

ORDINANCE NO. 18, 2018

**AMENDING THE ST. BERNARD CODIFIED ORDINANCES
SECTION 121.10 PROTOCOL, POLICY AND
PROCEDURES, AND DECLARING AN EMERGENCY**

WHEREAS, the Village Council for the Village of St. Bernard intends to amend certain sections of the St. Bernard Codified Ordinances; now therefore

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD,
STATE OF OHIO:**

Section 1. Section 121.10 of the St. Bernard Codified Ordinances shall be amended to read as follows:

121.10 PROTOCOL, POLICY AND PROCEDURES.

(a) Council Meeting.

(1) Any member of Council knowing they will be unable to attend a regular or special meeting shall notify the Clerk of Council or another member of Council, prior to the meeting.

(2) Regular meeting of Council shall be held on the ^{second} ~~fourth~~ Thursday of the month, commencing promptly at 7:00 p.m. If any second or fourth, Thursday falls on a holiday, then the regular meeting shall be held the preceding or following Tuesday evening at 7:00 p.m. or such date as Council may agree upon by majority vote.

(3) Special meetings of Council may be called by the Mayor, in the manner prescribed in Ohio R.C. 731.46 or by any three members of Council. Special meetings may be called by giving at least 12 hours notice to each member, served personally or left at his or her usual place of residence. Notice shall be served by the Clerk of Council or a police officer.

(4) The President, or in his or her absence the President Pro-Tem, or in the absence of both of them the next ranking member of the committee on committees, shall take the Chair at the hour appointed for Council to meet and shall immediately call the meeting to order. The roll shall then be called and the Clerk of Council shall enter on the minutes the names of the members present at each meeting. The members may, by a majority vote of the members present, take a recess of a period of not more than one hour, and direct the Clerk of Council or any police officer to proceed after the absent members.

(5) A majority of all the members elected shall be a quorum to do business, but a less number may adjourn from day to day. The members may compel the attendance of absent members and the members may prescribe penalties as provided by ordinance.

(6) No member shall be permitted to leave Council while it is in session without the consent of a majority of those present.

(b) Order of Business for Council Meetings. The order of business at all Council meetings shall be transacted in the following order and shall not be departed from except by suspension of these rules:

Meeting called to order

Invocation

Pledge of Allegiance

Roll Call

Confirmation of appointments

Elections

Reading and approval of minutes

Special presentations

Report of Village officials

Report of standing committees

Communications

Resolutions & Ordinances

Old Business

New Business

Audience address to Council

Excuse of absent members



ORIGINAL

Adjournment

(1) Call to order: The President or in his or her absence the President Pro Tem, shall take the chair at 7:00 p.m. and call the meeting to order.

(2) Invocation: All members of Council, as well as all other persons present within the Council Chambers, shall stand during the invocation. The invocation is led by the President of Council or the person assuming the chair.

(3) Pledge of Allegiance: All members of Council, as well as all other persons present within the Council Chambers shall stand for the Pledge of Allegiance.

(4) Roll Call: At all times Council members are to be addressed by the appropriate prefix title, along with their last name. Members shall respond to the roll call with "present" or "here".

(5) Confirmation of Appointments: The Director of Law shall lead the oath of office for all appointments. In the absence of the Law Director, the Mayor shall lead the oath of office. Following the oath of office, a brief recess may be held when deemed appropriate for pictures and greetings unless two or more members of Council disagree upon the recess.

(6) Elections: The following procedures shall govern elections. Where Council is authorized by State Law to conduct an election to fill an office or position, the following rules shall govern such election.

A. Motion to Elect: The election process shall begin by a motion calling for an election to fill the specific office or position.

B. Nomination: Upon a motion to open nominations, the Chair shall call for nominations to fill the office or position. Nominations shall be made from members of Council. No second nomination is required. No person shall be elected to a specific office or position unless first nominated. After every member of Council has had the opportunity to nominate, a motion to close nominations will close the nomination process.

