

CHAPTER 117

Council Rules

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Preamble

The legislative body of the City is City Council. Council members are the only elected officials under the City's Revised Charter and representatives of Loveland residents. The council is comprised of seven members elected at large. All Council members serve a term of four years. The main functions of Council are to set policy, establish City goals and oversee and approve the annual budget.

The City is governed by a Council-Manager form of government, combining strong political leadership of elected officials with strong managerial experience of an appointed manager. Council members elect a Mayor and Vice-Mayor from their ranks to serve a two-year term. The City Manager is appointed by Council to carry out short and long term policies and to provide for day-to-day operation of the City.

Loveland is a self-governed or "Home Rule" municipality which, under the Ohio Constitution, allows it to govern and exercise certain powers of local self government, rather than yielding such decision making to the State General Assembly or state statute. In exercise of its home rule powers the City has adopted a charter which sets forth how as a municipal corporation the City will operate.

These Council Rules are designed to govern how Council as a legislative body will operate. The goal and continuing mission of Council is to promote the economic well being and growth of Loveland, ensure the health, safety and welfare of residents and respond to citizen and community needs and wishes.

Meetings

Rule 1. Open Meetings.

All meetings shall be open to the public, except as otherwise authorized or provided by the Charter or Ohio law.

The minutes and records of the Council shall be open to the public during regular business hours.

Rule 2. Scheduled Meetings.

Council shall meet in the Council Chambers at City Hall unless meeting by electronic, teleconference, web or video means or as otherwise permitted by the Charter or under Ohio law. Council shall meet on the second and fourth Tuesday of each month at times as Council shall determine or at such other time or place as Council shall determine.

Rule 3. Special Meetings.

The Mayor or any four members of Council may call a special meeting upon written notice or by electronic means to each member no less than 12 hours before the special meeting. In the event of a local or national disaster affecting the health, safety and welfare of the City, any member of Council may call a special meeting of Council upon notice served by any means readily available to all members of Council.

Any four members so meeting in an emergency session may conduct any business which may lawfully come before them.

The provisions of Rule 5 shall not apply to a special or emergency meeting. The business and agenda for special or emergency meetings shall be established by the Mayor, or the four members calling for such a meeting.

Rule 4. Quorum of Council.

A majority of members elected or appointed to Council shall be a quorum. Wherever the term "majority" is used herein, except as otherwise expressly limited, it shall mean a majority of council members present in person at the meeting or those attending by electronic, teleconference, web or video means, or as otherwise permitted by the Charter or under Ohio law.

Rule 5. Order of Business.

The business of all regular meetings of Council shall be transacted in the following order:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Recognition of Staff and Special Guests in Attendance
5. Presentations and Announcements
6. Persons Appearing Before Council
7. Open Forum
8. Communications
9. Review and Approval of Minutes
10. Public Hearing
11. Ordinances (second reading)
12. Resolutions (one reading required)
13. Ordinances (first reading)
14. City Manager and Staff Reports
15. Review of Councilmanic Worksheet
16. Committee Minutes and Reports
17. City Council Reports and Comments
18. Executive Session
19. Adjournment

Officers and Employees of Council

Rule 6. Temporary Chairman (Mayor Pro-Tempore).

The Mayor shall be the presiding officer. If the Mayor is absent, the Vice-Mayor shall be the presiding officer. If both the Mayor and Vice Mayor are absent, the Clerk of Council shall call the meeting to order and Council shall elect a temporary chairman (Mayor Pro-Tempore) to be the presiding officer. The presiding officer shall conduct business before Council in its proper order.

Rule 7. The Presiding Officer.

The Mayor, as presiding officer, shall avoid the appearance of partiality on any issue by conducting the meeting in a fair and impartial manner. However, the mayor is entitled to express an opinion on any issue brought before Council. The function of the presiding officer is solely to see that the business brought before Council is conducted in an orderly manner and that the members of Council observe the rules of procedure. The presiding officer shall preserve order and decorum, prevent the impugning of personalities or of members' motives, confine members in debate to the question under discussion, and shall decide all points of order subject to an appeal to such decision by Council.

Rule 8. The Clerk of Council.

