Rules of Council

Adopted by the Council Under
The Authority of the Charter of the
City of Cincinnati

Updated 06/17/2015

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1. DEFINITIONS AND RULES OF CONDUCT

1.1 Adoption
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1.1 Adoption of Rules

The following Rules of Council are adopted on December 11, 2013 and shall remain in effect upon adoption by Council and until such time as amended, rescinded or the end of the Four year term of Council. These rules are established by Council pursuant to Article II, Section 5a of the Charter for the conduct of the business of Council. Such rules shall be enforceable amongst Members of Council and the Mayor.

1.2 Definitions. As used in these Rules of Council:

1.2.1 "Charter" means the Charter of the City of Cincinnati as amended from time to time.

1.2.2 "City Bulletin" means the official newspaper of the Council and shall contain official reports of the proceedings of Council as well as items of general interest. The City Bulletin shall be considered a newspaper of general circulation for all purposes.

1.2.3 "City's Website" means the website maintained by the administration of the city, currently www.cincinnati-oh.gov.

1.2.4 "Clerk of Council" means the person appointed by Council pursuant to Article II, Section 5a and the staff of the Clerk of Council.

1.2.5 "Committee" means a standing or special committee of the Members of Council created by the Mayor or by Council for the efficient conduct of the business of Council pursuant to Article II, Section 5a of the Charter.

1.2.6 "Committee Member" means a Member of a Committee.

1.2.7 "Council" means the nine Members elected in the November 5, 2013 election and their duly appointed or elected successor Members.

1.2.8 "Disturbing a Lawful Meeting" has the meaning ascribed in Ohio Revised Code Section 2917.12 as follows: (A) No person, with purpose to prevent or disrupt a lawful meeting, procession, or gathering, shall do either of the following: (1) Do any act which obstructs or interferes with the due conduct of such meeting, procession, or gathering; (2) Make any utterance, gesture, or display which outrages the sensibilities of the group.

1.2.9 "Mayor" means the person elected in the November 5, 2013 election and his duly appointed or elected successor.

1.2.10 "Member" means an individual member of Council.

1.2.11 "Notice of Regular Meeting" means the posting in the office of the Clerk of Council, Room 308, City Hall and on the City's Website of the time and place of a regularly scheduled meeting of Council or a Committee. If Council or a Committee adopts a different day or hour for its regularly scheduled meetings, notice shall be posted in the office of the Clerk of Council, published in the City Bulletin, and posted on the City's Website.

1.2.12 "Notice of Special Meeting" means notice by the Clerk of Council to the Mayor and Members by a written notice delivered to their place of residence or to any location designated by a the Mayor or a Member in writing and filed with the Clerk of Council or by electronic means evidencing receipt; provided, however, that no additional notice need be served on any Member present at a meeting of Council or Committee at which the Presiding Officer gives at least 24 hours oral notice of the time and purpose of the meeting. The news media that have requested notification shall be given at least 24 hours advance notice of the time, place and purpose of the meeting by the Clerk of Council. Notice shall also be posted in the office of the Clerk of Council and posted on the City's Website.

1.2.13 "Parliamentarian" means the Clerk of Council or the Clerk's Designee as assisted by the City Solicitor, or a member of the staff of the City Solicitor in attendance at the meeting of Council or Committee.

1.2.14 "Presiding Officer" means, in the case of a meeting of Council, the Mayor, Vice Mayor, or President Pro Tem presiding at such meeting, and in the case of a meeting of a Committee, the Chair or Vice Chair of that Committee presiding at the Committee meeting.

1.2.15 "Rules" means the Rules of Council as adopted, amended, or rescinded from time to time during the Term.

1.2.16 "Special Meetings of Council" means a meeting called pursuant to Article II, Section 5 of the Charter at the request of the Mayor or any two Members upon 24 hours notice to the Mayor and each Member.

1.2.17 "Special Meetings of Committee" means a meeting called at the request of the Committee Chair or any two Members of a Committee upon 24 hours notice to the Mayor and each Member.

1.2.18 "Term" means the term of Council commencing December 1, 2013 and ending December 1, 2017.

1.3 Amendment and Suspension of Council Rules.

Rules may be amended, rescinded or adopted by the favorable vote of a majority of the Members. The amendment, rescission, or adoption of a new Rule shall go into effect at the next regularly scheduled session of Council. Except where the Charter otherwise provides, any Rule may be suspended at a meeting of Council or a meeting of a Committee by a favorable vote of three-fourths of the Members or the Committee Members, as applicable, without debate.

1.4 Procedure in Absence of Rule.

In the absence of a Rule, the current edition of Robert's Rules of Order shall govern. The Presiding Officer, in consultation with the Parliamentarian shall declare the procedure to be followed, subject to appeal. Upon appeal, the Presiding Officer shall be sustained unless a majority of the Members of Council or the Committee, as applicable, grants the appeal, in which case the determination of the majority of Council or the Committee, as applicable, shall govern.

1.5 Rules of Courtesy and Decorum.

Council shall give our citizens a courteous and respectful hearing of their views.

Citizens shall be made to feel welcome with an appropriate greeting at the beginning of each Council and Committee meeting.

Council recognizes that citizens make significant personal sacrifices to attend Council and Committee meetings as well as public hearings. Council shall be respectful of the time being given by citizens and shall hear from them in a prompt and timely manner.

Council recognizes that citizens coming before Council may not always agree with the views of Members. All points of view shall be heard respectfully without reproach or admonition. In any debate of public issues, differences of opinion are to be expected and the civil, respectful, and transparent airing of those differences is encouraged in order to test ideas and develop consensus. Debate shall not become a personal attack on the speaker.

Letters to Members deserve serious consideration and a timely, appropriate response. Letters to the Clerk of Council, even those that may be critical, shall be made a part of the record of Council.

Decorum and civility shall be observed at all times by Members of council. This includes prompt and regular attendance at all meetings of Council, including those times dedicated to public comment. During meetings of Council, including during those times dedicated to public comment, neither the Mayor nor Members shall engage in lengthy side conversations. Such conversations shall occur outside Council chambers.

Those attending meetings of Council and Committees shall be respectful of other citizens, staff, the Mayor, and Members.

Members shall hold themselves and each other accountable for complying with these standards.

1.6 Conduct of Visitors

Council has a significant interest in conducting orderly, efficient, effective, and dignified meetings. All visitors to meetings of Council and Committees must not act in a manner constituting Disturbing a Lawful Meeting.

The Presiding Officer may order the removal of any person Disturbing a Lawful Meeting, or failing to comply with any lawful decision or order by the Presiding Officer. In cases of a person or persons Disturbing a Lawful Meeting, the Presiding Officer may ban such persons from all Council and Committee meetings for a period of 60 days, in addition to any other penalties provided by law. The Clerk of Council shall be responsible for notifying suspended individuals of the duration of their suspension.

