

RESOLUTION NO. 003-20R

A RESOLUTION ADOPTING THE AMENDED RULES OF ORDER FOR THE SANDUSKY CITY COMMISSION; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to Section 10 of the City Charter, the City Commission shall determine its own rules and order of business; and

WHEREAS, the City Commission's Rules of Order were previously amended and adopted at their regularly scheduled meeting on October 24, 2016; and

WHEREAS, the currently proposed amendments to the City Commission Rules of Order were read and discussed at the regularly scheduled City Commission meeting on January 13, 2020; and

WHEREAS, the City now desires to adopt the proposed amendments to the City Commission Rules of Order as presented; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to formally adopt the amended Rules of Order and begin their utilization as soon as possible; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby amends and adopts the Rules of Order for the City Commission, a copy of which is marked Exhibit "A" and is attached to this Resolution and is specifically incorporated as if fully rewritten herein.


Section 2. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all


PAGE 2 - RESOLUTION NO. 003-20R

deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: 

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 27, 2020

CITY COMMISSION RULES OF ORDER

1. DEFINITION OF TERMS

- 1.01 Charter - the Charter of Sandusky, Ohio effective July 28, 1914, and its amendments;
- 1.02 Member - a member of the City Commission;
- 1.03 President - the President of the City Commission and Presiding Officer or Chair of the City Commission who is the Ex-officio Mayor under the Charter;
- 1.04 Clerk - the Clerk of the City Commission;
- 1.05 Meeting - any regular or special meeting of the City Commission;
- 1.06 Quorum - a majority of the members elected to the City Commission;
- 1.07 Ad Hoc Committee - a temporary committee created by the City Commission through motion, usually composed of two members.

2. APPLICATION OF RULES

- 2.01 Except as otherwise provided by the Charter or laws of the State of Ohio, the functioning and proceedings of the City Commission shall be governed by these City Commission Rules of Order.
- 2.02 On matters involving parliamentary procedure not provided for in these City Commission Rules of Order, the Clerk's latest revised edition of "Robert's Rules of Order" shall be referenced by the President as persuasive, rather than binding, and the President's determination shall be final.
- 2.03 The Law Director shall act as parliamentarian and, when applicable, shall interpret "Robert's Rules of Order" for the City Commission.
- 2.04 These Rules of Order shall not be altered except by a vote of a majority of all members of the City Commission, and at a regular or special meeting. The proposition to make an amendment shall be in the form of a resolution, and shall be submitted and read to the City Commission at a meeting preceding the one at which it is acted upon. These Rules of Order may be suspended, when appropriate, by a majority vote of all City Commission members.

3. CITY COMMISSION COMMITTEES

- 3.01 Ad hoc committees may be created by the City Commission to review, study and make recommendations on specific matters. The President shall appoint with the consent of the City Commission each ad hoc committee, give it a charge, and establish the time frame within which the committee is to report to the City Commission. When an ad hoc committee has completed its charge, the existence of the committee shall terminate.

3.02 The Clerk shall provide for the electronic recordings of all ad hoc committee meetings and will maintain these recordings as the permanent record of these meetings.

3.03 Liaison Appointments -- At the beginning of each term of Commission, and as necessary thereafter, the President shall appoint members to serve as representatives or liaisons to be made for designated city boards and/or commissioners as well as for City departments. The Clerk shall maintain a list of the same.

4. CITY COMMISSION MEETINGS

4.01 Regular meetings shall be held on the second and fourth Mondays of each month. Meetings shall be convened in the City Commission Chamber of the City of Sandusky at 5:00 p.m., or in an alternate public place within the City of Sandusky corporate limits, provided that a public notice shall be posted on the entrance doors of the Municipal Building and the City's website 24 hours prior to the meeting time. In the event that a regular meeting date of the City Commission coincides with a legal holiday, or presents a conflict for a majority of members, the City Commission may establish an alternate date, or cancel the regular meeting. The Clerk shall ensure that any cancellation, alternate date or alternate location is published in a local newspaper of general circulation within the City of Sandusky.

4.02 The President and City Manager shall confer regularly regarding the agenda for City Commission meetings, after which the President shall determine the agenda. Upon concurrence that a meeting may become unduly lengthy due to the content and/or number of items on an agenda, the President may divide the agenda and defer items to the following regular meeting, or call a special meeting as provided for in Section 10 of the City Charter.

