

COUNCIL RULES



ADOPTED: JULY 14, 2022

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The following rules of procedure shall control the parliamentary conduct of Council. The rules, regulations, bylaws, and journal of City Council shall be open for public inspection at all reasonable times. All future amendments of these rules of procedure shall be adopted through a resolution passed by the City Council.

COUNCIL RULES

General Definitions.

As used in these Council Rules, unless another definition is provided, or the context otherwise requires:

- (a). "Administration" includes the Mayor, Finance Director, Law Director, Service Director, Planning Director, Director of Parks and Recreation, City Engineer, Police Chief, Fire Chief, or designee.
- (b). "Committee" shall mean a Standing Committee, Committee of the Whole or any special Committee created under these rules.
- (c). "Council" means the legislative authority of the Municipality.
- (d). "Dais" located at the front and sides of Council Chambers where the members of Council and the Administration are seated during meetings.
- (e). "Meetings" includes organizational, regular, special, standing committees, committee of the whole, or executive session of the council.
- (f). "Municipality" or "City" means the City of Stow, Ohio.
- (g). "Written" or "in writing" includes any representation of words, letters, symbols, or figures. This provision does not affect any law(s) relating to signatures.

SECTION 1 - Council Organization.

Rule 1.1 - Officers.

At the first regular meeting of Council in January of each year as provided by the City Charter, Council shall by majority vote, using a roll call vote, elect from among its members a President of Council, Vice President of Council, and a President Pro Tem to serve for a one (1) year term.

If no candidate is elected President of Council at the first regular meeting, Council may elect a President Pro Tem to conduct and chair the business of Council until such time as a President or Vice President is elected. Pending election of a President and/or Vice President, the President Pro Tem shall preside over Council and assume the duties and responsibilities of the President.

Rule 1.2 - Term of Office.

Any member of Council elected to the office of President of Council for 2 consecutive terms shall thereafter be ineligible for that office for the next succeeding year. (*See Charter section 4.04*)

Rule 1.3 - Removal of Officers.

A majority vote of Council members shall be required to remove the title and corresponding duties of President, Vice President, or President Pro Tem from a Council member.

Rule 1.4 - Presiding Officer.

The President is the presiding officer of Council. In the absence of the President, the Vice-President shall preside. (*See Charter section 4.04*) If the President of Council and the Vice President of Council are unavailable to conduct the business of Council, the President Pro Tem shall preside.

Rule 1.5 – Seating Arrangements.

The President of Council shall assign the seats at the Council Dais.

Rule 1.6 - Duties of the President.

The President shall preserve order and decorum and confine members in debate to the question. The President may call any member to order who may be in violation of the rules and shall decide all questions of order.

Rule 1.7 - Clerk of Council.

The Council shall appoint a Clerk of Council and shall serve under the supervision of the Council President. The Clerk shall keep the Journal of Council, an accurate and complete record of all proceedings of Council; authenticate by his signature and have custody of all laws, ordinances, and resolutions of Council; have custody of all documents, reports, papers, audio & video recordings, and files of Council; and perform other such duties as Council shall require. (*See Charter section 4.05*)

Rule 1.8 – Deputy Clerk of Council.

The Council shall appoint a Deputy Clerk of Council and shall serve under the supervision of the Council President. The Deputy Clerk of Council shall serve in place of the Clerk of Council if the Clerk of Council is unavailable and shall also perform other such duties as Council shall require.

Rule 1.9 - Vacancy of Clerk Position.

During the absence or disability of the Clerk of Council, the Deputy Clerk of Council shall perform the duties of the Clerk of Council. If no individual holds the position of Deputy Clerk of Council, Council shall appoint a qualified individual to perform the duties of that office. (*See Charter section 4.05*)

Section 2 - Meetings.

Rule 2.1 - Organizational Meeting.

At 7:00 p.m. on the first regular working day of January of each year, Council shall convene and organize at the Council Chambers of the Municipality. The mayor, or one appointed

by the mayor, shall preside as temporary chairperson only until the President of Council is elected. *(See Charter section 4.08)*

Rule 2.2 - Regular Meetings.