In the interest of other speakers and fair enforcement of Council Rules, time limits on speakers at Council and Committee meetings shall be strictly and equally enforced. When a speaker's time has expired, he or she shall promptly conclude his or her sentence and cease speaking.

Signs, placards, posters and other items brought into Council chambers must not exceed 2 ft. x 3 ft. in size. Persons at Council or Committee meetings may not carry or hold signs, placards, posters or other items in a manner that obstructs the view of others.

The use of sticks, poles or supports made of wood, metal, plastic or any rigid material is strictly prohibited in Council chambers.

Any sign, placard, poster, or other item brought into Council chambers containing obscene or profane language, personal attack, libel, defamation, or threat of physical violence, shall be subject to removal at the discretion of the Presiding Officer.

Violators must remove from Council chambers any sign determined by the Presiding Officer to be in violation of this rule. The Presiding Officer has the discretion to order the removal of persons who violate this rule following a warning from the Presiding Officer.

2. PUBLIC ACCESS

2.1 Meetings Open to the Public.
2.2 Notice of Meeting.
2.3 Journal of Proceedings.
2.4 Copies of Documents.
2.5 City Bulletin.
2.6 Citizens' Forum.
2.7 Public Comment at Committee Meetings.
2.8 Regular Meetings.
2.9 Removal of Disruptive Individuals from Council Chambers.

2.1 Meetings Open to the Public.

All meetings of the Council and Committees shall be open to the public. All meetings of the Council and Committees shall be open to the news media and shall be subject to recording by radio, television and photographic services.

2.2 Notice of Meeting.

The Clerk of Council shall give Notice of Regular Meetings or Notice of Special Meetings of Council and Committees.

To obtain notification of Special Meetings of Council and Committees, a news agency shall submit a written request to the Clerk of Council at 801 Plum Street, Room 308, City Hall, Cincinnati, Ohio 45202. Such request shall include the name and address of the news agency making the request, an email address, a facsimile number, and a telephone number for use by the Clerk of Council. The notification of Special Meetings of Council and Committees shall be made by telephone call or electronic transmission evidencing receipt as provided by the news agency. The responsibility for keeping the required information current shall be that of the news agency making the request.

Any person who wishes to obtain advance notification of all Council or Committee meetings at which any specific type of public business is to be discussed shall submit a written request for such notification to the Clerk of Council at 801 Plum Street, Room 308, City Hall, Cincinnati, Ohio 45202. Such request shall include the name, address, email address, and telephone number of the person making the request and shall be accompanied by a sufficient self-addressed stamped envelope. Notification shall be made by mailing a copy of the agenda or a notice of the time, place and purpose of the meeting to the person requesting notification, except that in the event of Notice of a Special Meeting such notification may be made by telephone call or electronic transmission evidencing receipt. The responsibility for keeping the required information current shall be that of the person making the request.

2.3 Journal of Proceedings.

The journal of proceedings of the Council shall be kept by the Clerk of Council and shall be open to public inspection at all reasonable times. The vote of each Member shall be entered in the journal.

2.4 Copies of Documents.

The Clerk of Council shall make available to the public all records under the clerk's control required to be made available under the Ohio Public Records Law, Ohio Revised Code Section 149.43 *et seq.* The Clerk of Council may charge a reasonable fee to cover the administrative costs, including personnel costs, of providing such records. Fees for copies, including electronic copies, shall be posted in the office of the Clerk of Council and available on the City's Website.

2.5 City Bulletin.

The City Bulletin may contain a report or statement presented to Council in writing with a request that it be included in the minutes of Council upon the consent of a majority of Council.

2.6 Citizens' Forum.

For a period of not more than 30 minutes immediately prior to the start of each regular meeting of Council, there will be a citizens' forum where persons will be granted the privilege of the floor as follows:

(a) Each citizens' forum will begin with a greeting by the Presiding Officer and a brief summary of the Rules of Council related to courtesy and decorum and speaking before Council, after which persons are granted the privilege of the floor for up to two minutes to discuss any topic(s).

(b) All persons speaking during the citizens' forum are limited to one appearance per citizens' forum.

(c) All persons who wish to speak during the citizens' forum must complete a speaker card and file it with the Clerk of Council by the scheduled start of the citizens' forum on the day the speaker wishes to speak. Speakers may file a speaker card with the office of the Clerk of Council anytime beginning on Monday of the week they wish to speak until the scheduled start of the citizens' forum. Speaker cards will not be accepted by the Clerk of Council after the scheduled start of the citizens' forum, except in the discretion of the Presiding Officer. Speaker cards must be completed with the speaker's name, address, organization (if applicable) and subject, and submitted along with any material or information to be distributed. On the face of each completed speaker card, the Clerk of Council shall indicate the time of receipt and the order in which the speaker cards are received.

(d) The Presiding Officer shall recognize and introduce speakers in the order in which their speaker cards were received by the Clerk of Council. Those speakers who promptly submitted speaker cards but are unable to speak within the half-hour period will have first priority to speak at the next citizens' forum. The Clerk of Council will inform those speakers who will have priority to speak at the next citizens' forum prior to the start of the citizens' forum.

(e) Only the speaker, and the next succeeding speakers are permitted at the speakers' table during the citizens' forum, unless the Presiding Officer or any Member has invited two or more persons to the speakers' table for informational or ceremonial purposes.

(f) The use of obscene or profane language, personal attack, libel, slander, defamation, physical violence or the threat thereof, as determined by the Presiding Officer, shall constitute a Disturbing a Lawful Meeting.

(g) The Presiding Officer may order the removal of any person for Disturbing a Lawful Meeting or for failing to comply with any lawful decision or order by the Presiding Officer for the duration of the citizens' forum or such lesser period as the Presiding Officer may determine. The Presiding Officer may order the removal of persons who are Disturbing a Lawful Meeting from Council chambers for the duration of the meeting or such lesser period as the Presiding Officer may determine. In cases of excessive Disturbing a Lawful Meeting, the Presiding Officer may ban individuals from all Council and Committee meetings for a period of 60 days, in addition to any other penalties provided by law.

The Clerk of Council shall be responsible for notifying suspended individuals of the duration of their suspension.

(h) The citizens' forum shall not be considered part of the business portion of a Council meeting.

(i) If the Mayor is not present to call the citizens' forum to order five minutes after the scheduled starting time, the Vice-Mayor shall call the meeting to order. If neither the Mayor nor the Vice-Mayor is present for a regular meeting of Council, the President Pro-Tem shall call the meeting to order. If the Mayor, Vice-Mayor or the President Pro-Tem are not present, a Member may call the meeting to order, as long as a quorum is present.

2.7 Public Comments at Committee Meetings.

Members of the public are encouraged to discuss and debate relevant issues during meetings of the various Committees. Each Committee meeting will begin with a greeting by the Presiding Officer and a brief summary of the Rules of Council related to courtesy and decorum and speaking before Council. During Committee meetings, persons may be granted the privilege of the floor as follows:

(a) Persons who wish to speak on any item on a Committee agenda may be granted the privilege of the floor for three minutes, unless in the discretion of the Presiding Officer, circumstances dictate a longer or shorter period for all speakers on a particular item. The length of speaking periods for public comment must be uniform for a particular item.