4.03 Special meetings are governed by Section 10 of the City Charter and Section 121.22 of the Ohio Revised Code.

4.04 Members shall be present during all regular and special meetings. Excused absences shall be granted by the City Commission by a majority vote of the City Commission pursuant to Section 11 of the City Charter.

4.05 The President may, if it is deemed it advisable, arrange the seating of the members of Commission in the Commission Chamber, and all members shall occupy said seats so designated during the time of their term of office.

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4.06 The roll call on each vote shall be rotated so that the members whose name was called first on the last preceding roll call vote shall be called last; the members whose name was called second on preceding roll call vote shall be called first, etc., and each member shall cast a vote when their name is called.

4.07 The Commission shall be a continuing body, but shall meet in the Commission Chambers at its first meeting in January of each even numbered year for the purpose of organization and electing its President and Vice-President by open vote or ballot.

5. CITY COMMISSION MEETING AGENDA

5.01 Except for emergency matters or other special matters requiring the immediate attention of the City Commission, a listing of business to be considered by the City Commission shall be prepared and made available to each member at least 96 hours prior to each regular City Commission meeting.

5.02 Prior to the scheduled meeting, the City Commission President, the Clerk, and the City Manager or his/her designee, may place items to be considered by the City Commission on the Consent Agenda or Regular Agenda.

5.03 It is the responsibility of the Clerk to prepare and deliver the agenda and all supporting documentation under the general supervision and direction of the President and the City Manager. All members of the City Administration and members of the public are encouraged to cooperate with the Clerk in making the Consent Agenda and Regular Agenda complete and accurate. While nothing herein will prevent the introduction of new business not listed under either the Consent Agenda or Regular Agenda, the City Commission may require additional time to study any item not included on the Consent Agenda or Regular Agenda.

5.04 The City Commission may, upon majority vote of its members, modify the order or contents of the Regular Agenda at a City Commission meeting.

5.05 Any City Commissioner may request, as the first item of business during the City Commission meeting, that any item placed on the Consent Agenda, be removed and placed on the Regular Agenda.

5.06 City Commission members recognize that the City Manager shall direct and coordinate the day-to-day activities of the employees of the City, including the management of time for such employees. No City Commission member shall reprimand, give orders to, or otherwise direct the activities of any City employee. A complaint made directly to a member of City Commission by a citizen shall be forwarded to the City Manager for investigation by an appropriate letter or memorandum from that City Commission member.

6. NOTICE OF MEETINGS

6.01 Public Notice

The Clerk shall cause to be published one time in at least one newspaper of general circulation in the City a statement of the dates, times, and places of the City Commission meetings regularly scheduled for the calendar year. Said publication shall

occur no later than the day preceding the day of the first such regular meeting for the calendar year. The Clerk may use any other medium appropriate for notice of public meetings including the City's website.

6.02 Public Posting

The Clerk shall also post a statement of the dates, times, and places of each regular City Commission meeting for the calendar year at least one week prior to the first regular meeting of the calendar year. Said posting shall be done at three (3) locations; the City Building, the Central Fire Station and the Sandusky Public Library.

7. PUBLICATION OF MEETING AGENDAS

7.01 Agenda Packets for Press / Media

The Clerk shall make available a copy of the agenda for any regular or special meeting to any news organization requesting same. The agenda will include copies of new Adopted ordinances and resolutions and other materials shall be made available at the discretion of the Clerk. These agenda packets will be made available to news organizations by 5:00 p.m. on Thursday prior to regular meetings, and as soon as practicable prior to special meetings. It is the responsibility of the news organization to make arrangements for pick-up or receipt of its agenda packet.

8. ORDER OF BUSINESS

The President shall take the chair at the hour appointed for the meeting of the City Commission and shall call the meeting to order and direct the Clerk to call roll. If a quorum is present, the meeting shall continue.