The City Council shall meet in regular session within the City at 7:00 p.m. on the second Thursday of each month, or on such other dates as Council determines appropriate. Council shall hold at least one regularly scheduled meeting during each calendar month. *(See Charter section 4.08)*

Council shall adopt its schedule of regular meetings for the next calendar year no later than November 30th of the current calendar year.

Council may amend the schedule of regular meetings, as necessary.

Rule 2.3 - Special Meetings.

Special Meetings of Council may be called by a vote of Council taken at any Regular or Special meeting thereof or shall be called by the Clerk of Council upon written request of the President of Council, or by any four (4) members of Council.

All special meetings of Council shall be held at the Council Chambers and shall be open to the public. *(See Charter section 4.09)*

Rule 2.4 – Public Hearings.

Reserved

Rule 2.5 - Executive Sessions.

An Executive Session may be called in compliance with the Charter of the City and the Open Meetings Act under Ohio R.C. 121.22(g). Items discussed in Executive Session are to remain confidential.

An executive session may be called by three (3) Council Members or the President of Council provided that such meeting complies with the provisions of Section 111.05. The President of Council shall chair the executive session, or in their absence, the Vice President of Council, or, in their absence, the President Pro Tem, or, in their absence, one of the Council Members calling the meeting.

Rule 2.6 – Open Meetings Act.

All Regular Meetings, Special Meetings, Executive Sessions, and Committee Meetings shall be conducted in accordance with the Open Meetings Act.

Rule 2.7 - Quorum.

Four members of Council shall constitute a quorum to transact business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by resolution or ordinance. *(See Charter section 4.10)*

A majority of the committee members shall constitute a quorum to conduct business.

Rule 2.8 – Regular Meeting Order of Business.

Business shall be conducted in the following order:

- 1.) Call to Order
- 2.) Roll Call (Absences of any Member shall be excused upon completion of roll call)
- 3.) Opening Prayer and Pledge of Allegiance
- 4.) Proclamations and Commendations
- 5.) Approval of Minutes
- 6.) Public Comment Period
- 7.) Mayor’s Report
- 8.) Old Business
- 9.) New Business
- 10.) Disposition of Ordinances and Resolutions
- 11.) Bill Listing Approval
- 12.) Scheduling of Standing Committee Meetings
- 13.) Adjournment

Rule 2.9 – Special Meeting Order of Business.

Business shall be conducted in the following order:

- 1.) Call to Order
- 2.) Roll Call (Absences of any Member shall be excused upon completion of roll call)
- 3.) Opening Prayer and Pledge of Allegiance
- 4.) Consideration and Disposition of Business for which the Meeting was convened
- 5.) Adjournment

Rule 2.10 – Committee Meeting Order of Business.

- 1.) Call to Order
- 2.) Roll Call (Absence of any member shall be excused upon completion of roll call)
- 3.) Approval of Minutes
- 4.) City Officials Report

- 5.) Consideration of Business Items
- 6.) Public Comment Period
- 7.) Adjournment

Rule 2.11 – Public Hearing Order of Business.

- 1.) Call to Order
- 2.) Roll Call (Absence of any member shall be excused upon completion of roll call)
- 5.) Consideration of Business Items
- 6.) Public Comment Period
- 7.) Adjournment

SECTION 3 - Committees.

Rule 3.1 - Standing Committees of Council.

The four Standing Committees shall be as follows:

- 1) Finance – Matters referred to the Finance Committee include but not limited to the City of Stow operating and appropriation budgets, capital budget, note and bond legislation, and various contracts. Finance Directors Report (per C.O.S. 133.06) shall be given during Finance Committee meetings.
- 2) Planning – Matters referred to the Planning Committee include but not limited to legislation concerning economic development, zoning code changes, business regulation code changes and the comprehensive plan. Planning Directors Report if any shall be given during Planning Committee meetings.
- 3) Roads and Public Safety – Matters referred to the Roads and Safety Committee include but not limited to legislation concerning police and fire departments, transportation, connectivity, and stormwater. Police Chief, Fire Chief, and City Engineer Report(s) if any shall be given during Roads and Safety Committee meetings.
- 4) Public Improvements – Matters referred to the Public Improvements Committee include but not limited to legislation concerning the courthouse, all city buildings, city parks and recreation, environment, utilities franchise. Service Director Report if any shall be given during Public Improvements Committee meetings.

