

# CITY COUNCIL SPECIAL MEETING AGENDA

**April 29, 2024 @ 6:00pm**  
**Smith Park Shelter House**

1. Call to Order:
2. Roll Call:
3. Invocation:
4. Pledge of Allegiance:
5. Action on Minutes: N/A
6. Communications: N/A
7. City Manager's Report: N/A
8. Committee Reports: N/A
9. Comments from Members of the Public: \*Comments limited to 5 minutes or less
10. RESOLUTIONS: (None)
11. ORDINANCES: (None)
12. Other Business:
  - Discussion on the Following:
    - Boards and Commissions Handbook
13. Executive Session:
14. Return to Regular Session:
15. Adjournment

Next City Council Special Meeting is Monday, May 6th, 2024 @ Smith Park Shelter House. 5:00PM to interview Board of Zoning Appeals applicant(s)

Next City Council Regular Meeting is Monday, May 6th, 2024 @ Smith Park Shelter House. 6:00PM.



# BOARDS AND COMMISSION HANDBOOK

This document is in EARLY draft form. There are still documents that need to be added to the appendix and other areas of this document.

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# **I. INTRODUCTION**

## **Purpose**

Welcome to the City of New Carlisle Board and Commission Handbook. This publication is designed to inform and educate City board and commission members about their roles and responsibilities, the Ohio Sunshine Laws, and how to properly conduct meetings.

The information, procedures, and requirements outlined in the pages that follow will enable members of City boards and commissions to conduct themselves in accordance with the laws of the State of Ohio and the laws and policies and procedures established by the City of New Carlisle.

If you have any questions about the information included in this handbook, please contact the City of New Carlisle at 937-845-9492

This handbook includes summaries and refers to statutes, ordinances, and policies in order to give you general direction with regard to City board and commission membership. The purpose of organizing this information in this handbook is to give you sufficient information to alert you to issues that may arise as a city board or commission member. How a particular regulation applies to a specific situation is unique to each situation. If an issue arises or if you have any questions, please inform your board or commission Staff Liaison. The Staff Liaison will contact the Clerk of Council or the Law Director for specific advice and guidance.

# **II. CITY OF NEW CARLISLE STRUCTURE**

## **City and City Charter**

A city is an organization created to have governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services. It may exercise any power for municipal purposes except as otherwise provided by law. In essence, it is a group of people who wish to live in a particular geographic area, be provided with governmental services that are financed in a certain manner, live pursuant to regulations adopted by elected officials that are in the best interests of the public as a whole and be governed under a certain form of government. The City of New Carlisle was founded in 1810. A City Charter is a document that establishes a foundation and basic

rules under which a city will operate. A City Charter is approved by the voters in the area that is to become a city. The New Carlisle City Charter was adopted on November 4, 1980, which established home rule powers.

### **City Council/City Manager Form of Government**

The City of New Carlisle operates under a council-manager form of government. It provides for a City Manager appointed by, and continuously responsible to, a popularly elected City Council. The City Council is comprised of seven council members elected at large per city charter. Mayor and Vice Mayor are elected from sitting council members per the city charter.

### **Role of Mayor, City Council, and City Manager**

The legislative powers of the City of New Carlisle are vested in and exercised by the City Council. The City Council has the power to pass ordinances, adopt resolutions and appoint officers, and board and commission members. All powers of the city, except as otherwise provided by the City Charter or by the Constitution of the State of Ohio, are vested in the City Council.

The City Manager is appointed by and reports directly to the City Council. As chief executive officer, the City Manager is responsible for directing the city's day-to-day operations and carrying out the policies set forth by the City Council.

## **III. CITY BOARDS AND COMMISSIONS**

### **Structure**

#### **Purpose of City Boards and Commissions**

City boards and commissions are established and appointed by the City Council under the City Charter or through the passing of an ordinance or resolution. The specific duties of the board or commission are defined in the City Charter or the establishing ordinance or resolution. Members of the City's boards or commissions are appointed by the City Council. The role of the City's boards and commissions is to provide advice and recommendations to the City Council with respect to the conduct and management of any property or facility or in connection with any public function of the City. The City Charter or the ordinance or resolution creating the board or commission specifies its powers and duties.

## **Creation of City Boards and Commissions**

The City Council may at any time, by ordinance or resolution, create a board or commission. The ordinance or resolution creating such a board or commission shall specify the powers and duties, the number and qualifications of its members, and the terms of its members. The City Council may at any time, by ordinance or resolution, abolish any existing board or commission (except those established by City Charter).

## **Established City Boards and Commissions**

The following City boards and/or commissions have been established by the City of New Carlisle:

- Board of Zoning Appeals
- Planning Board
- Civil Service Commission
- Tax Review Board
- Human Rights Board
- Parks and Recreation Board
- Charter Review Commission

## **Serving On City Boards and Commissions**

### **Eligibility for City Boards and Commissions**

Members of City boards and commissions are required to be legal residents of the City of New Carlisle and must be a registered voter per the City Charter. All members of City boards and commissions serve without compensation in a volunteer capacity.