Further, it is the discretion of the Presiding Officer whether persons speaking on agenda items speak before or after Committee members have had the opportunity to discuss the item. After the business portion of Committee meetings has concluded, persons who wish to speak on any issue may be granted the privilege of the floor for three minutes.

(b) At the discretion of the Presiding Officer, public comments may be limited to three persons in support and three persons in opposition of any issue. All speakers are limited to one appearance per Committee meeting.

(c) All persons who wish to speak before a Committee must complete a speaker card and file it with the Clerk of Council. Speaker cards must be completed with the speaker's name, organization (if applicable) and subject, and submitted along with any material or information to be distributed. On the face of each completed speaker card, the Clerk of Council shall indicate the time of receipt and the order in which speaker cards are received.

(d) Each Committee's Presiding Officer will recognize and introduce speakers in the order in which their speaker cards were received by the Clerk of Council.

(e) Only the speaker, and the next succeeding speakers are permitted at the speakers' table, when addressing a Committee or a public hearing, unless the Presiding Officer or any member of the Committee has invited two or more persons to the speakers' table for informational or ceremonial purposes.

(f) The Presiding Officer shall provide a warning to a speaker whose comments are not directly relevant to a Committee agenda item. Following a warning, the Presiding Officer may require a speaker who continues to make irrelevant comments to relinquish the remainder of his or her three minutes. Failure to comply will constitute Disturbing a Lawful Meeting.

(g) The use of obscene or profane language, personal attacks, slander, libel, defamation, physical violence or the threat thereof, which the Presiding Officer determines is intended as a disruption of the meeting, shall constitute Disturbing a Lawful Meeting.

(h) The Presiding Officer may order the removal of any person Disturbing a Lawful Meeting or failing to comply with any lawful decision or order by the Presiding Officer for the duration of the public comment period or such lesser period as the Presiding Officer may determine. The Presiding Officer may order the removal of persons who continue to Disturb a Lawful Meeting from council chambers for the duration of the meeting or such lesser period as the Presiding Officer may determine. In cases of excessive Disturbing a Lawful Meeting., the Presiding Officer has the discretion to ban individuals from all Council and Committee meetings for a period of 60 days, in

addition to any other penalties provided by law. The Clerk of Council shall be responsible for notifying suspended individuals of the duration of their suspension.

2.8 Regular Meetings.

The purpose of regular Council meetings is to allow the Mayor, Members, and city officials to conduct the city's business. Persons other than the Mayor, Members, city officials, and those invited by the Presiding Officer to provide factual information strictly related to the item under consideration by the Council shall not be recognized by the Presiding Officer to speak to Council during the meeting of Council. When called to provide such information, the person(s) called shall limit his or her remarks to the provision of the information requested and shall not attempt to offer remarks that are irrelevant to the item under consideration by Council.

The Presiding Officer may grant the privilege of the floor to one or more persons for ceremonial purposes.

2.9 Removal of Disruptive Individuals from Council Chambers.

If an individual is removed for Disturbing a Lawful Meeting of Council or a Committee two times in a 60-day period, that individual shall be prosecuted for violating O.R.C. Section 2917.12, a fourth degree misdemeanor. The Clerk of Council shall document the name, date, time and circumstances of any individual's removal from Council chambers during a Council or Committee meeting.

3. COUNCIL CHAMBER

3.1 Council Chamber.
3.2 Seating of Members.
3.3 Officers of the Council.
3.4 Clerk of Council and Staff.
3.5 Appointment by the Mayor.
3.6 Allocations of Office Space.
3.7 Ban on Weapons and Items Resembling Weapons.

3.1 Council Chamber.

The Council chamber, and the Committee rooms, shall be under the supervision and control of the Clerk of Council when the Council or Committee is not in session. The Council chamber shall be under the supervision and control of the Presiding Officer when Council or Committee is in session. The Council chamber, and the Committee rooms shall be used solely by the Mayor, Council, and the Committees for the transaction of the business of the city. If not required for such use, the Clerk of Council may permit the use of the Council chamber, and the Committee rooms for the transaction of other public business. Application for such use must be made to the Clerk of Council. Any permission granted may be canceled or revoked by the Clerk of Council.

3.2 Seating of Members.

Except as otherwise directed by a majority of Council, Members shall occupy the seats in the Council chamber assigned to them by the Mayor, but any two or more Members may exchange seats by giving joint written notice to the Mayor.

3.3 Officers of the Council.

A vote of a majority of the Members shall be required to select a President Pro-Tem at the first regular meeting in December following the regular municipal election for the choice of Members of Council.

3.4 Clerk of Council and Staff.

Pursuant to Article II, Section 5a of the Charter, the Clerk of Council shall be appointed as an unclassified legislative employee of the city by vote of a majority of the Members and shall serve at the pleasure of Council. The appointment shall be for a four year term coinciding with the Term.

Removal of the Clerk of Council during the Term shall be made only upon an affirmative vote of two-thirds of the Members.

Prior to original appointment the qualifications of the proposed appointee shall be presented to the Members.

The Clerk of Council's staff shall be appointed as unclassified legislative employees of the city by the Members. The Clerk of Council shall have supervision and control of the staff of the office of the Clerk of Council.

3.5 Appointment by the Mayor.

Within the first 30 days of the Term, the Clerk of Council shall provide the Members with a list of those positions appointed by the Mayor with the advice and consent of Council which will expire during the Term.

When the Mayor submits a proposed appointment to Members, the name of the proposed appointee shall be published in the City Bulletin and consideration of the appointment shall be at the next regular meeting of Council.

3.6 Allocation of Office Space.

When any office occupied by a Member becomes vacant for any reason, the vacant office space shall be offered to the other Members in order of seniority based upon total consecutive time served on Council, except that Room 356 shall be provided to the Vice Mayor. The Clerk of Council shall administer the assignment of vacant office space in accordance with this rule.

3.7 Ban on Weapons and Items Resembling Weapons.

Weapons and any items that the Presiding Officer determines resemble weapons are strictly banned from Council chambers unless wielded by a member of the Cincinnati Police Department. Any person carrying such item will be immediately removed from Council chambers and banned from all Council and Committee meetings for a period of 60 days, in addition to any other penalties provided by law.

4. MEETINGS OF COUNCIL

4.1 Regular Meetings.
4.2 Special Meetings.
4.3 Adjourned Meetings.

4.1 Regular Meetings.

Regular meetings of the Council shall be held in the Council chamber commencing at 2:00 p.m. on Wednesday of each week except during the month of July and August when the Council shall meet on the first Wednesday of the month. Whenever a regular meeting falls in a week in which a legal holiday occurs on Monday, Tuesday or Wednesday, the meeting shall be held on Thursday at 2:00 p.m. Date and time of regular meetings may be changed by affirmative vote of two-thirds of the Members.