The order of any regular or special meeting shall be as follows:

1. Invocation
2. Pledge of Allegiance
3. Call to Order
4. Roll Call
5. Action of Minutes of previous meeting(s)
6. City Commission President shall ask if any Commissioner wishes to remove an item from the Consent Agenda and have it placed on the Regular Agenda
7. Audience Participation, agenda items only (3 minute limit)
8. Proclamations / Special Recognitions
9. Public Hearings
10. Legislation a. Tabled legislation
- b. Consent Agenda
- c. Regular Agenda i. Second reading of ordinances / resolutions
- ii. First reading of ordinances / resolutions
11. City Manager's Report
12. Committee & Department Heads / Commission Liaison Reports
13. Old Business
14. New Business

15. Audience Participation – Open [Discussion on matters of City business](#) (5 minute limit). [Members, other officials and administrative representatives shall not respond to or debate public speakers, and shall only answer questions as directed by the President of Commission.](#)

16. Executive Session(s) if any

17. Adjournment

9. REQUEST TO SPEAK

9.01 Members' Right to Speak

- a. While each member has the right to speak, the member must request this right by addressing the chair. Upon being recognized, the member may proceed.
- b. No member may filibuster. No member may speak for more than five (5) minutes continuously, except by leave of the President. The decision by the President in this matter is final. Reference to personalities and personal attacks shall be avoided by all speakers.
- c. A member may speak a second time on any one question only after all members have been given an opportunity to speak.
- d. The President shall regulate debate in any other manner that she/he deems necessary, provided that the rights of all persons to express their views are respected.
- e. By a motion duly made, seconded, and passed by a majority of members present, the City Commission may overrule any limitation of debate by the President and allow a member to speak for an additional five (5) minutes.
- f. City Commissioners-Elect, being those individuals who have been presumptively elected to a term of office beginning in January following such regular municipal election, shall be granted the courtesy and privilege to participate in the discussions and deliberations during the City Commission meetings that take place subsequent to their election and prior to January when their respective term begins but shall have no voting rights and shall be subject to the City Commission Rules of Order including this Section 9.

9.02 Residents / Interested Parties' Duties

Any resident or interested party desiring to address the City Commission shall be first recognized by the chair. She/he shall then step to the floor microphone and state her/his name and address in an audible tone for the Clerk's record. Remarks shall be limited as provided in Section 8 and reference to personalities and personal attacks shall be avoided by all speakers.

9.03 City Employees

The City Manager and any other appointed, administrative level official shall be entitled at all times to any privilege of the floor for the purpose of speaking upon any questions that pertain to their duties, responsibilities and authority. All provisions of 9.01 apply. City Employees will not make presentations on items included on the Consent Agenda.

10. VOTING PROCEDURES

10.01 Every member present, when a question is put, shall vote unless the member has an ethical conflict of interest. Any member requesting permission to abstain may make a brief statement of the reason for making such a request. The question shall then be immediately taken without further debate.

10.02 Voting on all legislation shall be oral and in open. No proxy votes are permitted. When the Clerk calls roll, each member shall respond "yes", "no", "present", or "abstain". No other comment is permitted during voting. The order of voting shall rotate in a random manner.

10.03 The Clerk shall announce the results of the voting, and state whether the matter voted upon passed or failed.

10.04 No vote of a member shall be questioned. Any member so desiring may briefly comment upon the vote personally cast after the roll call and announcement of the result. The President shall decide upon the propriety of the comments and monitor the length of same.

11. LEGISLATING PROCEDURE

11.01 As the first item of business during the legislative process, the City Commissioner President shall ask for a motion to accept the Consent Agenda in its entirety, with the exception of any items removed from the Consent Agenda. The motion will be to "accept the Consent Agenda and declaring that all ordinances and/or resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in accordance with the section reflected in the ordinances and/or resolutions, whether it be in accordance with Section 13 and/or Section 14 of the City Charter."

11.02 Once the motion has been received, the City Commissioner President should open the floor for any brief questions, discussions or comments on items remaining on the Consent Agenda.

11.03 Any Commissioner, following any brief question, discussion or comment, may request that an item be removed from the Consent Agenda and placed on the Regular Agenda.

11.04 If any items were removed from the Consent Agenda during the consent portion of the agenda, the City Commission President may determine where on the Regular Agenda those items will be discussed, e.g., immediately after the Consent Agenda has been accepted or later on the Regular Agenda.

11.05 Following any brief questions, discussions or comments on items remaining the Consent Agenda, or removal of additional items from the Consent Agenda, the City

Commission President shall ask for a second to the motion to approve the remaining items on the Consent Agenda.

11.06 Following a second to the motion to approve the remaining items, the Clerk shall conduct a roll call vote on the motion, followed by a roll call vote on the ordinances/resolutions.

11.07 Ordinances/resolutions that require a second reading will be automatically placed on the next meetings Consent Agenda.