Rule 3.2 - Special Committees.

The President of Council may create any special committees as necessary to perform the duties of Council.

Rule 3.3 - Number of Members on Committees.

There shall be four (4) members on each Standing Committee.

Rule 3.4 - Committee Appointments.

The President of Council shall appoint a chairperson, vice-chairperson, and other committee members.

Rule 3.5 - Attendance by Non-Committee Members.

Council Members may attend meetings of committees of which they are not a member, however they are in attendance as a council member, not a committee member.

Rule 3.6 - Committee Meetings.

The Committees shall meet in the Council Chambers beginning at 5:30 p.m. on the days of any regularly scheduled Council Meeting. Committees may also be scheduled by the Committee chairperson on other dates as needed.

Rule 3.7 - Duties of Committees.

The President of Council shall refer all proposed ordinances and resolutions to the appropriate Committee based on the subject matter.

Committees may propose legislation on their own initiative.

Rule 3.8 - Committee of the Whole.

The Council may resolve itself into a Committee of the Whole when it wishes, so that the entire Council may consider an issue or legislation. The President of Council shall be the presiding officer of the Committee of the Whole. Law Director Report if any shall be given during Committee of the Whole meetings.

SECTION 4 – Legislation

Rule 4.1 - Council Actions.

The Council shall act officially only by ordinance or resolution. *(See Charter Section 4.11).*

Rule 4.2 – Resolutions of Congratulations and Commendations.

Resolutions of congratulations, commendations, condolences, and the like, which are not of a legislative nature, may appear on the Council agenda under Proclamations and Commendations without consideration by a Committee.

Rule 4.3 – Preparation of Legislation.

Legislation shall be prepared for the presentation to Council if it presents a new question for consideration, amends or repeals legislation previously adopted by Council.

Any council member may introduce such legislation as they deem appropriate. Legislation can be prepared and recommended by the Administration, a Standing Committee of Council, Committee of the Whole, a special committee of Council, or a City Board or Commission; all such legislation must be sponsored by a Council member.

All legislation shall have continuous line numbers in the left margin and shall continue to be written in the same format and style as was in use at the time Council enacted these rules.

The Clerk of Council shall assign a number to all legislation once it has been referred to the appropriate Committee. All such legislation shall be assigned according to a system that reflects the sequential order and year, e.g., 01-97.

Any legislation placed upon the agenda of a Committee shall appear on the Council Agenda under Legislative Agenda, however such items may only be considered by Council if they have received a recommendation by the appropriate Committee.

Any proposed legislation or other matters requiring council consideration which has been referred to a Standing Committee, for more than sixty (60) days and extension of time has not been granted by Council, the proposed legislation shall be removed from the Standing Committee and Council Agenda.

Once an item has been recommended by a Committee and placed upon the official Council legislative agenda, it shall be before Council and a matter of formal public deliberation, regardless of whether Council may vacate or withdraw the legislation without formal passage or denial.

Withdrawal of an ordinance or vacating an ordinance shall be considered the taking of formal action by Council, and shall be deemed, unless otherwise noted in the official records of Council, to be a rejection or denial of the proposed action before Council.

Rule 4.4 – Language for Emergency Legislation.

The statement of necessity shall be contained in the last section of the resolution or ordinance with the following words: “That this ordinance (resolution) was adopted pursuant to Section 4.11, Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of public health and safety for the reason that <insert reason>, and pursuant to Section 4.13, Charter, shall take effect upon its adoption by Council, and approval by the Mayor, otherwise at the earliest period allowed by law.”

Rule 4.5 – Legislative Agenda Deadlines.