The citizens' forum for public comment shall begin 30 minutes prior to the scheduled start of every regular meeting of Council, and will last for up to 30 minutes. A quorum must be present for the citizens' forum to begin.

4.2 Special Meetings of Council.

Special meetings of Council for a specific purpose or purposes may be called by the Clerk of Council at the request of the Mayor or any two Members with Notice of a Special Meeting given as provided in Rule 2.2. The call for the meeting shall state the time, date, location and subjects to be considered at the meeting and be posted on the City's Website.

A special meeting may be canceled upon request of the callers of the special meeting. The Clerk of Council shall notify all Members of the proposed cancellation and upon the acquiescence of a majority of Members, the meeting shall be canceled. In the event such majority vote is not obtained, the meeting shall be held as scheduled. The news agencies that requested Notice of the Special Meeting shall be notified of any cancellation. The Clerk of Council shall post cancellation of the special meeting on the City's Website.

4.3 Adjourned Meetings.

Any meeting of Council may be adjourned until a later time, date or location provided that no adjournment shall be for a longer period than until the next regular meeting.

5. PRESIDING OFFICER

5.1 Presiding Officer.
5.2 Temporary Presiding Officer.
5.3 Preservation of Order.
5.4 Appeals from Decisions of Presiding Officer.
5.5 Questions Stated.
5.6 Presiding Officer Leaving Chair.
5.7 The Clerk.
5.8 Addressing the Chair.

5.1 Presiding Officer.

The Mayor or, in the Mayor's absence, the Vice-Mayor or, in the absence of both, the President Pro-Tem, shall preside over any meeting of Council.

The Committee Chair or, in the absence of the Chair, the Vice Chair, shall preside over any Committee meeting.

5.2 Temporary Presiding Officer.

In case of the absence of the Mayor, the Vice-Mayor and the President Pro-Tem at any meeting of Council, the Clerk of Council shall call the Council to order and call the roll of the Members. If a quorum is present, the Members present shall select, by a majority vote, a Presiding Officer of the meeting to act until the Mayor, Vice-Mayor or President Pro-Tem appears.

In case of the absence of the Chair and the Vice Chair at any meeting of a Committee, the Clerk of Council shall call the Committee to order and call the roll of the Members of the Committee. If a quorum is present, the Members present shall select, by a majority vote, a Presiding Officer of the meeting to act until the Chair or Vice Chair appears.

5.3 Preservation of Order.

The Presiding Officer shall preserve order and decorum, prevent attacks on personalities or impugning of Members' motives and confine Members in debate to the question under discussion. The Presiding Officer shall exercise final authority to take any measures reasonably necessary to preserve order during meetings and to ensure that the meeting is conducted in an orderly and efficient manner. In discharging these duties, the Presiding Officer may issue directives to any member of the Cincinnati Police Department who shall be deemed a sergeant-at-arms for the Mayor and Council.

Any person entering the Council chambers or any of the Committee rooms while a meeting is in progress, shall render inaudible any device, such as a cell phone, beeper or paging device within such person's control that may beep, buzz or make any noise that may be audible to other persons in the area.

The Parliamentarian shall be present at and assist with the resolution of procedural questions at every Council meeting and Committee meeting.

5.4 Appeals from Decisions of the Presiding Officer.

The Presiding Officer, in consultation with the Parliamentarian, shall decide all questions of order subject to appeal. Upon appeal, the Presiding Officer shall be sustained unless overruled by a majority vote of the Members.

5.5 Questions Stated.

Questions by Members for the city administration, may at the discretion of the Presiding Officer, be directed by the Member directly to the person answering the question. The answers to the questions may be directed to the Member asking the question. The questions may be limited by the Presiding Officer, if the Presiding Officer determines that the city administration has fully answered the question.

5.6 Presiding Officer Leaving Chair.

The Presiding Officer at a meeting may call any other Member to take the Presiding Officer's place in the chair but the substitution shall not extend beyond adjournment.

5.7 The Clerk.

The Clerk of Council and other officers and employees of the Clerk of Council's office shall be under the control and direction of the Presiding Officer during Council and Committee meetings.

5.8 Addressing the Presiding Officer.

Every Member speaking to a question or making a motion shall address the Presiding Officer as "Mister Chairman" or "Madam Chairwoman." The Presiding Officer shall state the name of the Member entitled to the floor. Members addressing Council or a Committee shall confine themselves to the question under debate.

MEMBERS

6.1 Duty to Vote.
6.2 Right to Floor.
6.3 Limitation of Debate.
6.4 Roll Call Vote.
6.5 Tie Vote.
6.6 Change of Vote.
6.7 Personal Privilege and Character Attacks.
6.8 Censure.
6.9 Dissents and Protests.
6.10 Attendance at Meetings.
6.11 Excusal During Meeting.

6.1 Duty to Vote.

Every Member present at a meeting of Council shall vote on all binding motions, resolutions, reports from the administration requiring action and ordinances, unless excused by a majority vote of Council; except that no Member shall vote on any question in which he or she is financially interested or which in any way directly involves the personal or private rights or obligations of a Member or the immediate family of a Member. A Member wishing to be excused or excepted shall state the reason for excusal or exception.

Any Member, who has a personal or professional conflict with any item that appears before a Committee or the Council, shall strictly adhere to the requirements of the Ohio Ethics Commission. This includes, but is not limited to, refraining from all conversations involving the subject matter with

all Members, the administration, and the Mayor and absenting oneself from any room or place at which the subject matter is discussed.

6.2 Right to Floor.

When any Member addresses the Council, he or she shall respectfully address the Presiding Officer and, when recognized by the Presiding Officer, shall confine discussion to the question under debate, avoid personal attacks, and refrain from impugning the motives of any other Member's statements, arguments or votes.

When two or more Members ask for recognition at the same time, the Presiding Officer shall name the Member who is first to speak. The exercise of such discretion by the Presiding Officer is not subject to appeal. However, each Member shall be given the opportunity to speak.

6.3 Limitation of Debate.

For meetings of Council, no Member shall be allowed to speak more than once on any one subject until every other Member choosing to speak thereon shall have spoken. Member comments are limited to five minutes at one time. The one primary maker of the motion shall have the right to make a final two-minute summation before the vote. There shall be no remarks on a subject once the matter has been acted upon. The Presiding Officer shall indicate when the speaker is approaching the end of his or her allotted time and when his or her time has ended. The Presiding Officer has the authority to limit debate after all Members have had reasonable opportunity for a full debate of the matter provided that a majority of council may on motion overrule the decision of the Presiding Officer to limit debate.

6.4 Roll Call Vote.

When a roll call vote is required, the Clerk of Council shall call the roll and each Member as his or her name is called shall answer in the affirmative or negative unless excused or excepted from voting. At the Presiding Officer's discretion, the vote may be announced.

Members shall not explain their votes during the call of the roll.

6.5 Tie Vote.

On a tie vote, the matter fails.

