

**RESOLUTION 2023-1**  
**ESTABLISHING RULES OF COUNCIL PER OHIO REVISED**  
**CODE FOR THE VILLAGE OF CHESAPEAKE, AND DECLARING AN**  
**EMERGENCY**

*WHEREAS*, The Council of the Village of Chesapeake is required by Ohio Revised Code Section 731.45 to establish its own rules and keep a journal of its proceedings.

*WHEREAS*, the Council of the Village of Chesapeake on its own accord desires to enhance the accountability and conduct of its members.

NOW, **THEREFORE, BE IT RESOLVED**, BY THE COUNCIL OF THE VILLAGE OF CHESAPEAKE, OHIO THAT:

**SECTION 1:**

The Chesapeake Village Council adopts the following Rules of Conduct to be in place and adhered at all times by members of the legislative authority.

The adoption of this resolution is permitted under Ohio Revised Code Section 731.45, and is in the best interest of the Village of Chesapeake and its citizens; and therefore, shall go into effect at the earliest date possible upon adoption by the Council of the Village of Chesapeake, and approval of the Mayor.

**SECTION 2: CONDUCT**

Council Member

- 2.1 All members of the Village Council have equal votes. No Council member has more power than any other, and all members shall be treated with equal respect.
- 2.2 As a Council member it is important, at all times, to act in a manner that enhances community confidence.
- 2.3 These Rules of Council do not prohibit or infringe on any member's right to freedom of speech or possession of an opposing viewpoint. Members are entitled and encouraged to share their viewpoint(s), provided it is done in a professional manner, and with the utmost respect for others.
- 2.4 No member of the legislative authority, especially when acting in his/her official capacity or in dealing with the public, shall commit any act or utter any comments which would bring an embarrassment to the Village of Chesapeake.
- 2.5 Members should, at all times, ensure their actions and statements provide a positive image and public perception of the Village and work to enhance and improve the Village, other members of Council, and the Village employees. At no time shall a member of the council commit an act or make remarks, which are derogatory, degrading, belittling, sarcastic or malicious toward another member of Council, the Village, Mayor or Village employees. Opposing viewpoints of Council members, the Mayor or Village employees may be shared, provided they are not presented in a manner violating these rules of conduct or any other laws of the Village or State of Ohio.
- 2.6 Members of the Village Council shall conduct themselves in accordance with all aforementioned sections and the following:
  - 2.6.1 Act properly, professionally, and in accordance with the requirements of the law and the terms of these Rules of Conduct.
  - 2.6.2 Fully participate in Village Council meetings and other public forums, while demonstrating respect, kindness, consideration, and courtesy to others.
  - 2.6.3 Act in good faith; honestly, for the purpose of the community. Act in the interest of the community and Council, without exceeding their lawful powers.

- 2.6.4 Make no allegations which are unseemly or derogatory in public forums pertaining to matters of Village business, employees, or other Council members.
- 2.6.5 Refrain from any form of conduct, especially in performance of their official duties and while in public forums, which may cause any reasonable person unwarranted offense or embarrassment; or bring embarrassment to the Village.
- 2.6.6 Observe the highest standards of honesty and integrity, and avoid conduct, which may suggest any departure from this standard.
- 2.6.7 Ensure confidential information is guarded and handled with the utmost sensitivity.
- 2.6.8 Always act in accordance with their obligation of loyalty to the Council and Village; serving as a model of leadership and civility to the community.
- 2.6.9 During council meetings, members shall assist in preserving order and decorum and shall neither by conversation or otherwise, delay or interrupt the proceedings; nor refuse to obey the orders of the presiding officer, the rules established within this ordinance, or in cases where no village rules is established, Robert's Revised Rules of Order.
- 2.6.10 A Village Council member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine discussion to the question under debate, avoid discussion of personalities and indecorous language, and refrain from personal attacks and verbal abuse. Council members in violation of this section shall be ruled out of order by presiding officer. If the presiding officer fails to act, any other member may raise the point of order and compel the chair act.
- 2.6.11 A council member may speak no more than twice on any one agenda topic, and each time shall be allotted not more than five (5) minutes. After 7:00 pm the time shall be limited to two (2) minutes. Time limits may be extended by motion, second and majority vote. Any responses to a council members question(s) will not be included in the members speaking time provided the question(s) is/are directed to an individual. The chair shall ensure all responses are brief and concise.
- 2.6.12 A village council member desiring to question any member of the village employees, shall address questions to the employee's manager, either the Village Administrator or Mayor, who shall be entitled to either answer the inquiries or to designate the employees to address them. Council members shall not berate badger, belittle or speak to employees in a derogatory or sarcastic tone. Members in violation of the section shall be ruled out of order, and will not be permitted for further, questioning of employees.
- 2.6.13 A village council member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer. If a council member is called to order while speaking, that member shall cease speaking immediately until the question of order has been determined. If the member again refuses to comply with the presiding officer, the member will be in violation of OHIO REVISED CODE SECTION 2917.12 DISTURBING A LAWFUL MEETING. The Sergeant at Arms will, at the direction of the presiding officer, remove the offending member by necessary means, and said member will not be permitted to return to the session and shall be cited under the aforementioned section the ORC.
- 2.6.14 Village Council members shall confine the questions to the matters before the assembly and in debate, and shall confine their remarks to the issue before the council.
- 2.6.15 Where there is more than one speaker on the same subject, council members will delay their comments until after all speakers have been heard.

## **2.7 Village Employees**

- 2.7.1 Village employees shall observe the same rules of procedures and decorum applicable to members of council.
- 2.7.2 The Mayor shall take such disciplinary action as may be necessary to ensure decorum is preserved at all times by village employees under their direct control.