C. Vote: The vote on the nominations to fill the specific office shall be made with a call of the roll.

D. Majority: A majority vote of the members of Council is required for a nominee to be so elected. In case of a tie, the President of Council shall cast the tie-breaking vote.

E. Finality: The Chair shall declare the election final when one nominee receives a majority vote. The newly elected, shall immediately take possession of their office or position.

(7) Reading the Minutes: The minutes of the preceding Council meeting shall be read, unless a motion to dispense with the reading of the minutes passes by the majority of the members present. If no objections are made, the Council minutes shall be approved.

(8) Special Presentations or Guests: Special presentations or guests will be given the floor to address Council, having been approved and placed on the agenda by the President of Council at the previous Committee of the Whole meeting.

(9) Reports of Village officials: These reports shall be given in the following order:

- A. Mayor
- B. Auditor
- C. Director of Law
- D. Treasurer
- E. Safety Director
- F. Service Director
- G. Tax Commissioner/Administrator

(10) Reports of Standing Committees: Reports given as follows:

- A. Finance Committee
- B. Safety Committee
- C. Service Committee
- D. Public Improvements Committee
- E. Law, Contracts & Claims Committee
- F. Marketing Committee
- G. Business & Industry Committee
- H. Committee of the Whole

1. The report of the Committee of the Whole shall be submitted by the Clerk of Council and included in the record of the current meeting. The report

will not be read aloud, unless a majority of the members present concur and motion for the report to be read.

(11) Communications:

A. All communications to Council must be received by the Clerk of Council by 3:00 pm (2) two days preceding the Council meeting date, in order for it to be read at the Council meeting.

B. All communications to Council that do not include both a signature and valid address shall not be read at the Council meetings. However, a copy of this communication will be distributed to each member of Council.

C. All communications which specifically address a member of Council or member of administration in such a manner which such individual will likely need to respond or rebut, will be held until the person addressed in the communication has been given notice of the communication and is able to respond at the time of its reading.

D. All communications to Council which contain abusive language or where the contents are of such a nature, as to be derogatory or inflammatory or where the material mentions any individual, and that individual would be highly upset or insulted through the public reading of the communication, shall be copied to each member of Council. Upon review of the communication at the committee of the whole meeting, a majority vote will determine if the communication shall be read into the public minutes.

(12) Resolutions and Ordinances:

A. Any two members of Council may sponsor an ordinance or resolution and have it placed on the agenda for Council action. If such legislation is sponsored by two members not of the appropriate sponsoring committee, the sponsorship is deemed "non-committee".

B. Resolutions and ordinances are generally discussed at the committee of the whole meeting. A motion "to prepare an ordinance" must be made by a member of Council, followed by a vote. A majority vote is needed to have the ordinance prepared to be put on the table for the next Council meeting.

C. Each resolution and ordinance shall be read by title only, unless a motion "to dispense" with this rule passes by majority vote.

D. No legislation shall receive final passage or adoption by Council until same has been approved as form by either the Law Director or his/her assistant.

E. To amend a piece of legislation, it shall take the same number of votes to amend that piece of legislation as it would take to pass that same piece of legislation before it was amended.

F. Pending Resolutions shall be addressed first, followed by all pending ordinances.

G. Approval of two members of the appropriate sponsoring committee may be given in writing or verbally to the Clerk of Council enabling the subject legislation to be placed on the agenda. Members are responsible for contacting the Clerk of Council.

H. All resolutions or ordinances shall be presented in writing and on the passage of each resolution or ordinance the vote shall be taken by "ayes" or "nos" and entered upon the journal, but this shall not apply to the ordering of an election, or direction by Council to any board or officer to furnish Council with information as to the affairs of any department or office.

I. No bylaw, resolution or ordinance of a general or permanent nature; granting a franchise; creating a right; involving the expenditure of money; levying a tax; or for the purchase, lease, sale or transfer of property, shall be passed, unless it has been fully and distinctly read on three different days, and with respect to any such bylaw, resolution or ordinance, there shall be no authority to dispense with this rule, except by a three-fourths vote of all members elected to Council, taken by roll call with each "aye" or "no", on each bylaw, resolution or ordinance, and entered on the journal. No ordinance shall be passed by Council without the concurrence of a majority of all members elected thereto. It shall not be in order for members to explain votes during the call of the "aye" or "no".