6.6 Change of Vote.

A Member may change his or her vote on an item until the outcome of the vote is announced by the Presiding Officer. Once the outcome of the vote is announced, a Member may change his or her vote up to the time the next item of business is commenced, without permission and regardless of whether it changes the outcome of the vote. A Member may request permission to change his or her vote prior to the adjournment of the meeting, as long as it does not change the outcome of the vote. Permission may be given by general consent if no Member objects when the Presiding Officer inquires. If a Member objects, permission shall be granted by a majority vote.

If a Member wishes to explain a vote, a Member may file a statement of intention with the Clerk of Council's office up to two days after a vote is taken, declaring the Member's intention. A copy will be distributed by the Clerk of Council to the Mayor and the other Members and placed on the next council calendar.

6.7 Personal Privilege and Character Attacks.

No Member shall assail, question or impugn the integrity, character or motives of another Member. If the Presiding Officer determines that a Member has violated this rule, the Presiding Officer may withdraw permission to the floor of Council.

If a Member's integrity, character, or motives are assailed, questioned, or impugned by another Member, the Member can request permission from the Presiding Officer to address the Council on a

question of personal privilege. A Member shall be granted permission to address Council for up to two minutes, but the Presiding Officer may call that Member out of order if the Presiding Officer determines no grounds exist for the question of personal privilege.

6.8 Censure.

If a Member assails, questions, or impugns the integrity, character, or motives of another Member, a Member may make a motion to censure the Member for the character attack. The motion shall pass if three-fourths of the Members present vote in favor of the motion. If the motion to censure passes, the motion shall be published in the City Bulletin.

6.9 Dissents and Protests.

Any Member shall have the right to express dissent from or protest against any ordinance, motion, or resolution of Council and have the reason therefore entered upon the journal of Council. To be entered upon the journal, such dissent or protest must be filed in writing and presented to Council not later than the end of the next regular meeting following the date of passage of the ordinance, motion, or resolution.

6.10 Attendance at Meetings.

Each Member shall be present within the Council chambers during the entirety of each meeting of Council, including the citizens' forum, unless excused by the Presiding Officer or necessarily prevented from attending.

6.11 Excusal During Meeting.

Any Member desiring to be excused while Council is in session shall obtain such permission from the Presiding Officer.

CONDUCT OF BUSINESS

7.1 Order of Business.
7.2 Call to Order.
7.3 Roll Call.
7.4 Quorum.
7.5 Filing of the Journal.
7.6 New Business.
7.7 Announcements.
7.8 Council Calendar.
7.9 Council Referrals.
7.10 Referrals of State and Federal Joint Proposals.
7.11 Referrals to City Manager.
7.12 Assignment of Agenda Items.
7.13 Deliberative Policymaking.
7.14 Sunset of Prior Legislative Matter.

7.1 Order of Business.

Council shall transact business in the following order at all regular meetings. The order may be altered at special meetings and at any other meeting by consent of a majority of Council.

Council Procedure:

Roll Call
Prayer and Pledge of Allegiance
Filing of Journal
Special Orders (guests, proclamations, resolutions, etc.)
Regular Agenda (action items)
Supplemental Agenda

New Business
Announcements
Adjournment

After the presentations by Members, the business of all regular meetings shall commence at the point where the order of business at the preceding meeting was interrupted by adjournment. At special meetings of Council, the order of business shall be restricted to Roll Call, Prayer and Pledge of Allegiance, discussion and action on the item or items specified in the Notice of Special Meeting.

7.2 Call to Order.

At the time appointed for the Council to meet, the Presiding Officer shall take the chair and immediately call the meeting to order.

7.3 Roll Call.

Before proceeding with the business of the Council, the Clerk of Council shall call the roll, determine the presence of a quorum and enter in the minutes the Members present, absent and excused. To be recorded as present, a Member of council shall be in the Council chamber at the time of roll call. The Clerk of Council shall publish in the City Bulletin the names of Members present and absent at each meeting.

7.4 Quorum.

A majority of the Members, or appointed to a Committee, as the case may be, shall constitute a quorum and shall be necessary for the transaction of business. If a quorum is not present, those in attendance may adjourn by a majority vote until a later time or date or may recess and direct the Clerk of Council to procure the attendance of absent Members. When a quorum is present, a majority vote of those Members shall be sufficient to transact all business except the enactment of ordinances and as a larger number is required by law or the Rules of Council.

7.5 Filing of the Journal.

At each meeting the journal of the preceding meeting shall be filed as prepared by the Clerk of Council if there is no objection.

7.6 New Business.

No legislative issues may be introduced that are not on the Council calendar. All motions, communications, resolutions, and ordinances must be presented to the Mayor and prior to or at the council meeting to be referred to a Committee for consideration.

Items not appearing on the calendar may be presented by the Mayor at his or her sole discretion in cases of genuine emergency.

A Member may request that an item not appearing on the calendar be immediately considered at the Council meeting. The item must be submitted to the Mayor's office by 1:30 p.m. the day before the meeting to be considered by the Council. The Mayor shall have the authority to place the item on the council agenda for immediate consideration or assign it for normal consideration through the committee process. An affirmative vote of two-thirds of the council shall be required for immediate consideration of an item at the council meeting.

Ceremonial resolutions that celebrate public achievements are restricted to matters of citywide significance as determined by the Mayor. Requests for such must be submitted to the Mayor's office by 11:00 a.m. the day prior to the Council meeting.

7.7 Announcements.

The Mayor and, following the Mayor, each Member upon being recognized by the Mayor, may speak for up to three minutes with regard to any announcements or informational matters.

Time will be on the agenda only for announcements and informational matters.

7.8 Council Calendar.

The Clerk of Council shall prepare a calendar for each meeting. The Clerk of Council shall make copies of the calendar for a regular meeting available in the Clerk of Council's office and on the City's Website by 4:00 p.m. of the day preceding the meeting. The supplement shall be made available by 11:00 a.m. of the day of the meeting except in the event a committee meeting is held the evening prior or the day of the council meeting.

The supplemental calendar shall contain action agenda items received by the Clerk of Council after the calendar deadline.

Items shall appear on the calendar in substantially the following order:

(a) Reports and communications from the Mayor, Members, the city manager, the city boards and commissions, and department directors.

(b) Second reading of ordinances held from previous meeting.

(c) Third reading of ordinances held from previous meeting.

(d) Other matters received by the Clerk of Council.

(e) Reports of Committees.

Anonymous communications shall not be placed on the agenda or introduced into Council.

7.9 Council Referrals.

Items on the calendar, which have not been previously referred to Committee, shall be referred to the appropriate Committee by the Mayor. Items shall be referred to the planning commission where required by the Charter or law. Planning commission items shall be initially referred to the commission and to the appropriate Committee. When returned to Council by the planning commission, the items shall be placed on the Committee agenda with the initial referral. An item may be considered immediately without referral to Committee, and then acted upon only upon an affirmative vote of two-thirds of the Members.