2.7.3 All persons addressing the Village Council, including the village employees, or members of the public shall first be recognized by the presiding officer; and shall limit their remarks to matters under discussion.

2.7.4 All remarks and questions addressed to the council shall be addressed to the council as a whole, and not to any individual member.

2.7.5 No employee, other than the employee having the floor, shall enter into any discussion either directly or indirectly without permission of the chair.

## **2.8 Citizens and Visitors**

2.8.1 Citizens and visitors are welcome and encouraged to attend all public meetings of the Village Council, and will be admitted to the council chamber provided adequate space is available.

2.8.2 All attendees of the meetings shall refrain from private conversations while council is in session. It is the duty of the presiding officer to ensure compliance with this section. Individuals found in violation of the section shall be requested to cease their discussion. If the presiding officer finds the individual in violation a second time, the offender may be asked to remove him/herself from the meeting; or be aided in leaving the meeting by the Sergeant at Arms, at the request of the presiding officer or a majority of council.

2.8.3 Citizens and visitors attending council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of council. Any person making personal, impertinent, profane, or slanderous remarks; or who becomes boisterous while addressing council may be removed.

2.8.4 Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer, who may effect the offenders' removal by the Sergeant at Arms. Anyone in gross violation of this section will be in violation of section 2917.12 of the Ohio Revised Code.

## **SECTION 3: Meetings**

3.1 Regular Meetings – the Council of the Village of Chesapeake will meet at 7:00 pm on the first Monday of each month, unless postponed or canceled for valid reason.

3.2 Special Meetings - The Village Clerk/Treasurer shall call special meetings upon request of the Mayor, or three members of council.

3.3 Public Notice - The agenda for all regular meetings of the legislative authority of the Village of Chesapeake shall be made available to any and all interested parties. The agenda will be made available at the Village office. Notice of special meetings of the council shall be made as required by the Ohio Revised Code.

3.4 Quorum - Four (4) members of the council shall constitute a quorum.

3.5 Compelling Attendance - A lesser number than a quorum may adjourn from meeting to compel the attendance of absent members said members are available.

3.6 Village Legal Counsel Participation – The Village Counsel shall attend, or be available to counsel during meetings, at the request of the Mayor and/or Council.

3.7 Clerk/Treasurer Participation – The Clerk/Treasurer shall attend all meetings of the council and keep accurate records of all actions taken by village council.

3.8 Executive Sessions - The Village Council may meet in executive session when it is scheduled by the Mayor or upon request of council, and when in compliance with the Ohio Open Meetings Laws. No vote shall be taken in executive session. Any actions, discussed and agreed to be taken, must be made and adopted by council in open session.

3.9 PUNCTUALITY AND BREAKS – Village Council members shall arrive at meetings at or before the scheduled meeting time. Council members may make a motion to recess at anytime provided such a motion is in order, and in compliance with Roberts Revised Rules of Order.

3.10 The Fiscal Officer shall prepare and deliver Council member packets that will include copies of legislation and agendas no less than 2 days before the scheduled council meeting. For special meetings, packets shall be delivered at least 24 hours prior to the special meeting.

**SECTION 4: Violation and Enforcement**

4.1 Violation of these established rules may be considered malfeasance, misfeasance, or non-feasance; and is a violation of rules established under Ohio Revised Code Section 731.45.

4.2 Violation of these rules may result in disciplinary action in accordance with provisions of Ohio Revised Code Section 731.45.

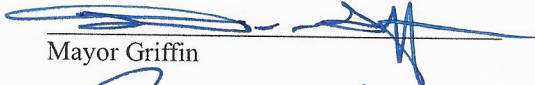
4.3 These rules shall be enforced by the Council of the Village of Chesapeake as provided by Ohio Revised Code Section 731.45.

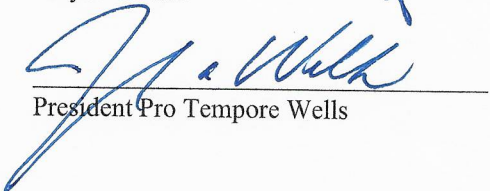
4.4 The Council may punish or expel any member for disorderly conduct or violation of its rules and declare his or her seat vacant for absence without valid excuse, where such absence has continued for two months. No expulsion shall take place without the concurrence of two thirds of the members elected and until the delinquent member has been notified of the charge against him or her and has had an opportunity to be heard. (ORC 731.45)

**SECTION 5:** All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereto.

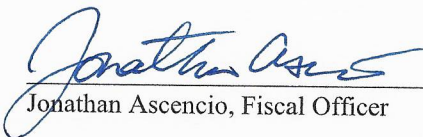
**SECTION 6:** Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that it needs to appoint someone to perform the duties of Fiscal Officer immediately. Wherefore, provided this Ordinance receives the require affirmative votes of Council, this Ordinance shall take effect and be in fore immediately upon passage by Council.

Passed in Council this 4<sup>th</sup> Day of January 2023

  
Mayor Griffin

  
President Pro Tempore Wells

Attest:

  
Jonathan Ascencio, Fiscal Officer

Readings:

ER

1<sup>st</sup> 01-04      2<sup>nd</sup> \_\_\_\_\_      3<sup>rd</sup> \_\_\_\_\_

Council Votes on Passage:

Mrs. Blake: Yes

Mr. Wells: Yes

VACANT: \_\_\_\_\_

Mr. Hart: Yes

Mr. Henson: Yes

Ms. Bentley: Yes