


DRAFT

City of Trotwood



RULES
OF
COUNCIL

DRAFT

THIS PAGE INTENTIONALLY LEFT BLANK

DRAFT

City of Trotwood, Ohio RULES OF COUNCIL

Table of Contents

POLICY STATEMENT	1
SECTION ONE	
Rules of the Trotwood City Council	1
1.1 PURPOSE.....	1
1.2 DEFINITIONS	1
SECTION TWO	
Responsibilities of Public Office	1
2.1 COMPLY WITH THE LAW	1
2.2 ACT IN THE PUBLIC INTEREST	2
SECTION THREE	
Etiquette and Decorum	2
3.1 MEMBERS SHOULD	2
3.2 MEMBERS SHOULD NOT	2
SECTION FOUR	
Meetings	2
4.1 REGULAR MEETINGS	3
4.2 SPECIAL MEETINGS	3
4.3 EXECUTIVE SESSIONS	3
4.4 MEMBER RESPONSIBILITIES.....	3
4.5 ATTENDANCE	4
4.6 TIMELINESS.....	4
SECTION FIVE	
Voting	4
5.1 QUORUM	4
5.2 DUTY TO VOTE.....	4
5.3 ABSTAIN.....	4
5.4 RECUSAL.....	5

DRAFT

SECTION SIX

Communication and Technology	5
6.1 E-MAIL	5
6.2 TECHNOLOGY	5

SECTION SEVEN

Memberships and Resources	6
--	----------

SECTION EIGHT

Media	6
--------------------	----------

SECTION NINE

Interference by Council	6
--------------------------------------	----------

DRAFT

POLICY STATEMENT

It is the policy of the Trotwood City Council to carry out its mission in accordance with the strictest ethical guidelines and to ensure that members conduct themselves in a manner that fosters public confidence in the integrity of the Council, its processes, and its accomplishments.

SECTION ONE Rules of the Trotwood City Council

1.1 PURPOSE

Council shall adopt by a majority vote, Rules of Council which shall not conflict with the City Charter and shall remain in effect until amended or rescinded by a majority vote of its members. These Rules of Council are established for the conduct of the business of Council.

1.2 DEFINITIONS

As it pertains to this document, certain terms and references are defined below.

Charter. The City Charter, established for the government of the City of Trotwood, Ohio.

Clerk. The appointed Clerk of Council for the City of Trotwood.

Council. The Trotwood City Council, collectively.

Majority. More than half.

Majority Vote. Except when governed by a specific rule to the contrary, a majority vote is more than half of the votes of members of the Trotwood City Council present.

Member(s). Each member of the Trotwood City Council.

Quorum. The minimum number of members who must be present to conduct business.

Rules. The Rules of Council of the Trotwood City Council.

SECTION TWO Responsibilities of Public Office

2.1 COMPLY WITH THE LAW

Members pledge to support, uphold, and defend the Constitution of the United States, the Constitution of the State of Ohio, and the Charter and Ordinances of the City of Trotwood, Ohio. Further, Members agree that they will faithfully, honestly, and impartially perform and discharge the duties incumbent upon them as a Member of Council.

DRAFT

2.2 ACT IN THE PUBLIC INTEREST

Members must work for the common good of the residents of the City and not for any private or personal interest. Members will assure fair and equal treatment of all persons, claims, and transaction coming before Council.

SECTION THREE **Etiquette and Decorum**

During all meetings of Council:

3.1 MEMBERS SHOULD

- A. Address the Mayor and be recognized before speaking.
- B. Refer to all elected and appointed officials by their proper title and last name.
- C. Treat all Members, staff, and visitors with respect and civility.
- D. Listen courteously to all public discussion before Council.
- E. Contact the City Manager directly for needed staff support or concerns about a City employee.

3.2 MEMBERS SHOULD NOT

- A. Use abusive language or engage in threatening conduct and/or personal attacks.
- B. Use profane language.
- C. Engage in debate or express judgement on an issue PRIOR to the close of a public hearing.
- D. Disclose confidential information without proper legal authorization.
- E. Use confidential information to advance personal interests.
- F. Attempt to make promises or commitments on behalf of Council and/or the City.
- G. Speak on behalf of Council and/or the City unless authorized to do so.
- H. Use City letterhead for non-City business.
- I. Use resources not available to the public in general for private gain or personal purposes.
- J. Attempt to influence Boards, Commissions, or City employees on the making of appointments, awarding of contracts, selecting consultants, processing of development applications, granted/denying of City licenses and/or permits, or code enforcement matters.
- K. Endorse candidates for Council or other elected offices during Council meetings or other official City meetings or functions.