7.10 Referrals of State and Federal Joint Proposals.

All proposals for projects which contemplate cooperation with, or financial participation by, the state or federal government, shall be transmitted to Council by the city manager. If a city board or commission desires to propose such a project, the proposal shall be filed with the city manager.

All proposals shall be in approved form and accompanied by proper plans and specifications conforming to the requirements of the respective state or federal government.

The Mayor shall refer all proposals to the appropriate Committee. The Committee shall report its recommendations to Council. If Council approves the proposal, it shall authorize the city manager to make application to the proper authority.

7.11 Referrals to City Manager.

Communications from Members must be directed to the city manager's office for follow-up. Requests for information from Members, other than for the resolution of routine constituent matters, shall go to the city manager instead of directly to the department heads. Basic information that does not involve or require a memorandum or a report may be requested directly by a Member to the city manager or his or her office. Notwithstanding the above, Committee chairs may have direct contact with department directors or their supervisory staff regarding matters related to the Committee's jurisdiction.

7.12 Assignment of Agenda Items.

The Mayor shall assign all legislative matters to the appropriate Committee for consideration; however, a matter may not be assigned to the Budget and Finance and more than one other committee or a majority of the members may bring the matter back to council with a recommendation for referral by the mayor to a different committee , consistent with Council's approved Committee jurisdictions.

7.13 Deliberative Policymaking.

Council motions calling for administration action, the expenditure of funds or a change in policy direction must be before the public for at least one full week, allowing an opportunity for public comment at no less than one Committee meeting following the Council meeting where the item is publicly introduced except when deemed an emergency by the Mayor, subject to the Rules of Council. This means an item must be presented 1) as a new business item at a Council meeting and then presented in a Committee meeting before advancing to a vote of Council; or 2) presented at a Committee meeting and then held in that Committee for one meeting before advancing to the regular Council meeting.

7.14 Sunset of Prior Legislative Matters.

All legislative matters, including but not limited to resolutions, ordinances and motions, pending in Council or Committees at the conclusion of the Term shall lapse. Each new Council shall start with new Council business.

MOTIONS

8.1 Motions; General.
8.2 Motions; New Subject.
8.3 Procedural Motion During Debate.
8.4 Motion to Reconsider.
8.5 Motion to Take Recess.
8.6 Motion to Adjourn.

8.1 Motions; General.

All motions shall require a majority vote of Council for adoption except as otherwise provided in the Charter or the Rules of Council. When a motion is made it shall be stated by the Presiding Officer before debate. The Member introducing the motion may withdraw or amend a motion at any time before passage. All motions are debatable unless specifically stated otherwise.

The Clerk of Council shall prepare and distribute to Members a weekly report of new and existing legislative activities, to include the name of the sponsor, the title, the Committee referral, action taken by Committee, and current status.

A motion, report from the administration, resolution, or ordinance, in its final form, and referred for consideration, shall be introduced and filed with the Clerk of Council's office, which communicates it to the Mayor for referral to Committee.

The Committee shall diligently act on the referred item and shall bring such item to a vote of the Committee within a reasonable time frame.

If approved by a Committee, the item is sent to the Mayor's office to be placed on the Council calendar no later than the second regular meeting of Council after approval by Committee.

8.2 Motions; New Subject.

All motions which bring a new subject before Council shall be in writing and shall be referred by the Mayor to a Committee for report prior to adoption. Such motions may be presented either in the form of a motion or a resolution.

8.3 Procedural Motion During Debate.

When an item is before Council, only the following procedural motions shall be entertained with precedence in the order listed.

(a) Motion to Refer.

Approval by a majority of Council of a motion to refer sends the pending question to the Mayor to refer to a specific standing committee or to a special committee, the city manager, a board or commission or a department director for investigation, report, and action. The report in response to such referral shall be made to Council or as Council otherwise directs.

(b) Motion for Vote on Current Item.

Approval by a majority of Council of a motion for vote on the current item shall close debate and Council shall immediately proceed to a vote on the current question. The motion may be made only after each Member has had an opportunity to speak on the matter. The motion is not debatable.

(c) Motion to Amend.

A motion may only be amended once. An amendment once rejected may not be moved again substantially in the same form.

(d) Motion to Postpone Indefinitely.

A motion to postpone indefinitely shall be approved only with the affirmative vote of three-fourths of the Members. If a motion to postpone an item carries, the item is considered to have failed without a vote on the merits.

8.4 Motion to Reconsider.

A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the meeting of Council or Committee at which the vote was taken. A motion to reconsider any other action taken by Council or Committee may be made at any time at any meeting held within 10 business days after the vote of Council thereon. A motion to reconsider may be made only by a Member who voted with the prevailing side. A majority of Council shall be sufficient for reconsideration of a vote. If a motion to reconsider fails, a further motion for reconsideration shall not be entertained.

8.5 Motion to Take Recess.

Council may move to take a recess to a specified time. The motion is debatable and amendable. At the appointed time the meeting shall be called to order and business will proceed the same as if no recess had been taken.

8.6 Motion to Adjourn.

A motion to adjourn shall be in order at any time, except as follows:

(a) When repeated without intervening business or discussion.

(b) When made as an interruption of a Member while speaking.

(c) When a Motion for vote on the current item has been made.

(d) While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

ORDINANCES AND RESOLUTIONS

9.1 Ordinances Drafted.
9.2 Reading of Ordinances.
9.3 Suspension of Three Readings.
9.4 Amendments.
9.5 Improper Amendments.
9.6 Adoption of Ordinances.
9.7 Emergency Ordinances.
9.8 Publication of Ordinances.
9.9 Legislative Resolutions.
9.10 Resolutions.
9.11 Adoption of Resolutions.

9.1 Ordinances Drafted.

Ordinances shall be drawn by the city solicitor at the request of the Mayor or any other Member, , a Committee, the city manager, a board or commission, or a department director.

All legislative matters shall be drafted as ordinances except when required by state law to be in the form of a resolution, in which case all formalities of an ordinance shall be followed in the passage of the resolution. No ordinance shall contain more than one subject which shall be clearly expressed in its title, and no ordinance shall be revived or amended unless the new ordinance contains the entire ordinance revived, or the section or sections amended and the section or sections so amended shall be repealed.

9.2 Reading of Ordinances.

Ordinances must be fully and distinctly read by title on three different days unless three-fourths of the Members dispense with the rule. If the rule has not been suspended, the first reading of the ordinance shall be for information. After the second reading, the ordinance shall be considered to be in final form and not subject to further amendment, except that the form of the ordinance may be reconsidered by a majority vote of Council. The third reading shall be for adoption of the ordinance by a roll call vote.

9.3 Suspension of Three Readings.

Upon motion affirmatively passed by three-fourths of the Members, the rule that an ordinance must be fully and distinctly read on three different days may be suspended at any time after the first reading of the ordinance.