The Clerk of Council shall receive all new legislation and committee agenda items no later than 12:00 PM, Noon on the Wednesday of the week preceding the meeting at which it is to be introduced e.g., meeting is on Thursday June 9, legislation and committee agenda items are due by June 2. Legislation and agenda items received after the time stated above will be deferred until the next regularly scheduled Council meeting unless authorized by Council President.

Rule 4.6 - Appropriation of Money.

All legislation for the appropriation, transfer, or expending of funds shall include within the legislation the fund account(s) numbers that will have funds appropriated, moved, transferred, or expended.

Rule 4.7 - Presenting Legislation to Council.

When legislation is presented to Council, the Clerk of Council shall distribute copies to each Council member by email in a searchable Portable Document Format (PDF).

Members of City Council, city officials, and city employees will receive only electronic copies of agendas, legislation, draft legislation, applications, memoranda, or any other related documents, unless a request is made to the clerk of council for a printed version.

Rule 4.8 - When Legislation Becomes Effective.

Each resolution or ordinances approved by Council shall become effective as provided for in 4.13 of the Charter. (See Charter 4.13)

Rule 4.9 – Failed Legislation.

No legislation that was failed (defeated or rejected), been postponed indefinitely (lost), or has been withdrawn (vacated or deleted from the legislative agenda) shall come before Council again unless:

- 1) There is a substantial change in wording or circumstance which would make it new legislation; or
- 2) A motion to renew is approved by the same number of votes as was required to pass or adopt the same.
- 3) A motion to reconsider is approved pursuant to Rule 5.8.

Rule 4.10 - Amendments.

No legislation shall be amended unless the legislation to amend contains the entire legislation documenting the changes to show all new, deleted, or moved language. Language to be added shall be shown in bold lettering, language to be deleted shall be shown as struck through, and language moved shall be shown in italics.

Any legislation amending a City of Stow Codified Ordinance shall include the entire original language and document the changes to all new, deleted, or moved language. Language to be added shall be shown in bold lettering, language to be deleted shall be shown as struck through, and language moved shall be shown in italics.

Rule 4.11 – Electronic Signature.

Reserved

SECTION 5 - Parliamentary Procedures.

Rule 5.1 - Call to Order.

At the time appointed for Council to meet, the President shall take the Chair and immediately call the members to order.

Rule 5.2 - Roll Call.

Upon the call to order, the Clerk shall call the roll and enter into the minutes the members present or absent. Absences may be excused upon a motion which has received an affirmative majority vote of council members present.

Rule 5.3 - Procedure Upon Vote.

All legislative action of Council shall be by resolution or ordinance introduced in written or printed form, each of which shall contain no more than one subject, which subject shall be clearly expressed in its title. (*See Charter Section 4.11*)

An affirmative vote of at least 4 members of Council shall be required for the enactment of every resolution or ordinance, unless a larger number be required by the provisions of the Charter. (*See Charter Section 4.11*)

Every resolution or ordinance shall be read at 3 different Council meetings, unless Council votes to suspend the rule of requiring separate readings, which reading, or readings shall be by title only unless otherwise directed by a majority vote of Council. Such suspension of the rule shall require the affirmative vote of at least 6 members of Council if all members are present, or the affirmative vote of at least 5 members if one or more members are absent (*See Charter Section 4.11*).

The vote on the suspension of the 3-reading rule shall be taken by voice vote of yeas and nays and entered in the Journal of Council.

Ordinances and resolutions shall be deemed read when introduced by their full title and an electronic version of the written copy has been provided to each member of Council prior to its introduction. Any ordinance or resolution shall be read in full if requested by motion and approved by a majority of Council.

Rule 5.4 - Emergency Legislation.

Any measure to be adopted as an emergency measure requires an explanation be given prior to a motion being made as to why such an action is necessary. Each emergency resolution and ordinance shall contain a statement of the necessity for such emergency action, and its enactment shall require the affirmative vote of at least 6 members of Council if all members are present, or the affirmative vote of at least 5 members if one or more members are absent (*See Charter Section 4.14*).

Rule 5.5 - Questions and Motions.