In addition to the duties outlined in Section 2.08 of the City Charter, the Clerk shall prepare the council meeting agenda in conjunction with the Mayor and City Manager before notification to Council Members. The Clerk of Council shall attend all meetings of Council, call the meeting to order in the absence of the mayor and vice mayor, record all proceedings in the minutes, and attend to all correspondence incidental to the office. The Clerk of Council shall retain and furnish any public records of the City maintained in the possession of the Clerk in accordance with the Loveland Public Records Policy.

Rule 9. The City Manager.

The City Manager shall be responsible for performing the duties outlined in Section 4.02 of the City Charter. Members of Council who receive a complaint from a citizen shall direct such to the City Manager. The City Manager, in their discretion, shall provide a response to the citizen, and a copy of any written response to all members of Council.

Rule 10. The Finance Director.

In addition to the duties outlined in Section 5.06(A) of the City Charter, the Finance Director shall answer all financial inquiries and furnish such standard records as may be required of the office.

Rights and Responsibilities of Council Members**Rule 11. Right to Appear Before Council (Five-Day Rule).**

Members of Council wishing to be placed on the agenda shall notify the Clerk of Council by the end of the business day on Thursday before a regular meeting of Council, or by the end of the business day on the fifth day prior to the scheduled meeting, should it occur other than on a Tuesday, and shall state the nature of the matter to be presented.

Rule 12. Right to Information.

Council members, the City Manager, and Clerk of Council shall be notified of all ordinances and resolutions to be presented at each regular meeting no later than the Friday preceding such meeting, or the fourth day prior to the meeting should it be scheduled for a day other than Tuesday. Such notification shall consist of copies, attachments, memoranda, or other supporting documents to said ordinances and resolutions. Any change in the agenda, as it appears in Council's packet, shall require the consent of a majority of Council, at the meeting.

Rule 13. Speaking.

During the course of any regular or special meeting, no Council member or other attendees at the meeting shall, without permission from the Mayor:

1. Speak more than once upon any Subject until every member choosing to speak has had an opportunity to be heard.
2. Speak more than twice upon any such subject.
3. Speak longer than a total of five minutes on any subject.
4. Engage in disruptive conversation with others when Council is in session.

Rule 14. Meeting Decorum.

Members shall request permission from the Presiding Officer in order to address Council and shall confine themselves to the question under debate. All participants should address each other by title, e.g. Mr., Ms. or Mrs. Council members shall avoid impugning the personality or motive of any other member's argument or vote. No member shall leave the meeting for the duration of said meeting without the permission of the presiding officer.

As Council desires to project a professional image during Council meetings, business attire is expected with business casual being acceptable.

The presiding officer reserves the right to rule out of order disruptive, threatening, or otherwise unprofessional conduct of any Council Member or meeting participant. Any person determined by the presiding officer to be violating this rule, or engaging in conduct defined in R.C. § 2917.12 which obstructs or interferes with the ability of Council to conduct the meeting, may be ordered to be removed from the meeting by the presiding officer.

Rule 15. Voting.

Every member present shall vote, when called upon, on all questions unless said member abstains or recuses him or herself. A member who abstains or recuses him or her self must state the reason for doing so prior to the question being called. Once the question has been called, each member shall read their vote as YES, NO, ABSTAIN or RECUSE. An abstention vote shall be counted with the majority and a recusal vote shall not be included with the vote total. The Clerk shall call the names of the members by rotating alphabetical roll call, and announce the result of the vote on all matters brought before Council. The Clerk shall enter in the minutes the names of those voting YES, those voting NO, and those abstaining or recusing themselves.

Rule 16. Executive Session.

Executive Session is reserved for matters permitted to be addressed in Executive Session pursuant to the authority granted by the City Charter, the Ohio Revised Code or to secure general legal advice from the City Solicitor and all matters discussed shall be kept in the strictest confidence. All members of Council are prohibited from removing written notes from, and making audio/video recordings of, any executive session. All members of Council are prohibited from divulging materials, topics of discussion (beyond the stated reason by the Mayor for the executive session), or discussions made during executive session meetings. Members who violate this non-disclosure policy of Executive Session will be subject to all possible sanctions.

Rule 17. Disciplinary Action.

Council may expel any member from a meeting for disorderly conduct or violation of its rules. No expulsion shall take place without the concurrence of two-thirds of all the members of Council and until the delinquent member has been notified of the charge and has had an opportunity to be heard. If a member is absent for just cause, a motion shall be passed to excuse such member.