J. For all other questions, motions, or issues, before Council stated and put to the chair, the vote may be taken as a group vote. The Chair shall declare the results of all votes. When there is a question as to the results of the votes, an individual roll call vote may be requested by any member.

K. Emergency ordinances or measures necessary for the immediate preservation of the public peace, health or safety shall go into immediate effect. The emergency ordinances or measures must receive the concurrence of two-thirds of all members elected to Council, and the reasons for the necessity shall be set forth in one section of the ordinance or other measure.

L. Any member shall have the liberty to dissent from or protest against any ordinance, resolution or order of Council, and have the reason or reasons for his dissent entered upon the minutes.

M. The first reading of an ordinance proposed shall be for information, and, if an objection is made to the ordinance the question shall be: "Shall the proposition be rejected?" A motion objecting to an ordinance shall take precedence over a motion to dispense with the rule requiring ordinances to be read on three different days.

N. After a second reading, no amendment shall be in order. Upon the third reading the question shall be upon the final passage, which must be determined by "aye" or "no" vote by roll call. No ordinance, resolution or bylaw requiring more than one reading shall be passed through its several readings together, except by a separate suspension of the rules for each such ordinance, resolution or bylaw.

O. Ordinances or resolutions authorizing the expenditure of money shall have the approval of the Finance Committee, together with any other committee recommending the same, which approval shall be endorsed on the ordinance or resolution, and if they are presented without such approval, they shall be referred without debate to the Finance Committee.

P. Ordinances or resolutions shall be approved as to form by the Law Director.

Q. The audience will be invited to address Council prior to any vote for passage of an ordinance.

1. The audience will be permitted to address Council only after all members of Council have completed their initial debate and all members have had a full opportunity to address the debate.

2. The audience shall only be permitted to address Council concerning the passage of ordinances, not resolutions. The discussion shall be limited to the issues concerning the ordinance.

3. All individuals who address the members of Council shall stand at the podium and shall first state their name and address before addressing Council.

4. All addresses to Council shall be limited to five (5) minutes. In the event that more than one person wishes to speak on the same subject, a limitation of fifteen (15) minutes will be imposed on the total of time allowed for that group's presentation.

5. All persons who address Council on the pending ordinance shall only be permitted to address Council twice concerning the pending ordinance.

6. All rules of order and decorum as set forth below under section (15) "Audience Address to Council" shall apply to those who address Council concerning a pending ordinance.

(13) Old Business: The President of Council shall request any old business, issues, comments, or questions brought to the floor at this time.

(14) New Business: The President of Council shall request any new business, issues, comments, or questions be brought to the floor at this time.

(15) Address To Council By Audience: Members of audience shall be permitted to address Council assembly subject to the following rules:

A. Prior to allowing members of the Audience to address Council, the President of Council shall instruct the members of the audience as to the rules that will apply to this portion of the meeting.

B. All individuals who address the members of Council shall stand at the podium and shall first state their name and address before addressing Council.

C. Any person who wishes to address Council may choose to have their comments summarized as a general topic discussion and entered into the printed minutes. Those choosing this course shall indicate to the clerk at the beginning of their address to Council. The responses and comments which follow along the same line of discussion by members of Council, administration or other members of the audience will also not be printed unless such person specifically indicates their desire to have their own

comment printed. Council may decide to print anyone's comments in its entirety, by two-thirds vote of the members present.

D. All addresses to Council shall be limited to five (5) minutes for the presentation. In the event that more than one person wishes to speak on the same subject, a limitation of fifteen (15) minutes will be imposed on the total of time allowed for that group's presentation. If a member of the audience is questioned by any member of Council, the time spent in the question and answer period will not be counted as part of the speaker's allotted time. The President, may extend the foregoing time limits relative to audience participation unless overruled by motion passed by a majority vote of the members of Council present.

