procure the attendance of absent members.
3. Seating. All members shall occupy seats in the Council Chambers as designated by the Presiding Officer.
4. Voting.
 - A. Stating the Question. All questions are to be stated and put by the Chair, who shall declare all votes.
 - B. Voice Vote. The usual method of taking a vote is *viva voce* (by the voice) except as provided in Paragraph 6 below.
 - C. Conflict of Interest – Excuse from Voting. In the event that any matter before the Council presents a conflict of interest for a member of Council, such member shall vacate the council meeting prior to any discussion thereof and shall not participate in any discussion or vote of Council or attempt to influence any other member of Council with regard to the matter. Every member present when a question is put shall vote either "aye" or "no" unless Council shall, for special reasons, excuse a member.
 - D. Division of Question. Any member may demand the division of a question under consideration when the question can be divided.
 - E. Recording of Votes. The Clerk shall enter the vote of each member of Council upon the question of passage of an ordinance, resolution or motion in the records of the proceedings of the Council.
5. Dissent. Any member shall have the liberty to dissent from or protest against any ordinance or resolution of Council, and have the reasons therefore entered upon the minutes. Such dissent must be in writing couched in respectful language, and shall be presented to Council no later than the next regular meeting following that of the passage of such ordinance or resolution.

6. Call of Roll. Motions for executive session must be adopted by a call of the roll. The Presiding Officer may direct, or any member may demand, a roll call vote upon any question. It shall not be in order for members to explain their votes during the call of the roll. The Clerk shall maintain a rotating list for the order of roll call votes.
7. Leaving Council. No member shall be permitted to leave Council for the entire session without the consent of the majority of the other members of Council then present.
8. Chair to Preserve Decorum. The Presiding Officer shall preserve decorum, and decide all questions of order subject to appeal of Council. In case of an appeal being taken, the question shall be: "Shall the decision of the Chair stand as the decision of Council?" If any member transgresses the Rules of Council, the Chair shall, or any member may, call him to order, in which case he shall take his seat, unless permitted to explain.
9. Proper Address to the President. Every member when about to speak to a question or make a motion shall address the Presiding Officer as "Mr. President", who shall pronounce the name of the member entitled to the floor. The speaker shall confine himself to the question under debate.
10. Speaking Regulations.
 - A. Council. No member shall be allowed to speak more than once upon any one subject until every member choosing to speak shall have spoken, nor more than twice upon any one subject, nor for a time longer than five minutes, without leave of Council.
 - B. Mayor. The Mayor may be permitted to comment upon each piece of legislation before the vote is taken.
 - C. Special Presentations and Citizen Comments. Special presentations and individual citizen comments are limited to five (5) minutes each unless additional time is approved by Council. Groups shall name a spokesperson whenever possible. If this portion of the meeting exceeds 30 minutes, Council may continue citizen comments to the end of the meeting in order that the legislative portion of the meeting can be completed in a timely manner.
 - D. Agenda Items. The public shall be provided the opportunity to comment on specific agenda items prior to the vote on that item by City Council. Speakers shall limit their comments to two (2) minutes each with a total of ten (10) minutes per individual agenda item, unless additional time is approved by Council. Groups shall name a spokesperson whenever possible.

5. Motions. When a motion is made and seconded, it shall be stated by the Chair before debate. Any member may demand that it be put in writing.
6. Withdrawal of a Motion.
 - A. Before the Presiding Officer states the question, the mover has the right to modify the motion or even withdraw it entirely, without consent of the seconder. If the motion is modified, the seconder may withdraw his second.
 - B. After the question has been stated by the Chair, the mover cannot modify or withdraw the motion without asking consent.
 - i. If there is no objection, the Presiding Officer announces the motion is withdrawn or modified.
 - ii. If anyone objects, the Chair puts the question on granting the requests.
7. Robert's Rules of Order. In the absence of a rule to govern any possible point, reference shall be made to Robert's Rules of Order.

Section 6

PUBLICATION OF ORDINANCES AND RESOLUTIONS

- 6.1 Newspaper Publication.** Pursuant to Charter §4.13, the Clerk of Council shall publish a concise summary of each ordinance and resolution passed by Council once in a newspaper of circulation within the City. Such summary shall contain the location of places where such ordinances and resolutions are posted.
- 6.2 Required Public and Private Posting Locations.**
1. Public Locations. Copies of ordinances and resolutions shall be posted in the following locations: Fairfield Municipal Building and the Fairfield Lane Public Library.
 2. Private Locations Upon Mutual Agreement. Wildwood Manor House and the Fairfield Branch of the YMCA.
- 6.3 City Web Site.** The Clerk of Council shall publish a concise summary of each ordinance and resolution passed by Council on the City's web site. Such summary shall be posted for a two week period.