11.08 Following the Consent Agenda, the City Commission shall legislate the items contained on the Regular Agenda.

11.09 During the Regular Agenda, a member may speak on any legislation; call for questions; ask for a statement of the question (which the President shall render); call for a division of the questions (the President shall render a decision regarding the divisibility of any question and said decision shall be subject to appeal as is a question of order); and question the City Manager. Any two members may demand the previous question.

11.10 Any member may request the preparation of such legislation as the member deems appropriate. Legislation is prepared and recommended by the Administration.

11.11 Every motion shall be reduced to writing if the chair or a member so requests.

11.12 When a motion is offered and seconded, it shall be transcribed and read back by the Clerk before debate. When written, it shall be read by the Clerk before debate.

11.13 After a motion has been read by the Clerk, it shall be deemed to be in the City Commission's possession and may be withdrawn only by leave of the City Commission.

11.14 Ordinances and resolutions shall be read by title only unless there is an objection from one of the Commission members.

11.15 Form of Ordinances / Resolutions

a. All ordinances and resolutions shall continue to be written in the same format and style as was in use at the time these rules were enacted by the Commission. All such legislation shall be assigned a number by the Clerk.

b. Each ordinance / resolution shall contain not more than one subject, which shall be fully described in the caption in easily understood terms.

11.16 Second Reading / Public Hearings – No motion is required on second readings. After debate has closed, the President shall direct the Clerk to call the roll.

11.17 Order of Consideration of Questions – All questions shall be considered in the order in which they are made.

11.18 Motion Made – Additional Proper Motions – When a question is before the Commission or under debate, or a motion has been made, no other motion shall be proper, except the following and these take precedence according to the order listed:

1. to adjourn
2. to table until future stated time
3. request cessation of debate and vote be taken
4. to refer to an ad hoc committee
5. to amend the matter under discussion
6. to postpone action for an indefinite time or to a date certain.

11.19 Question Without Debate - the following questions shall be considered without debate:

1. to adjourn
2. to lie on the table
3. to take from the table
4. all questions relating to priority.

11.20 Motion to Postpone - Adjourn

- a. A motion to postpone (to a day certain or indefinitely) shall not again be allowed at the same reading of the ordinance or resolution under consideration.
- b. A motion to adjourn shall always be in order, but if decided in the negative, it shall not be entertained again until some motion, order, or decision has taken place.

11.21 Motion to Take From the Table - A motion to remove any matter from the table shall be in order after consideration of one question succeeding the tabling. This is not debatable. Any matter removed from the table shall not be considered or acted upon until the next or a subsequent meeting.

11.22 Motion to Strike Out - A motion to strike out and insert shall be deemed divisible and a refusal to strike out equivalent to agreeing to the matter in the form, but shall not preclude further amendment by way of addition.

11.23 Appeal Decision of the Chair - On appeal from the decision of the chair, no member shall speak more than once, and the chair shall have preference.

11.24 Call to Order - If any member, in speaking or otherwise, violates the rules of the Commission, the chair or any member may call her/him to order and the member so called shall cease speaking until the question of order is decided.

12. MISCELLANEOUS

12.01 Council Courtesies

No member shall privately confer while the Commission is in session with anyone other than a fellow member, the City Manager, the Clerk, or Law Director. Such discussions as are permitted shall be brief and shall be conducted in a tone and manner so as not to disturb the proceedings. [No member may use a cell phone or texting device during the meeting.](#)

12.02 Confidentiality

a. ~~a~~ On matters where public knowledge of same could be detrimental to the City's position on legal, fiscal, property acquisition, personnel or other matters as provided in Section 10 of the City Charter and O.R.C. Section 121.22 (G), all members shall limit and/or restrict discussion and/or dissemination of the confidential information unless and until the Commission or the City Manager decides such matters may be discussed publicly.

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b. [Members shall each regard all information disclosed or discussed at or during any Executive Session to be absolutely privileged and confidential. It shall be the personal duty of each Commission Member to refrain from disclosing directly or indirectly to any third parties and any and all information disclosed or discussed at or during any Executive Session.](#)

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c. No member may speak for the City Commission as a body unless specifically authorized to do so by the City Commission.

12.03 Enforcement of Rules

The President shall conduct all City Commission meetings in accordance with these rules and shall preserve order at all meetings, and shall enforce the rules of the Commission either by private or public reprimand.

12.04 Violation of Rules

If any member, in speaking or otherwise, shall violate any rule of the City Commission, the President shall call the member to order. If such member is speaking when called to order, the member immediately cease speaking unless permitted to explain. The question or order shall be decided without debate, at the President's discretion.