E. All members of the audience shall be given an opportunity to speak on any one particular subject prior to any individual speaking for the second time on the same subject.

F. Each member of the audience shall be limited to speak only two (2) times.

G. The President of Council shall adhere to the rules in this section unless a majority of the members of Council present agree to allow the rules to be relaxed to further audience participation or discussion. A majority of the members of Council present shall decide all issues regarding the application of these rules at all times during all audience participation.

H. The President of Council shall preserve order and decorum during any and all audience participation. The President shall ensure that all members of the audience adhere to the rules and shall require that all members of the audience refrain from any abusive, derogatory, foul or obscene language.

I. After members of the audience addresses Council, the members of Council by two-thirds concurring, may require that the comments made to Council be summarized or removed entirely, from the printed "minutes" summary report available to residents. This motion will be proper at anytime prior to the printed minutes being approved.

(16) Excuse of Absent Members: The President of Council shall request Council to address the issue of any absent members. A motion to excuse the absent member shall be made, if needed.

(17) Adjournment: Prior to adjournment, the President of Council shall request information as to when the next meeting is scheduled. The President of Council shall then give the date and time of upcoming meetings.

(c) Committee: Established, Appointed, Powers and Duties.

(1) The following committees of Council are hereby established:

- A. Finance
- B. Service
- C. Safety
- D. Public Improvements
- E. Marketing
- F. Laws, Contracts & Claims
- G. Business & Industry

(2) All committees shall be appointed by the Committee on Committees. Standing committees shall consist of three members. The first named person on a committee shall be the chair of that committee.

(3) Each member of Council shall be responsible for chairing one committee and serving on two other committees.

(4) Upon any item referred to a standing committee, the Clerk of Council shall transmit to the chair, all materials and or data pertaining to that matter. Upon receipt, the chair of the committee shall call a meeting to take action upon the reference. A report shall be given to Council at the second regular meeting after receiving same.

(5) The Mayor, President of Council, Safety Director, Service Director, Director of Law and Auditor may call a special meeting of any committee or committees of Council giving at least twelve hours notice to each member served personally or left at his or her usual place of residence. Each notice shall be served by the Clerk of Council or a police officer.

(6) When any reference is made to a committee with instructions to report at a stated date, and the committee is not be prepared to report at such time, the matter so referred shall be considered, and reported back without recommendation, unless further time is granted by Council.

(7) The reports of all committees shall be either presented orally or in writing, approved by majority of that committee, and the papers referred shall be returned with the report to the Clerk of Council, for proper filing.

(d) Motions.

(1) When a motion is made and seconded, it shall be restated by the President before debate. Any motion must be reduced to writing if the President or any member required it, and it shall not be withdrawn without consent of Council.

(2) When, a question is before Council, no motion shall be entertained unless the new motion is:

- A. To adjourn.
- B. To lay on the table.
- C. For the previous question.
- D. To postpone either indefinitely or to a specified time.
- E. To amend.

The motions listed above shall have precedence in the order listed.

(3) A motion to adjourn shall always be in order, except:

- A. If it is an immediate repetition of the same motion.
- B. When a member has the floor.
- C. When the previous question has been passed and has been ordered.
- D. When Council is voting.

(4) If a motion to adjourn is made while any question is pending, and the motion is carried, the question that was pending cannot again be considered unless it is reintroduced in the usual way. This motion shall be decided without debate.

(5) A motion to lay on the table shall not be amendable or debatable. If the motion prevails the subject can only be resumed with the consent of two-thirds of the members present. A question laid on the table must be taken from the table by the end of the next regular meeting or it dies.

(6) A motion to postpone must indicate a time. This motion precludes debate on the main question. An indefinite postponement is equivalent to a rejection of the proposition.

(7) Any member voting with the prevailing side of any question may move to reconsider, and the motion may be seconded by any member, but a motion to reconsider having been once made and lost, shall not be renewed. This is a privilege motion and may precede all other questions, and can be considered at any time after the pending business is disposed of. A majority of those present may reconsider any vote.