When a motion is made and seconded, the presiding officer or the Clerk shall state the question, which then places it before Council. Any such motion may be withdrawn by the mover at any time before a vote is taken. A motion to withdraw must be moved, seconded, and approved by the majority of the members. Following debate, the presiding officer or the Clerk shall put the question to a vote and announce the results of the vote.

Rule 5.6 - Motions - Procedures During Debate.

When a question is before Council, no motion shall be entertained except a motion:

- 1) To adjourn (without debate)
- 2) To lay on the table (without debate)
- 3) To call the question (without debate)
- 4) To refer to committee (with debate)
- 5) To amend (with debate)
- 6) To postpone indefinitely (with debate)

Such motions shall have precedence in the foregoing order.

Rule 5.7– Call the Question.

The previous question shall be in the form, "call the question." Call the question requires a motion, and a second. If the motion to call the question carries, the question shall be put to a vote without further debate. If call the question is demanded on an amendment, it shall apply only to the amendment.

Rule 5.8 – Motion to Reconsider.

A motion to reconsider may only be made by a member who voted with the prevailing side.

A motion to reconsider a subject passed by Council shall be made before adjournment of that session of Council.

A motion to reconsider a subject failed by Council shall be made at the next regular Council meeting under Old Business.

Rule 5.9 – Motion to Renew.

A motion to renew shall be made during the Old Business section of the Council Agenda.

If such motion to renew is approved by a majority of Council, then the legislation shall appear on the legislative agenda at the next regular Council Meeting.

No motion to renew shall be made more than once on the same or substantially similar failed legislation.

Rule 5.10 - Point of Order.

A point of order is a motion made by a member of Council when they believe the Rules of Council are being violated and does not require a second. The presiding officer must determine the validity of the motion. If the decision is that a rule is being violated, the presiding officer shall enforce the Rules of Council.

Rule 5.11 - Point of Information.

A point of information is a request by a member of Council to the presiding officer, requesting information relevant to the debate. The presiding officer shall direct the request to the appropriate person and all information shall be exchanged through the presiding officer to maintain decorum.

Rule 5.12 - Non-Debatable Motions.

Motion to adjourn, lay on the table, call the question, or for reconsideration of a previous ordinance or resolution shall be decided without debate.

Rule 5.13 - Voting.

All members of Council present shall vote on the question on the call by yes or by no. The only exception being if a Council member feels they have a conflict of interest in the matter, at which time it is permissible for them to abstain from voting.

The Clerk of Council shall rotate the calling of the roll so that the councilmembers shall vote in a different sequence in each meeting.

Rule 5.14 – Tie and Negative Votes.

A tie vote or a negative majority vote on any motion shall be considered as failing the motion.

SECTION 6 - Debate and Decorum.

Rule 6.1 - Preservation of Decorum.

The presiding officer shall preserve decorum and maintain order at all meetings of Council in accordance with these rules, and shall confine members to the question before Council.

Rule 6.2 - Speaking by Council Members.

Any member of Council desiring to speak shall raise their hand for recognition by the presiding officer. Upon recognition, the member shall be allowed to speak. No member shall speak longer than five minutes at one time without leave. No member shall speak again on the same motion until all members of Council desiring to speak have had an opportunity to do so.

Rule 6.3 - Speaking by City Officials or Employees.

Any city official or employee desiring to speak shall raise their hand for recognition by the presiding officer. Upon recognition, the city official or employee shall be allowed to speak. No city official or employee shall speak longer than five minutes without leave.

Rule 6.4 - Obscene Language.

The use of obscene language is forbidden by all who are present at a meeting of Council.

Rule 6.5 – Electronic Devices.

Members of Council, city officials, or an employee seated at the Council Dais must turn off or silence all cell phones, pagers, or other electronic communication devices during meetings of Council. Any person using such a device during a meeting may be requested to leave Council Chambers. Texting or silent communication, including the use of social media, are prohibited. This section shall not apply to emergencies or for medical necessity.

Laptop computers and tablet devices are permitted during meetings for reviewing meeting minutes, agendas, legislation and note taking.

