

Resolution 2023 -03

A RESOLUTION AMENDING THE RULES OF COUNCIL AND DECLARING  
AN EMERGENCY

WHEREAS, the Council of the Village of Swanton desires to amend the Rules of Council

BE IT ORDAINED, by the Council of the Village of Swanton, Ohio, two-thirds (2/3) of the members elected thereto concurring and as follows:

Section One. The Council of the Village of Swanton modifies the Rules of Council as follows: (see attached)

Section Two. That it is found and determined that all formal actions of this Village Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Village Council, and that all deliberations of this Village Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section Three. That this ordinance shall be declared an emergency measure necessary for the immediate preservation of public health, safety and welfare of the Village of Swanton and be effective at the earliest time all allowed.

Motion to Suspend the Rules

Moved: Kania

Second: M. Disbrow

YEAS: 5

NAYS: 0

Vote on Passage


Moved: Kania

Second: Westhoven

YEAS: 5

NAYS: 0

Date of Passage: January 09, 2023

  
Neil Toeppe, Mayor

Attest:

I, M. Jason Vasko, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Resolution 2023-03 passed on January 09, 2023.

  
M. Jason Vasko, Fiscal Officer

## *Rules of Council*

### I. MEETINGS

#### A. Regular Meetings

Regular meetings of Council shall be held in the Council Chambers at 6:00 p.m. on the second and fourth Monday's of each month except July, which will have one meeting held on the third Monday, and December, which will have one meeting held on the second Monday of the month.

When any regular meeting falls on a legal holiday or Election Day, Council shall meet on the following day at the stated place and time.

Time and location of Council Meetings may be changed by President Pro Tempore and/or 3 council members in the event of unavailability of Council Chambers.

#### B. Special Meetings

Special Council meetings may be called by the Mayor or three (3) members of Council, providing at least 24 hours' notice to each member, served personally or left at his/her usual place of residence. Any such request for the calling of a special meeting shall state the subject or subjects to be considered. No other subject or subjects may be considered except upon approval of five (5) or more members in attendance.

Notice of all meetings shall be provided to the public in the manner provided for in the Ohio Revised Code for Statutory Villages.

#### C. Agenda- See Addendum A: Agenda topics may be submitted by members of Council, Administrator & Mayor.

## II. PRESIDING OFFICER / CHAIR

- A. Mayor  
The Mayor shall be the Presiding Officer of the Legislative Authority and shall preside at all regular and special meetings, but shall have no vote except in the case of a tie.
- B. President Pro Tempore  
At the first meeting in January of each year, Council shall immediately proceed to elect a President Pro Tempore from its own membership who shall serve until the first meeting in January of the next year for a term of 1 year, nonconsecutive. When the Mayor is absent or unable to perform his/her duties, the President Pro Tempore of Council shall be the acting Mayor and shall have the same powers and perform the same duties. The President Pro Tempore shall also preside at all meetings.
- C. Temporary Chairperson  
In the event that the Mayor and the President Pro Tempore of Council are absent, Council may, if a quorum is present, elect by majority vote a temporary chairperson of the meeting to preside until the Mayor or President Pro Tempore of Council arrives.
- D. Substitute Chairperson  
The Mayor, President Pro Tempore of Council or temporary chairperson may call on any member to take their place as a Substitute Chairperson at any meeting. This substitution does not continue past adjournment of the specific meeting.
- E. Succession  
In any case where the Mayor is no longer able to hold office, the President Pro Tempore of Council shall become the Mayor and serve until a new Mayor is elected. When the President Pro Tempore of Council becomes Mayor, the vacancy created shall be filled by the election of another President Pro Tempore of Council.

## III. MEMBERS OF COUNCIL

- A. Addressing Council  
Members about to speak or make a motion shall address the Chair as “Mr./Ms. Mayor”, “Mr./Ms. President Pro Tempore” or “Mr./Ms. Chairperson”, who will indicate that the member is entitled to the floor. Members shall confine themselves to the question under debate.
- B. Voting  
Every member present shall vote unless Council excuses them from voting. Said excuse shall be granted by a majority vote of the members present.

C. Vacancies

A vacancy on Council shall be filled by election by Council for the unexpired term. If Council fails to act within thirty (30) days of the vacancy, the Mayor shall fill the vacancy by appointment. Whenever a vacancy occurs, the Village Administrator will notify the local newspaper that applications for the position will be accepted to fill the vacancy. Such applications shall be submitted within ten (10) days of the first publication of the notice of the vacancy.

#### IV. ORDER OF BUSINESS—REGULAR COUNCIL MEETINGS

A. Prayer

B. Pledge of Allegiance

C. Roll Call

D. Approval of agenda as presented or amended

E. Approval of Meeting Minutes

Reading of the minutes is dispensed with unless requested by a member of Council.

Corrections to the minutes will be made if requested by a member of Council.

F. Authorizing Payment of Bills

Approval of payment of the bills. Reading of list of bills is dispensed with unless requested by a member of Council.

G. Division Reports

- i. Public Safety
- ii. Public Service
- iii. Water & Sewer
- iv. Finance
- v. General Interest

H. Old Business

- i. Third (3<sup>rd</sup>) reading of twice-read ordinances and/or resolutions.
- ii. Second (2<sup>nd</sup>) reading of once-read ordinances and/or resolutions.