(8) Motions Defined:

A. Lay on the table: A motion that enables Council to lay the pending question or legislation aside temporarily when something else of immediate urgency has arisen.

B. Take from the table: The motion places again before Council a motion or series of adhering motions that, for urgent reasons, were laid on the table.

C. Postpone to a certain time (or Postpone Definitely): A motion that allows Council to delay action on pending legislation to a definite day, meeting, hour, or after a certain event but never later than the next regular meeting.

D. Postpone indefinitely: A motion that allows Council to avoid taking a direct vote on pending legislation, and if adopted, this motion kills the legislation.

E. Commit (or refer): A motion which allows pending legislation to be carefully investigated further by a Council Committee, prior to Council's action. A motion to commit pending legislation to Committee for further study is in order at any time.

F. Recess: This motion authorizes a short, immediate intermission while legislation or another motion is pending, and provides time and the opportunity for Council members to get together to talk things over before a decision is made.

G. Motion to Amend: A motion to amend shall be singular and address only one amendment at a time. An amendment once rejected may not be moved again in the same form.

H. Not to read legislation: A motion which allows Council to delay proceeding without reading or voting on pending legislation until the next regular meeting or until a special meeting is called to consider the "not read" but pending legislation.

I. Remove legislation from the Agenda: A motion which allows Council to avoid reading legislation for the first time.

J. Previous question: When the previous question is moved, and seconded, it shall be put as follows: "Shall the main question be now put?" There shall be no further amendment, or debate, but pending amendments shall be resolved before the main question returns before Council.

K. Division of question: If the question contains two or more divisible propositions, the presiding officer, and upon request by a member, shall divide the same, but a motion to strike out a provision and insert a substitute is not divisible.

L. Withdrawals: When a motion is made and seconded, and is stated by the presiding officer, such motion may be withdrawn by the maker with the consent of the second before it has been amended or voted upon.

M. To adjourn: This motion terminates the current meeting.

(e) General Procedures and Decorum.

(1) Chair: Means the person presiding, either the President, President Pro-Tem, or chairman of the meeting.

(2) Group Vote: A group vote is made by the chair requesting the members to indicate their vote together in response to the question, as follows: "All in favor indicate by saying 'aye', those opposed 'no'." The chair will then determine and indicate the results.

(3) Roll Call Vote: A roll call vote is made by the Clerk calling the roll of the members and each member individually indicate their respective vote. The chair will then determine and indicate the results.

(4) Business is to be brought before the assembly by the motion of a member.

(5) Before a member can make a motion or speak in debate, he or she must obtain the floor; that is he or she must be recognized by the chair as having the exclusive right to be heard at that time.

(6) The chair must recognize any member of Council who seeks the floor while entitled to it.

(7) Either the President or President Pro-Tem in the absence of the President, may at any time call any member to take the Chair, the substitution is not to continue beyond adjournment of the meeting.

(8) The Chair shall preserve decorum, and decide all questions of order, subject to appeal to 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 or her to order.

(9) All questions are to be addressed to the Chair. The Chair shall declare the results of all votes. For all group votes, the chair will declare the results without reference to who voted a particular way. If there is any doubt as to the results, the Chair or any member may call for a division of the votes and have a roll call vote. In case of a roll call vote, the Chair shall count and announce the vote.

(10) Every member, when about to discuss a question or make a motion, shall respectfully address the presiding officer as Mr. or Madame President, who shall pronounce the name of the member entitled to the floor. He shall then confine himself or herself to the question under debate and avoid all personalities.

(11) Any member may demand roll call vote upon any question before Council at any time before the decision of said question is announced by the Chair.

(12) Any member may demand the division of a question under consideration, when the question being addressed has multiple parts.

(13) An appeal to Council from the decision of the chair may be taken by any member. If duly seconded, the question shall be stated as follows: "An appeal has been taken from the decision of the chair. You who agree that the appeal shall be heard, indicate 'yes' and you who oppose, indicate 'no'." This question shall be voted on without debate. If Council decides to hear the appeal and the Chair wishes to participate in the debate, the Chair shall call on any member to take the chair during the pendency of the debate. When the debate is closed, the question shall be as follows: "You who agree that the decision of the chair shall stand as the judgment of Council, indicate 'yes', You who believe that the decision of the Chair shall not stand as the judgment of Council, indicate 'no'."