SECTION FOUR **Meetings**

All meetings of Council called for the purpose of official business shall be conducted in open and public meetings in accordance with the Ohio Revised Code and the Charter, unless the subject matter is specifically excepted by law. The Clerk will give proper notice for meetings of Council.

As part of Ohio's Open Meetings Act, Members shall not participate in back-to-back or serial meetings attended by fewer than a majority of Council with the same topic discussed during each.

DRAFT

Council is encouraged to attend and support certain gatherings and meetings. However, such occasions are not noticed as a meeting of Council. Therefore, Members shall refrain from discussing Council business when attending such events, and further, avoid the perception of such.

4.1 REGULAR MEETINGS

- A. Unless previously approved by a majority of its Members, Council shall meet on the first Monday of every month at 6:30 p.m. in the Community Room of the Trotwood Community and Cultural Arts Center, located at 4000 Lake Center Drive, Trotwood, Ohio.
- B. Should the first Monday of a month fall on an official holiday, the Regular meeting shall be held on the first Tuesday after the first Monday, or such other day previously approved by a majority vote.
- C. At the beginning of each calendar year, the Clerk of Council shall publish a schedule of Regular meetings, which shall serve as notice for legal requirements.

4.2 SPECIAL MEETINGS

- A. Any meeting other than a Regular meeting, regardless of its name, is a Special meeting.
- B. In accordance with the Charter, a Special meeting of Council may be called by the Mayor or any three (3) members of Council on 24-hour notice served on each member electronically, or personally at their resident.
- C. Notice of a Special meeting shall be sent to the media at least twenty-four hours in advance, except in the event of an emergency, then the media shall be notified immediately.
- D. Only business stated in the notice may be discussed during a Special meeting.

4.3 EXECUTIVE SESSIONS

- A. Council, upon a motion affirmed by a roll call vote of the majority of the members present, may convene into a closed executive session at any Regular or Special meeting for the purpose(s) set forth in the Ohio Revised Code.
- B. Executive sessions shall be limited to discussions regarding the reason(s) such session was called and shall not stray from that topic.
- C. There shall be no voting, nor may Council make any decisions in executive session.
- D. Only persons invited by Council may attend executive sessions. Should there be debate about invitees, a majority vote shall prevail.

4.4 MEMBER RESPONSIBILITIES

To ensure all meetings are fair and orderly, and that the business of Council is advanced, Members shall:

- A. Prepare in advance of meetings by reviewing the Agenda Packet and reading the Executive Summary.

DRAFT

- B. Contact the Mayor, City Manager, and/or Clerk of Council, or their respective designee, with questions on an agenda item(s) prior to the scheduled meeting.

4.5 ATTENDANCE

Members are expected to make every effort to attend all meetings of Council. Any Member who cannot attend a meeting shall, as soon as practicable, notify the Mayor, who will then notify the Clerk, of the absence.

- A. Excused. A Member's absence from a meeting shall be considered excused so long as proper notification has been given and their absence is for one of the following reasons:
 - 1. Bereavement for a family member. For purposes of these Rules, a family member is defined as a spouse, child, stepchild, sibling, parent (or person acting in loco parentis), grandchild, grandparent, sons or daughters-in law, or aunt/uncle.
 - 2. Illness/medical issue of Member or individual in their household
 - 3. Military service
 - 4. Work commitment
 - 5. Planned vacation
 - 6. Emergency, defined as an unexpected and urgent situation that requires immediate attention.
- B. Status. During a Council meeting, at the time of Roll Call, the Clerk shall announce for the record, a Member's absence and if their absence is excused.

4.6 TIMELINESS

Members are expected to arrive prior to the start of a Council meeting and be seated for Roll Call. On the occasion when a Member arrives after Roll Call, the Clerk shall record in the meeting minutes, the arrival time of that Member.