I. New Business.

- i. Emergency matters
- ii. Introduction, discussion and first (1<sup>st</sup>) reading of new ordinances and/or resolutions.

J. Administrator's Report

K. Personnel Report

L. Report if Needed or Requested

M. Public Comment

- i. Public Comment period shall be for allowing members of the public to present matters, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council.
- ii. Speakers must be recognized by the presiding officer.
- iii. Speakers must step to the podium.
- iv. Speakers must give their name, address and the identity of their organization, if applicable.
- v. Remarks shall be addressed directly to the Council and not to staff, the audience, or the media.
- vi. Speakers must limit their remarks to ten (10) minutes, per topic, per Public Comment period unless extended by an affirmative vote of two-thirds (2/3) of the members present.
- vii. Depending on the number of people who wish to speak on a specific subject, at the discretion of the Mayor, time limits of three minutes per person, or other similar time frame, may be applied to each speaker.
- viii. Speakers may not yield any remaining time they may have to another speaker.

N. Call for Adjournment

Note: All votes taken will be roll call votes with the Fiscal Officer recording each individual member's vote.

The order of business may be altered upon motion of any Council member and the affirmative vote of two-thirds (2/3) of the members present.

Persons or groups wishing to address Council or any committee must contact the Village Administrator before 12:00 noon on the Thursday immediately preceding the Monday on which the meeting is to be held in order to be placed on the agenda.

Further, persons or groups in attendance at a meeting wishing to speak on a topic listed on the agenda will be called upon at the discretion of the Mayor.

All persons or groups will be limited to no more than 10 minutes on a topic.

## V. ORDER OF BUSINESS—SPECIAL MEETINGS

- A. Prayer
- B. Pledge of Allegiance
- C. Roll Call.

- D. Transaction of Business Specified for the Special Meeting.
- E. Call for Adjournment.

Note: All votes taken will be roll call votes with the Fiscal Officer recording each individual member's vote.

## VI. COMMITTEES

See Addendum B

- a. Board of Zoning Appeals: five (5) members; excluding the Mayor and Council Appointee to Planning Commission.
- B. Special committees may be formed as needed upon recommendation of the Mayor or a member of Council, provided that such committees must receive an affirmative vote of two-thirds (2/3) of the members elected in order to be formed. These committees must have a specific purpose defined at inception and a stated length of time for its completion, especially as if it relates to Village Finances
- C. The make-up, number, duties, size and areas of responsibilities of the above committees may be changed by an affirmative two-thirds (2/3) vote of the Council members elected.

## VII. AMENDMENT OF COUNCIL RULES

Council may amend these rules by an affirmative vote of two-thirds (2/3) of the members elected.

## VIII. EXECUTIVE SESSIONS

Members of a public body may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration for reasons set forth in Ohio Revised Code 121.22.

## IX. NEW COUNCIL MEMBERS

This swearing in shall be performed at the first Council Meeting in January at 6:00p.m. of their term.

## X. CONFLICTS OF INTEREST

No member of Council shall participate in any matter before Council, either in open or executive session, where their business interest may be affected or where their spouse or family member may be impacted.

Revised: 1/10/2005  
Revised: 5/27/2008  
Revised: 9/13/2010  
Revised: 1/12/2015  
Revised: 5/9/2016  
Revised: 6/11/2018  
Revised: 2/10/2020  
Revised: 1/13/2021  
Revised: 1/09/2023



# —THE VILLAGE OF— SWANTON

Date of Meeting 2023  
The meetings this evening will be recorded  
Council Meeting 6:00 p.m.

## Prayer & Pledge of Allegiance

Roll Call:	Mike Disbrow	Patrick Messenger
	Samantha Disbrow	Dave Pilliod
	Derek Kania	Dianne Westhoven

Approval of agenda as presented or amended

Approval of Minutes from \_\_\_\_\_

Division Reports

- Finance Report
- Public Safety
- Public Service
- Water & Sewer
- General Interest

Mayor's Report and Recommendations to Council

Administrator's Report

Old Business

New Business

Public Comment

Adjourn

## **Addendum B**

### Definition of terms

a. Finance

Village Council serves as the primary authority over the expenditure of public dollars and possesses the power of the purse in the Village of Swanton. Finance addresses matters pertaining to budget and capital improvement plan legislation; while conducting oversight on use of funds by the administration and developing financial policies to guide the Village

b. Public Safety:

The Public Safety addresses matters which affect the safety and welfare of the citizens of the Village of Swanton such as crime prevention, fire response, disaster preparedness, and traffic management.

c. Public Service:

The Public Service addresses matters which affect functions pertaining to public parks, public places, public buildings, public playgrounds, streets, alleys, waste collection and disposal.

d. Water and Sewer:

The Water & Sewer addresses matters pertaining to the Water Treatment Plant, Water Distribution System, Water Resource Recovery Facility, Wastewater Collections System and the Storm Water Drainage System.

e. General Interest

General Interest addresses matters referred to it by Council regarding topics of general interest to all councilmembers such as, but not limited to: personnel, operations, planning, zoning, and economic development.