(14) Voting:

- A. Quorum - A simple majority of the elected body.
- B. Majority - Four members of the Council.
- C. 2/3 Majority - Five members of the Council.
- D. 3/4 Majority - Six members of the Council.

(15) The vote of any member of Council shall not be questioned.

(16) Debate: The presiding officer shall control debate according to the following rules:

- A. No member shall be permitted to speak longer than five minutes on any motion unless permitted by the President of Council.
- B. No member shall be allowed to speak more than once upon any one subject until every member desiring to speak has spoken.
- C. No member shall be permitted to speak more than twice on any one motion.
- D. While members of Council may yield to other persons, the limitations outlined in items (1) and (3), still prevail.
- E. The presiding officer may refuse the floor to any person when the tactics are obviously dilatory and not in the best interest of Council.
- F. The above rules may be waived in the normal manner of challenge to the chairperson.

(f) President of Council.

(1) The President of Council shall be addressed as "Mr. President" or "Madam President".

(2) As a general rule, when additional reference to the presiding officer is necessary in connection with addressing him or her by their official title, members speak of him or herself as "The Chair" as in "Mr. or Madame President, do I understand the Chair to state...?"

(3) Members address only the chair, or address each other through the chair.

(4) The presiding officer speaks of himself or herself only in the third person - that is, he or she never uses the personal pronoun "I". In actual proceedings he or she always refers to himself or herself as "The Chair" as in "The Chair rules that..."

(5) The President shall have general control of the Council Chamber. He may speak upon any question, if not objected to by a member, after calling the President Pro-Tem or a member to the chair.

(6) The President shall preserve order and decorum. He or she may call any Member to order who shall violate any of these rules; and shall, when in the chair, decide all questions of order subject to an appeal to the Council by any Member of Council upon motion and second. There shall be no debate on the motion to appeal, but the member making the appeal may briefly state his or her reasons for the appeal.

(7) It shall take a majority vote to overrule the chair.

(8) The President of Council shall not express his personal opinions, comments or beliefs on any subject or participate in any debate unless he or she relinquishes the chair to the President Pro-Tem .

(9) Members of Council may call for a "point of order" at any time to question the actions or directions of the chair. once a point of order is called the member making such indication shall instruct the chair as to the rule or order that should be followed. Thereafter, unless the chair agrees to the point of order, a majority affirmation as the point of order shall control and the chair shall follow the instruction.

(10) The President shall set the agenda for the meetings of the Council.

(11) The President shall open the session at the time at which the body is to meet, by taking the chair and calling the Members to order to announce the business before the body in the order in which it is to be acted upon; to state and put to vote all motions, resolutions, amendments or other questions which lawfully come before the body, and to announce the results of the vote.

(12) The President shall keep order and if necessary restrain members who, when engaged in debate, do not confine themselves to the issue under consideration.

(13) The President shall entertain only one main motion or resolution at a time and to permit no debate on the issue until it has been properly seconded and announced.

(14) The President shall recognize each member's right to speak on an issue and assign the floor to those persons entitled to it.

(15) The President shall be absolutely fair and impartial while presiding, refraining from discussion on any issue before the body.

(16) The President shall extend every courtesy to the opponents of an issue even though the issue is one that the presiding officer may not favor.

(17) The President shall vote on any issue being considered by the body when there is a tie vote.

(g) Clerk of Council.

(1) Except those meetings or portions thereof occurring in executive session as defined in Ohio R.C. 121.22 as may be amended from time to time, all regular and special meetings of the Council of the Village of St. Bernard, Ohio including those meetings wherein the Council is meeting as a Committee of the Whole, shall be electronically recorded. The electronic recording of the proceedings shall constitute the official minutes of the meeting of the Council so recorded. For the purpose of clarification of the recorded minutes and supplemental thereto, the Village Clerk may provide written minutes of the meeting including a summary of the discussion on matters proposed, deliberated or decided, which member of council made a motion, which member of council seconded any motion and the vote thereon.