SECTION FIVE

Voting

5.1 QUORUM

A majority of the Members elected to Council shall constitute a quorum to do business.

5:2 DUTY TO VOTE

Council actions are by ordinance or resolution and determined by the vote of its Members. The vote of every Member shall be entered into the record by roll call taken by the Clerk, unless the Member has recused (see Section 5.4) themselves from the business at hand due to a conflict of interest.

5.3 ABSTAIN

Abstentions focus on the final decision. To abstain from voting is the action of withholding your vote, thereby not expressing a decision or stance on an issue.

DRAFT

It is the expectation that on all matters before Council, Members will make decisions they believe to be in the best interest of the City as a whole, as reflected by their vote. Members should only abstain from a vote when an unknown conflict is discovered during the debate of a matter or when there is concern over the appearance of impropriety.

The Charter defines the vote required to enact a resolution as the affirmative vote of the majority of the members PRESENT. Further, the Charter states that the affirmative vote of four (4) Members of Council is required to adopt an ordinance.

While an abstention is not a vote and is not counted as a vote toward a certain side, it may influence the outcome of a vote. Because our Charter measures a majority by the number of Members present or by a fixed number of votes, an abstention has the same effect as a negative vote.

5.4 RECUSAL

Recusals involve withdrawing from the entire proceeding. A Member who has personal interest in the business before Council shall recuse themselves and leave the room prior to any debate. The Member may return to the dais after Council has voted, but prior to the introduction of the next item of business.

- A. In the event a Member has a concern regarding the need to recuse themselves from a vote, the Member is encouraged to contact the law director to seek an opinion regarding their concern.
- B. A Member who plans to recuse themselves from a certain matter, as a courtesy, should advise the Mayor prior to the meeting.

SECTION SIX

Communication and Technology

6.1 E-MAIL

E-mail is an efficient communication method used by the City. Therefore, Members are issued an e-mail address to use for City business. City e-mail addresses are published on the City's website for the convenience of residents.

- A. Members shall check their City e-mail account on a regular basis and respond, when necessary, within a reasonable period of time.
- B. To comply with the requirements of public records, if a Member receives public information on a personal device, the Member shall forward the public information to their City e-mail address, then delete the public information from their personal device.

6.2 TECHNOLOGY

Members must comply with the City's Technology Policy to ensure security measures are in place to prevent unauthorized access to the City's network and/or a costly data breach.

DRAFT

SECTION SEVEN **Memberships and Resources**

The City belongs to numerous national, state, and local organizations so to provide valuable services and networking opportunities to support and advance the community. Membership to certain groups afford Members and staff the opportunity to advocate for local government, and to be an integral participant in the decision-making process on important matters. Memberships include, but are not limited to, the National League of Cities, Ohio Municipal League, Miami Valley Regional Planning Commission, Miami Valley Communications Council, First Suburbs Consortium of Dayton, and several others.

Many of these organizations provide online resources and expertise assistance to support local government, Members, and staff. Please contact the Clerk for more information.

Certain memberships require appointments of Members, serving in their official capacity. Each year, Council will review their primary and alternate appointments. Primary appointees are required to attend meetings of their assigned board or commission. In the event the primary appointee is unable to attend a meeting, they must contact the alternate appointee.

SECTION EIGHT **Media**

Members should direct all media inquiries to the Clerk. The Clerk will ensure that the proper administrators and/or Members are notified, and, if deemed appropriate, respond.

SECTION NINE **Interference by Council**

A Member has the right to meet with the business community, community groups, and residents. However, when doing so it is important to maintain impartiality, intellectual honesty, and disclosure of conflicts of interest. A conflict may occur when a personal or professional interest interferes, or appears to interfere, in any way, with the position of a Member, whether actual or perceived.

To maintain the integrity of the Charter and to not interfere with City operations, a good rule is to share with Council and the City Manager, all pertinent information from private meetings so that the same information is received by all. This practice will help prevent allegations of improper conduct. It is important that Members hold themselves free of any interest, influence, or relationship in respect to any professional activity when dealing with developers that could impair professional judgement or objectivity, or in the reasonable view of the observer, has that effect.

When considering such meetings, no more than three (3) Members shall meet at any given time unless prior to the meeting, the Clerk is notified and proper notice is given to the public.