The title of the ordinance shall be read once for information, the motion for suspension of the rule shall be made and, if the motion is acted upon favorably, the ordinance shall be immediately subject to amendment and passage. If the motion does not carry, the ordinance shall be held for a second reading. A motion to suspend the rule may be made after the second reading and, if acted upon favorably, the ordinance shall be immediately subject to passage.

9.4 Amendments.

Amendments to ordinances made on the floor of Council after the first reading shall be indicated by the Clerk of Council on the original ordinance.

When an ordinance is referred to a Committee, it may be reported back with a recommended substitute for the legislation. The Presiding Officer of the appropriate Committee shall state the substitute recommended by the committee.

The Clerk of Council shall note on the document that it is substitute legislation. The original legislation may be placed on the calendar for indefinite postponement.

9.5 Improper Amendments.

An amendment is out of order which is not germane to the question to be amended or is identical to a question previously decided during that Council meeting. No independent new question may be introduced under cover of an amendment. An amendment may not conflict with the spirit of the original legislation and still be in order.

9.6 Adoption of Ordinances.

An ordinance in its final form, after approval by a Committee, shall be immediately transmitted to the Mayor's office to be placed on the Council calendar for a vote no later than the second regular meeting of Council after approval by Committee.

All ordinances shall require for passage the concurrence of no fewer than a majority of the Members.

A vote of six Members is necessary (a) to appropriate property when notice to the owner is only by publication because the owner cannot be found (O.R.C. 719.05), (b) to pass an emergency measure (Art. II, Sec. 3, Charter), (c) to submit to the electorate a proposal to amend the Charter (Art. XVIII, Sec. 9, Constitution of Ohio), or (d) to overrule the failure of the planning commission to approve an amendment of the zoning ordinance or of the zone map or location of a public improvement or other matter on which the Charter requires planning commission advice. An ordinance creating, combining, abolishing or decreasing the powers of any department, division or board, shall require a vote of three-fourths of the Members (Art. II, Sec. 7, Charter).

9.7 Emergency Ordinances.

In order to take immediate effect, an emergency ordinance must receive an affirmative vote of a majority of the Members on the ordinance and an affirmative vote of two-thirds of the Members on the emergency clause. Each vote shall be taken separately by yea and nay vote.

In the event the ordinance receives an affirmative vote of a majority of the Members, but does not receive an affirmative vote of two-thirds of the Members on the emergency clause, the emergency clause shall be stricken and the ordinance shall go into effect as otherwise provided by law.

The journal of the Clerk of Council shall show the yeas and nays of the roll call vote separately on the ordinance and the emergency clause.

9.8 Publication of Ordinances.

Every ordinance shall be published once within fifteen days after its passage in the City Bulletin or another newspaper of general circulation in the city of Cincinnati. In the publication of every ordinance relating to improvements, the advertisement shall contain simply a statement of the title, number and the date of the ordinance and resolution, a concise description of the private property affected, a summary of the nature of the improvements, the rate of any assessment levied or to be levied, and a reference to a copy of the ordinance, which shall be on file in the office of the Clerk of Council. In the publication of all other ordinances the publication shall contain a statement of the title, number and date of the ordinance, the complete text or a brief statement of the nature of the ordinance and a reference to a copy of the ordinance, which shall be on file in the office of the Clerk of Council.

9.9 Legislative Resolutions.

Legislative matters that are required by the constitution or state law to be in resolution form shall be adopted and published in the same manner as ordinances.

9.10 Resolutions.

Resolutions shall be drawn by the city solicitor at the request of the Mayor, any Member, a Committee, the city manager, a board or commission, or a department director.

9.11 Adoption of Resolution.

All resolutions except legislative resolutions shall be adopted by an affirmative vote of a majority of Council. A Member may abstain from voting on non-legislative resolutions upon request of the Member.

COMMITTEES

10.1 Appointment of Committees.
10.2 Standing Committees.
10.3 Special Committee.
10.4 Committee Meetings.
10.5 Secretary to Committees.
10.6 Committee Quorum/Prompt Start of Committee Meetings.
10.7 Reference to Committees.
10.8 Committee Reports.
10.9 Timely Reports.
10.10 Relieving Committee from Further Consideration.
10.11 Public Hearings and Special Meetings.
10.12 Limitation of Debate

10.1 Appointment of Committees.

The standing Committees and vice-chairs shall be appointed by a vote of a majority of the Members. The chairs of the standing Committees shall be appointed by the Mayor. There shall be at

least three members on each Committee. Every Member shall serve on at least three Committees that meet regularly. Members shall be given the right to serve on Committees of their choosing. So long as a Member serves on at least three Committees that meet regularly, such Member shall not be required to serve on a Committee that the Member has not requested to be a Member of. In cases in which a Committee has fewer than three Members, the Presiding Officer of the Committee shall request other Members to join the Committee. If membership on the Committee remains below three, the Rules and Audit Committee may disband and apportion the responsibilities of the disbanded Committee to the other Standing Committees, subject to the approval of Council.

10.2 Standing Committees.

(a) The Standing Committees of Council, commencing December 1, 2013 shall be:

(1) Budget and Finance Committee;

(2) Law and Public Safety Committee;

(3) Neighborhoods Committee;

(4) Education and Entrepreneurship Committee;

(5) Human Services, Arts, and Youth Committee;

(6) Major Transportation and Regional Cooperation Committee;

(7) Economic Growth and Infrastructure Committee; and

(8) Rules and Audit Committee.

(9) Streetcar Committee

(b) Appointment of a Member to the Standing Committees shall be for the Term.

10.3 Special Committee.

A special committee of Council may be appointed by the Mayor, or a subcommittee of a Committee may be appointed by a Committee chair, for any special purpose and shall cease to exist upon final report to Council or the Committee on the duty assigned. It may be discharged by a vote of a majority of Council or the Committee appointing it. A Special Committee of Council, commencing December 1, 2013, appointed by the Mayor, shall be the Streetcar Committee.

10.4 Committee Meetings.

Each Committee shall meet regularly at the time and day specified by the chair of the Committee. Meetings may be canceled by the chair unless a majority of the Committee objects to the cancellation. A schedule of planned Committee meetings will be presented by Committee chairs in January (for February through September) and September (for October through January) - allowing citizens, administration officials and Members to plan and prepare for the meetings in advance. Standing Committees will generally meet every two weeks, or less frequently at the discretion of the Committee chair. The Committee meeting schedule shall be staggered so that there are Committee meetings each week.

A Standing Committee shall not interfere with the schedule of another Standing Committee in the same room. If a Standing Committee runs until the beginning of another Standing Committee, the earlier Committee shall adjourn to another Committee room or adjourn to another time. The chair of the later Committee may waive this rule at his or her sole discretion.

Members shall attend the scheduled standing Committee meeting over the standing Committee meeting that is running over its scheduled time. Failure to attend the scheduled standing Committee at its allotted time shall be recorded as an unexcused absence by the Clerk of Council.

If a Committee member fails to attend a Committee meeting without properly informing the Committee Presiding Officer, the absence will be treated as an unexcused absence and recorded as such by the Clerk of Council. The Clerk of Council shall publish the unexcused absence in the City Bulletin.