Rights and Responsibilities of the Public**Rule 18. Addressing Council.**

Members of the public may only address Council during the Open Forum segment of the agenda and shall be limited to five minutes each. After the speaker concludes remarks, Council may comment or ask questions at that time. The Mayor may, with the exercise of discretion, restrict duplicate testimony on a particular subject. Outside of Open Forum, the public may address Council only with permission of the presiding officer.

Rule 19. Appearing Before Council (Five-Day Rule).

Any person, group or delegation wishing to be placed on the agenda to appear before Council shall request in writing, or by electronic means (e-mail), a letter to the Clerk of Council so it is received by the Clerk no later than the end of the business day on the Thursday preceding the regularly scheduled Tuesday Council meeting, or the fifth day prior to the scheduled meeting if it is scheduled for a day other than Tuesday. The Mayor may suspend the Thursday rule in the event of unusual or emergency circumstances.

Rule 20. Limitations on Appearing Before Council.

The maximum time allowed for comments shall be 10 minutes per speaker and not more than 20 minutes per subject. No person or group may be placed on the agenda more than one time in a calendar year on the same Subject unless significant new facts, information or materials are presented. These limitations shall not apply to members of Council, committee members, or those persons appearing before Council who do so at the request of Council or the Mayor, or those whose appearance is procedurally mandated by federal, state or local law or ordinance.

Rule 21. Notification in the News Media.

Any news organization that desires advance notification of regular or special meetings of council shall request in writing, or by electronic means, a letter to the Clerk of Council as required by the Ohio Revised Code. Except in the event of an emergency requiring immediate action, a special meeting shall not be held unless 12 hours advance notice of the time, place, and purpose of such meeting is given to the news media requesting notice.

Officers and Employees of the City**Rule 22. The City Solicitor.**

The City Solicitor shall fill the role of parliamentarian during Council meetings. The Solicitor shall give an opinion on any question of law concerning City affairs, when requested by any member of Council, however, when directed by Council, the Solicitor has the discretion to take a reasonable time to submit an opinion.

Rule 23. Drawing Ordinances and Resolutions.

Requests to draw ordinances or resolutions or for written opinions by the City Solicitor, other than those initiated by the City Manager or the Manager's designee, shall require a majority vote of the members present. All ordinances and resolutions appearing on the agenda shall be reviewed and approved as to form by the City Solicitor prior to adoption. The signature of the City Solicitor, or an authorized facsimile thereof, shall appear on the originals of such legislation, attesting to such approval.

Rule 24. Attendance of Administrative Officers.

When specifically requested by the City Manager or by a majority of Council, the City Solicitor, Finance Director, and the Directors of all other Departments shall be required to attend the regular meetings of Council. They shall be entitled to take part in the discussion and required to answer any questions relating to the affairs of the City under their respective supervision and control.

Rule 25. Reports of City Officers.

All ordinances, resolutions, and communications pertaining to matters that come under the supervision and control of the Department Directors shall be referred to the City Manager for recommendation and report to Council.

Commissions, Committees, Boards and Appointed Representatives of Council

Rule 26. Commissions, Committee and Board Meetings.

All commission, committee and board meetings must be publicized at least 24 hours in advance of the meeting and shall be open to the public. Commissions, committees and boards may hold a meeting by electronic, teleconference, web or video means during a declared emergency as permitted by Council, during a non-emergency as permitted by Council, or as otherwise provided by the Charter or under Ohio law. A request to meet in a form other than in person should be made by the chairman of the commission, committee or board to Council. In times other than in an emergency, the chair or designee of a commission, committee, or board may, upon good cause shown, petition Council in writing seven days in advance of the Council meeting for permission to meet in a form other than in person. The request shall include the scope, means, and duration for such meeting to take place. Council may approve, deny, or modify such request by a vote of a majority of Council. A majority of the members of a commission, committee, or board shall constitute a quorum. Only commission, committee or board members shall have voting power on motions put to the commission, committee or board. The chairman of each commission, committee or board shall fix the time and place of its meetings. The date for all commission, committee or board meetings shall be set and announced at the regular or special meetings of Council unless deemed an emergency by the Chairman.

Rule 27. Commissions, Committees, Boards and Appointed Representatives.