(2) All electronic recordings which constitute the minutes of any meeting of the Village Council as set forth in paragraph (a) above shall be kept and maintained in the offices of the City Clerk.

(3) Policy for making copies of the Council electronic recordings will be as follows:

A. A request must be in writing to the Clerk at Village Hall.

B. The person making the request must supply a digital disc with the request.

C. The copy of the disc can be picked up at Village Hall on the Wednesday following the Council meeting, between 4-5 p.m., or any business day thereafter during normal business hours.

(h) Rules and Amendments.

(1) All questions concerning the government of the Council, and the transaction of business thereby, which are not provided for by these rules, or the laws of the State of Ohio, shall be decided in accordance with parliamentary rules as contained in Robert's Rules of Order.

(2) These rules of Council shall remain in full force and effect until amended or repealed by Council.

(Ord. 41-2005. Passed 12-1-05.)

(i) Committee of the Whole.

(1) Any member of Council knowing they will be unable to attend the committee of the whole meeting shall notify the Clerk of Council or any other member of Council prior to the meeting.

(2) Regular Committee of the Whole meetings shall be held on the second Thursday of the month, commencing promptly at 7:00 p.m. If any second or fourth Thursday falls on a holiday, then the meeting shall be held the preceding or following Tuesday evening at 7:00 p.m., or such date as Council may agree upon by a majority vote.

(3) The Committee of the Whole (COW) shall consist of the members of Council only, but the President of Council shall be ex-officio a member of the Committee of the Whole. The President of Council presides at all Committee of the Whole meetings. The Clerk of Council shall be present and responsible for the minutes.

(4) The President of Council, shall take the Chair at the hour appointed for Council to meet and shall immediately call the meeting to order. The roll shall then be entered on the minutes.

(5) In the absence of the President of Council, the President Pro-Tem will run the meeting. If the first two are absent the second person listed on the Committee on Committees will run the meeting.

(6) A majority of all the members elected shall be a quorum to do business.

(7) Committee of the Whole meetings shall be conducted in a less formal manner than the regular Council meetings. The dress code is casual but appropriate.

(8) All rules regarding "Motions" and "General Procedures and Decorum," as set forth above, shall apply to the committee of the whole meetings.

(9) Council may permit members of the audience to participate in any discussion before Council. Any two members of Council may request that the

audience participate on the subject before Council. The President of Council shall control proper order and rules of decorum as set forth below:

A. The President of Council shall control and determine who shall address Council and the duration of their comments. The proceedings shall be informal, but the formal rules of order as set forth above for "Council Meeting" may be imposed.

B. The President of Council shall adhere to the rules in this section unless a majority of the members of Council present agree to allow the rules to be relaxed to further audience participation or discussion. A majority of the members of Council present shall decide all issues regarding the application of these rules at all times during all audience participation.

C. The President of Council shall preserve order and decorum during any and all audience participation. The President shall ensure that all members of the audience adhere to the rules and shall require that all members of the audience refrain from any abusive, derogatory, foul, or obscene language.

D. Anyone that wishes to be placed on the C.O.W. agenda, shall place a request in the President of Council's mail bin by 3:00 p.m. 2 days preceding the Committee of the Whole meeting.

(j) Order of Business for Committee of the Whole Meetings. The order of business at all Committee of the Whole meetings shall be transacted in the following order:

Meeting called to order

Roll

Elections

Special presentation

Report of Village officials

Report of standing committees

Excuse of absent members

Adjournment

(1) Call to order: The President shall take the chair at 7:00 p.m. and call the meeting to order.

(2) Roll: The Clerk of Council shall record the names of the members present.

(3) Elections: The following procedures shall govern elections. Where Council is authorized by State Law to conduct an election to fill an office or position, the following rules shall govern such election:

A. Motion to Elect: The election process shall begin by a motion calling for an election to fill the specific office or position.