Section 7 - Public Comment.

Rule 7.1 - Citizens Addressing Council.

This rule shall not pertain to Committee meetings. Public comment at any Committee meeting shall be at the discretion of the presiding officer but must follow the rule 7.3.

Individual citizens present shall be permitted to address Council at Regular Meetings. Any individual wishing to address Council at a Regular Meeting shall raise their hand and be recognized by the President of Council. Public Comments must be made by the person present and may not be read on behalf of another person.

A citizen not present may submit, in writing, their comment related to an item on the Council Agenda to the Council office no later than 12:00 PM, noon, on the day of the meeting. Comments may be delivered in person, by mail, or emailed to clerkofcouncil@stow.oh.us. Any written comment must come directly from the person submitting the comment and cannot be compiled or vetted by a third-party representative. Comments will be forwarded electronically to all Council members for review prior to the meeting. Written comments will not be read during a Regular Meeting of Council but shall be included in the public comment portion of the meeting minutes as being fully read. To be included in the meeting minutes, written comments must include the citizen's name and address.

Rule 7.2 - Time Allotted.

No individual shall be permitted to speak longer than two (2) minutes at a Regular Meeting of Council. This rule shall not pertain to Committee meetings. Public comment at any Committee meeting shall be at the discretion of the presiding officer but must follow the rule 7.3.

Rule 7.3 - Conduct of Speakers.

Each speaker must provide their name and address for the record and shall state the subject of their comments which shall be addressed to the presiding officer. All speakers shall observe all rules of decorum. No debate, disrespect, obscenities, or threats of any nature shall be permitted.

Section 8 - General.

Rule 8.1 – Non-Legislative Business.

An affirmative vote of at least 4 members of Council shall be required for the approval of any non-legislative business of Council. Council may approve non-legislative business items at either a Council Meeting or during a Committee of the Whole meeting. Examples of non-legislative business includes, but is not limited to:

- 1) Appointments or confirmation of appointments to Boards and Commissions.
- 2) Approval of hiring.

Rule 8.2 - Access to Information.

Any person may visit, email, or telephone the Council Office during regular office hours to determine, based on information available at that office, the time and place of regular meetings; the time, place, and purpose of any then known Special Meetings; and the agenda for such meetings as then available. Council shall adopt its own rules, regulations or by-laws and shall keep a journal of all its proceedings. The journal shall be open for public inspection at all reasonable times. *(See Charter Section 4.06)*

Rule 8.3 – Video Recording of Council Meetings.

Video recording of Council meetings shall be under the direction of Council. The video shall serve as the unofficial minutes for Council meetings until a written summary of the meeting which details the discussions on each agenda item as well as the vote(s) on all ordinances and resolutions are approved by Council or the appropriate Committee.

This rule shall not apply to members of the public who attend meetings of council.

Rule 8.4 - Council Relationship to Administrative Officers.

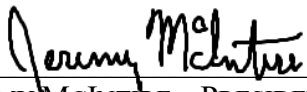
Neither Council, nor any of its committees, nor any of its members, shall in any matter take part in the discipline of, give orders to, any subordinates and employees in the administrative service of the City responsible to the Mayor, Finance Director and Law Director but must deal directly with the Mayor, Finance Director, Law Director, or their designee. Council may inquire into the conduct of any office or department and into the performance of any contract or any of the affairs of the City.

Rule 8.5 – Amendment of Council Rules.

These Council Rules shall remain in full force and effect until amended or repealed by Council. Any amendment or repeal of these rules shall be adopted by approval of the majority of Council at a Committee of the Whole or Council Meeting after such amendments have been provided in writing to all Council members.

No rule referencing a Section of the City Charter may be amended until said Charter Section has been amended and approved by the voters as provided in the Charter.

ADOPTED AS EXHIBIT A BY RESOLUTION No. 2022-104 ON 7/14/2022



JEREMY MCINTIRE – PRESIDENT OF
COUNCIL



LORREE VILLERS – CLERK OF COUNCIL

REVISED:
DATE