There shall be the following standing Commissions, Committees, Boards and Appointed Representatives of Council:

1. Arts Commission
2. Law & Ordinance
3. Beautification
4. Tree and Environment
5. Public Relations and Communications
6. Municipal League Representatives
7. Veterans Memorial
8. Board of Education Representative
9. Loveland Symmes Fire Department Board Representative
10. OKI Representative
11. Warren County Regional Planning Commission Representative
12. Tax Incentive Review Council

Commissions, Committees and Boards established by the City Charter.

- Board of Zoning Appeals
- Civil Service Commission
- Planning and Zoning Commission
- Parks and Recreation Board
- Finance Commission
- Charter Review Committee*

*Must meet at least every 10 years as provided for by the City Charter.

Commissions, Committees, Boards and Appointed Representatives established by Ordinance.

- Records Commission
- Board of Tax Review
- Treasury Investment Board
- Community Improvement Corporation
- Storm Water Committee
- Environmental Special Improvement District Board Representative
- Lighting Equalization Boards
- Historic Preservation and Planning Committee

Council members shall submit nominees for consideration as commission, committee and board members and appointed representatives to the Mayor. Members of the standing commissions, committees, boards and appointed representatives of Council are appointed by the Mayor, subject to the approval of Council.

Special committees or Task Forces of Council may be appointed by the Mayor with approval of Council for any special purpose and shall cease to exist either upon final report to Council or upon the action of Council.

Rule 28. Commission, Committee and Board Responsibilities.

All City commissions, committees and boards shall:

1. Follow Council's direction in matters referred to it.
2. Study a given problem or need and submit a report or recommendation without taking decisive action itself.
3. Act in an advisory capacity, reporting to Council for action.
4. Assume both short and long range plans.
5. Establish desirable economic, budgetary, and work standards.
6. Assume no direction, or issue no orders, in conflict with Ohio law, or the administrative officers of the City.
7. Keep accurate minutes of the proceedings which shall include at least beginning and end times, member attendance, votes, and topics discussed. The secretary, or their designee, shall keep the minutes.
8. Elect by majority vote of the members a chair, a vice chair and a secretary. The chair shall be the presiding officer and work with City staff to prepare an agenda for each meeting. If the chair is absent, the vice chair shall be the presiding officer.
9. Meet from time to time as determined by a majority of the members. In the absence of any rule, meetings shall be governed by Robert's Rules of Order.

Ordinances & Resolutions

Rule 29. Ordinances.

Every Ordinance which Council determines to read on two different days as provided by Section 3.02, of the City Charter shall be open for discussion after the first reading and shall be voted upon by voice vote after discussion following the second reading thereof. Council may dispense with the required first reading of an Ordinance upon six affirmative votes. Emergency Ordinances shall require the concurrence of six members of Council and shall be effective immediately.

Rule 30. Resolutions.

As provided in the City Charter and Section 115.05 of the Code of Ordinances, every Resolution shall be read once and, upon receiving concurrence of majority of members present at a meeting at which a quorum exists, shall become effective immediately unless provided otherwise within the body of any such Resolution.

Rule 31. Sourcebook for Parliamentary Procedure.

In the absence of any rule, Council shall be governed by Robert's Rules of Order.

Rule 32. Public Record Training Requirements.

All Council, commission, committee, and board members are required to attend public records training within the first year of their first term. Members of Council shall not be permitted to delegate to a designee their required public records training under Ohio Revised Code § 109.43 unless approved to do so by Council.

Rule 33. Alternative Means of Meeting.

When Council is holding a meeting and all participating members are attending by electronic, teleconference, web or video means, open forum as provided for by Rule 5, and members of the public addressing Council as provided for in Rule 18, shall not be required to be included within the order of business during a City Council meeting. During such meetings, the Mayor may establish or provide an alternative means by which the public can submit questions to, or address Council, as circumstances may allow for it. Any member of Council may attend a meeting by electronic, teleconference, web or video means with the consent of the Presiding Officer.

When holding a meeting by electronic, teleconference, web, or video means, the City must do so in such a manner that allows the public to hear and observe the proceeding as it takes place with reasonable notice to the public of the time, place, purpose and means by which the electronic, teleconference, web, or video meeting will occur. Reasonable notice of an electronic, teleconference, web, or video meeting shall be determined by the Clerk of Council as required by the Charter and this Code.
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