Section 7

NOTICE OF MEETINGS AND EXECUTIVE SESSIONS

- 7.1** The Clerk of Council shall maintain a schedule available to the public whereby any person may determine the time and place of all regularly scheduled meetings and may receive notice of the time, place and purpose of all special meetings.
- 7.2** The Clerk of Council shall provide twenty-four hour's advance notice of the time, place and purpose of all special meetings to the news media and those individuals who have requested notification. In the event of an emergency meeting, the Clerk shall provide such notification to the news media immediately upon the calling of the emergency meeting.
- 7.3** Any person may request and obtain reasonable advance notification of all meetings at which any special type of public business is to be discussed provided that such person provides the Clerk of Council with appropriate self-addressed stamped envelopes for the mailing of such notice. Notice may consist of the agenda for the meeting.
- 7.4** All meetings shall be open to the public pursuant to §11.11 of the Charter except executive sessions in accordance with O.R.C. 121.22.
- 7.5** At regular or special meetings, Council may move to executive session by motion stating the proper reason for the executive session, followed by a second and approved by majority roll call vote.

APPENDIX A

FAIRFIELD CITY COUNCIL GUIDELINES FOR CITIZEN COMMENTS

The Mayor and the members of Fairfield City Council welcome your participation in local government. In order to assure an effective and efficient consideration of City business, adherence to the following guidelines for citizen participation is appreciated.

Addressing City Council

Please approach the podium and be sure to clearly state your name and complete address for the record.

Public Hearings

Following the presentation of a project or issue by the applicant/proponent and/or City staff, citizen comments are generally limited to five (5) minutes per individual speaker unless additional time is approved by Council. Groups shall name a spokesperson whenever possible. Council reserves the right to conclude the public hearing if, in their opinion, Council determines that all viewpoints have been received and the comments have reached a point where they are repetitive.

Public hearings will be the first item on the Council agenda following the Call to Order unless Council votes otherwise.

Special Presentations and Citizen Comments

Special presentations and individual citizen comments are limited to five (5) minutes each unless additional time is approved by Council. Groups shall name a spokesperson whenever possible.

If this portion of the meeting exceeds 30 minutes, Council may continue citizen comments to the end of the meeting in order that the legislative portion of the meeting can be completed in a timely manner.

Agenda Items

If you are speaking about a specific agenda item, you will have the opportunity to do so prior to the vote on that item by City Council. Speakers shall limit their comments to two (2) minutes each with a total of ten (10) minutes per individual agenda item, unless additional time is approved by Council. Groups shall name a spokesperson whenever possible.

ADA Notice

The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

APPENDIX B

City Council Committee Responsibilities

Community and Public Relations

This Committee shall handle policy matters pertaining to citizen participation, information and liaison; board and commission appointment procedures; coordination of Council appointee performance review process; community input; planning special community-wide events; Charter amendments; intergovernmental relations; and amendments to the Rules of Council.

Development Services

This Committee shall handle policy matters pertaining to the Comprehensive Plan; zoning; subdivision; development review; building code and property maintenance regulations; City planning; and economic development. It shall also handle matters of annexation and redistricting. The Chairman of this Committee shall represent the City Council on the Planning Commission.

Finance & Budget

This Committee shall handle policy matters pertaining to municipal finance; budget; taxation; indebtedness; appropriations funds; accounts payable and receivable; lease and/or sale of real property; assessments; employee wage classifications, rates and benefits; and information technology.

Parks, Recreation & Environment

This Committee shall handle policy matters pertaining to parks and recreation, including cultural, arts and other leisure facilities and programs for senior citizens and youth. It shall also handle the maintenance and operation of parks, trails, and recreation facilities. It shall also oversee policy matters concerning the environment relative to air quality, noise abatement, and visual pollution. The Chairman of this Committee shall represent the City Council on the Parks and Recreation Board.

Public Safety

This Committee shall handle policy matters pertaining to the Police Department, Fire Department (including paramedic services); emergency operations; and homeland security.

Public Utilities

This Committee shall handle policy matters pertaining to water and wastewater acquisition, treatment and distribution. It shall also handle matters regarding cable television, including franchise agreements.

Public Works

This Committee shall handle policy matters pertaining to construction and maintenance of streets, highways, alleys and sidewalks; easements and rights-of-way; traffic control devices storm sewers,

drainage and flood control; maintenance and repair of public buildings and property (except those covered as parks and recreation facilities); municipal fleet purchase; and solid waste management.