Committee chairs shall have the authority to schedule meetings and set the agenda for Committee hearings. Once items have been referred to Committee, the chair shall set the agenda for each meeting. Referred items are not to be placed on Committee agenda without the consent of the chair. However, items referred to Committee shall be placed on the Committee agenda within two regularly scheduled meetings of the Committee. Members may not speak on an item unless it is on the Committee agenda, or upon recognition by the Presiding Officer. The Presiding Officer, in his or her sole and absolute discretion, has the authority to direct security personnel to enforce Council rules for purposes of civility and decorum.

Members may not always agree with the view of some or all of the other Members. All views shall be heard respectfully without reproach, admonition, or interruption. In any debate of public issues, differences of opinion are to be expected and civil airing of those differences is encouraged as it helps to test ideas and develop consensus. Debate, however, should never become a personal attack which criticizes the character of the speaker rather than the wisdom of his or her ideas. Once the Presiding Officer gives a Member the floor, that Member shall speak without interruption by the Presiding Officer or other Members, unless provided by Section 6.8 of the Rules of Council. Any Member with the floor must yield the floor after five minutes.

If a Committee member requests recognition for the purpose of asking a question, upon recognition of the Presiding Officer, the Member shall ask the question through the Presiding Officer, unless the Presiding Officer allows the Member to ask the question directly.

Any Member of a Committee may propose any amendments or modifications to any matter before the Committee. The proposed amendment or modification shall be considered by the Committee at that meeting. A vote of the Committee will be taken on the amendment first. If the amendment passes, the Committee will then vote on the matter, as amended, pending before the Committee.

Items not appearing on the agenda may be presented through the Committee chair at his or her sole discretion.

A Committee may consider any matter concerning the city which falls within the area of responsibility assigned to that Committee. A Committee may initiate legislation within its area of responsibility for submission to Council and such legislation, when accompanied by a Committee report, may be acted upon immediately and need not be referred to another Committee.

10.5 Secretary to Committees.

The Clerk of Council or the Clerk of Council's designee shall act as secretary and Parliamentarian, with the assistance of the City Solicitor's office, to each Committee, and keep a record of attendance and business transacted at Committee meetings.

10.6 Committee Quorum/Prompt Start of Committee Meetings.

A majority of the Members appointed to any Committee shall constitute a quorum.

If a quorum is not present at a special or regularly scheduled meeting, the chair or other Presiding Officer may permit persons present to speak on agenda issues; however, no referrals or reports to Council may be made or action taken on any matter in the absence of a quorum, but shall be held in Committee until the next meeting. The chair of the Committee shall report to Council that there was no quorum at its regularly scheduled meeting or that a scheduled meeting was not held. Should action be required on any matter referred to the Committee before the Committee's next scheduled meeting, Council may relieve the Committee from further consideration of the matter.

If a Committee chair is not present five minutes after the scheduled starting time of a Committee meeting, the Committee vice-chair shall call the meeting to order. If neither the chair nor the vice-chair is present, a Committee member shall call the meeting to order.

10.7 Reference to Committees.

Each Committee shall investigate and report on all items on the calendar referred to it and may refer such items to the city manager, city board or commission, or a department director for report to the Committee.

10.8 Committee Reports.

A report in its final form, if approved by the Committee which caused the report to be created, action on the report in the form of a resolution or ordinance shall be sent to the Mayor's office to be placed on the council calendar in a timely fashion.

Any item that was reviewed in Committee in which there was a tie vote or no action could be taken may be referred by any Member of the Committee to the Mayor for consideration of whether the item should be placed on the agenda of Council. Such requests shall be transmitted to the Mayor's office by the Clerk of Council's office. In the event any item fails in a vote of the committee to which the item was assigned, the Mayor may remove the matter to a different committee, a majority of the members may bring the matter back to Council with a recommendation that the matter be assigned by the Mayor to a different committee.

The Clerk of Council shall transmit to Council in writing the reports of Committees containing the recommended disposition of matters referred to them. Written indication on the calendars as to a Committee recommendation shall satisfy the requirement that reports of Committees be transmitted in writing to Council.

10.9 Timely Reports.

Administration reports required for review or approval at a Committee or Council meeting shall be distributed at least one day prior to the meeting to allow meaningful Council review and deliberation.

10.10 Relieving Committee from Further Consideration.

Council may by an affirmative vote of two-thirds of the Members, relieve a Committee of further consideration of a matter referred to it and either order the matter placed on the calendar for consideration or send the matter to the Mayor to be referred to a new Committee.

10.11 Public Hearings and Special Meetings.

The Committee chair or any two Members of a Committee may schedule a public hearing or a special meeting of the Committee, with the required public notice.

Any Committee may hold a public hearing or special meeting on any matter pending before the Committee or on any matter of importance to the city within the area of responsibility of the Committee.

In the event such a public hearing or special meeting is called, Notice of a Special Meeting shall be published as provided in these Rules of Council.

In all cases, due care should be taken to avoid scheduling conflicts of Members of the Committee or other previously scheduled hearings or meetings of Council and/or its standing Committees.

10.12 Limitation of Debate.

For Committee meetings, no Member shall be allowed to speak more than once on any one subject until every other Member choosing to speak thereon shall have spoken. . No Member may speak on any subject more than five minutes at one time. The one primary maker of the motion shall have the right to make a final two-minute summation before the vote. There shall be no remarks on a subject once the matter has been acted upon. The Presiding Officer shall indicate when the speaker is approaching the end of his or her allotted time and when his or her time has ended. The Presiding Officer has the authority to limit debate in his or her reasonable discretion after each Committee Member has been given the opportunity to speak.

10.13 Committee Agendas

The Clerk of Council shall prepare an agenda for each committee meeting. The Clerk of Council shall make copies of the agenda for a regular standing committee meeting available in the Clerk of Council's office and on the City's Website by 3:00 p.m. on the Friday preceding such meeting.

LEGAL OPINIONS FOR COUNCIL MEMBERS

11.1 Legal Opinions for Council Members.

Members may, individually or jointly, request legal opinions and legal work from the City Solicitor. When appropriate, the Member(s) may specify that such opinions be delivered confidentially under the attorney-client privilege, and be delivered only to the Member(s) who requested the legal opinions.

If the "Rule 11" legal work the Member requests involves an item to which the administration has already established a position or generated a legal analysis, the Member(s) may request an independent opinion conducted by a city attorney not involved in the prior decision making or analysis.

When the Member has requested a confidential/privileged and independent opinion or analysis, only the Member can disclose the legal opinion to others within or outside the administration. Consistent with Ohio rules of legal ethics, the city attorney must conduct his or her analysis independently and provide a neutral and confidential opinion or analysis to the requesting Member(s).

Members who jointly request a confidential legal opinion or analysis must respect their joint attorney-client privilege for legal opinions given to them in confidence by the City Solicitor's Office or other attorneys of the city.