B. Nomination: Upon a motion to open nominations, the Chair shall call for nominations to fill the office or position. Nominations shall be made from members of Council. No second nomination is required. No person shall be elected to a specific office or position unless first nominated. After every member of Council has had the opportunity to nominate, a motion to close nominations will close the nomination process.

C. Vote: The vote on the nomination to fill the specific office shall be made with a call of the roll.

D. Majority: A majority vote of the members of Council is required for a nominee to be so elected. In the case of a tie, the President of Council shall cast the tie breaking vote.

E. Finality: The Chair shall declare the election final when one nominee receives majority vote. The newly elected, shall immediately take possession of their office or position.

(4) Special Presentations or Guests: Special presentations or guests will be given the floor to address Council, having been approved and placed on the agenda by the President of Council

(5) These reports shall be given in the following order:

A. Mayor

B. Auditor

C. Director of Law

D. Treasurer

E. Safety Director

F. Service Director

G. Tax Commissioner/Administrator

(6) Reports of Standing Committees: Shall be given as follows:

A. Finance Committee

- B. Safety Committee
- C. Service Committee
- D. Public Improvements Committee
- E. Laws, Contracts & Claims Committee
- F. Marketing Committee
- G. Business & Industry Committee

(7) Excuse of Absent Members: The President of Council shall ask Council to address the issue of any absent members. A motion to excuse the absent member shall be made if voted on by a group vote.

(8) Adjournment: Meeting is terminated. The President of Council shall then give the date and time of any special meetings or time changes.

(k) President of Council Address to Audience prior to Their Participation. Member of the audience shall be permitted to address the Council assembly subject to the following rules:

(1) For those who wish to address Council on a lengthy topic, we encourage you to attend the committee of the whole and be placed on the agenda.

(2) To address Council please stand at the podium and state your name and address.

(3) Please refrain from using any foul or abusive language, or any comments that may be perceived as libelous or slanderous.

(4) Your comments must concern issues that relate to Council or the Village of St. Bernard.

(5) The minutes that are printed and available to residents are not the official record of the meeting but are a summary of the meeting. While any comment you make will be recorded by tape and preserved in the official record, your comments may not be included in the printed summary.

(6) Ohio law forbids the use of taxpayer funds to print materials that may contain libelous, slanderous, or obscene material.

(7) Council reserves the right not to print your comments and may simply summarize or delete inappropriate comments.

(8) Council will not edit your comments but will simply remove the comments in their entirety or summarize your entire address.

(9) If you do not wish your comments printed verbatim in the minutes, please indicate to the Clerk, when you begin, that you would like to have your comments summarized. Council reserves the right to print anyone's comments when Council deems necessary.

(10) Please limit your comments to five (5) minutes.

(11) We will permit you to speak twice.

(12) As President of Council, I shall preserve order and decorum during this part of the meeting. I will permit some leeway to these rules to encourage audience participation, subject to the wishes of Council. However, if needed, I will strictly enforce these rules. I ask that you please conduct yourself accordingly.

Section 2. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety. The reason for the emergency is the immediate need to update the Codified Ordinances of the Village of St. Bernard. Therefore, this Ordinance shall take effect immediately by and upon its passage, and the approval of two-thirds of the members of said Council. However, this Ordinance shall take effect on the earliest date provided by law if approved by no more than a majority of the members of Council and in that event the emergency provisions herein are set at naught.

Passed this 14th day of June, 2018

St. Delaney
President of Council

ATTEST:

Ms. Anna Pichman
Clerk of Council

Approved this 14th day of June, 2018

John R. Estep
Mayor

I, M. SUE KATHMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 18, 2018 was made by posting true copies of the same in the most public places designated by Council: St. Bernard Square Bus Stop; Vine Street and Washington Avenue; Bertus Street Park; Greenlee Avenue and Johnson Alley; Park on Heger Drive; each for a period of fifteen (15) days or more commencing 6-14, 2018

ATTEST: M. Sue Kathman DATE 6-14-18
Clerk of Council

Approved as to form Michael W. Leck Date 6-14-18
Director of Law