### **Screening and Appointments to City Boards and Commissions**

When a vacancy or vacancies exist on a city board or commission, the respected board president will inform the City Council at the next regularly scheduled City Council meeting. After such notice to City Council, the City Manager, or his or her designee, will post a notice of the vacancy or vacancies on the City's website, at the City Hall Building, and all social media accounts. These vacancy notices will include a deadline for submission of an [Application for City Boards and Commissions](#) (located in the Appendix of this handbook) by interested individuals. The City Manager, or his or her designee, will organize all the applications received by the deadline and provide these applications to the City Council for review. The Clerk of Council shall set-up interview dates and times with applicants after consultation and direction from City Council. The City Council shall interview each qualified candidate before appointment.

Once an applicant has been appointed to a city board or commission, the City Manager, or his or her designee, will contact the appointee and request that the appointee sign and submit a [Grant of Authority to Release Personal Information](#) (located in the Appendix of this handbook). The City Manager will submit the signed [Grant of Authority to Release Personal Information](#) from the applicant to the Human Resources Department for processing to obtain a criminal background and driving check. The results of the criminal background and driving check will be shared with City Council and, if are satisfactory, the appointee can officially be seated on the board or commission so appointed to. In no event should any appointee begin any official work on behalf of the city until the results of the criminal background check are acceptable and a personnel file is created for the new board or commission member.

### **Length of Service and Terms of Office on a City Board or Commission**

The terms of office for City boards and commissions shall be 3 years, unless otherwise noted in the City Charter or the Ohio Revised Code. The City Charter or originating ordinance or resolution specifies the term of office and the process for appointments. All appointments to city boards and commissions are made by a motion of City Council with a majority affirmative vote at a scheduled New Carlisle City Council Meeting for a specified term of office. If the appointment to a city board or commission is to fill a vacancy for an unexpired term, the appointment will be made only for the remainder of the unexpired term rather than the full term.

Reappointment to membership on a city board or commission will be considered by the City Council at the request of a city board or commission member near the expiration of the current term of office; but the City Council is not obligated to automatically make a reappointment. The City Council may opt to post a notice of a vacancy on a city board or commission near the expiration of an existing board or commission member's term of office to consider other applicants for an upcoming vacancy on a city board or commission. If the City Council decides to reappoint an existing board or commission member to a new term, the reappointment would require that the board or commission member again sign and submit an updated application. If the criminal background check is approved by the City Council recommends reappointment of a board or commission member after consideration at a Council Work Session, the Clerk of Council will make the necessary arrangements to place a motion for the reappointment of the applicant to the appropriate city board or commission for a new term at the next regularly scheduled City Council Meeting. The Clerk of Council will send a letter of reappointment signed by the Mayor to a member

of a city board and commission reappointed by the City Council, to the Staff Liaison, and to the Human Resources Department.

Any board or commission member appointed or reappointed to a city board or commission will be required to be sworn in by the Chair of the board or commission at the first meeting attended in the new term using the City's oath of office and documented in writing on the [Acceptance and Oath of Office Form \(located in the Appendix of this handbook\)](#). The signed [Acceptance and Oath of Office Form](#) will be given to the Human Resources Department for placement in the member's personnel file.

## **City Council Liaisons**

### **Roles and Duties of the City Council Liaisons**

City Council Liaisons are members of the City Council assigned by the City Council to a city board or commission who act as a link between the board or commission and the City Council. The City Council Liaisons are not directed by the board or commission but work closely with the Chair and the members of the board or commission. City Council Liaisons are assigned to the boards and commissions where the City Council and/or the board or commission has identified a benefit to an identified City Council Liaison. The City Council Liaisons are not members of the assigned board or commission and do not have voting rights on business before the board or commission, but may participate in discussions before the board or commission.

Some of the responsibilities of the City Council Liaisons include:

1. Attend all meetings of the assigned board or commission.
2. Advise the board or commission of any City Council activities related to the board or commission that are conducted by the City Council.
3. Advise the City Council of any activities conducted by the board or commission through regular reports at Council Work Sessions.
4. Coordinate semi-annual presentations on the activities of the board or commission at Council Work Sessions.

## **IV. MEETINGS**

### **Structure**

#### **Defining Meetings**

A meeting is a pre-arranged gathering of a majority of members of a public body for the purpose of discussing public business. A meeting is conducted based on an agenda prepared prior to the meeting.

#### **Quorums**

A quorum is the minimum number of voting members of a city board or commission that must be present in order for the board or commission to act on a matter. If a member must abstain from voting due to a conflict of interest, and that member is required in order to have a quorum, that matter must not be heard or acted upon until a sufficient number of members allowed to vote are present. The quorum remains the same even if vacancies exist.

If there is not a quorum, action by a city board or commission may not take place. In “quasi-judicial” boards or commissions considering matters related to the property rights of an applicant, there should not be a discussion of matters listed on an agenda when a quorum is not present (since procedural due process requirements must be followed). In “non-quasi-judicial” boards or commissions, members may discuss matters on an agenda, but they may not take action. In the case of an emergency or if there is business that cannot be delayed, those members present can, at their own risk, act with the hope that their action will be ratified at a later meeting when a quorum is present.

If a city board or commission member momentarily leaves the room (i.e., get a drink of water, restroom break, or phone call) and less than a quorum remains, no business may be conducted. The meeting must be stopped until the city board or commission member returns to restore the meeting quorum.

If a city board or commission member must be excused because of a conflict of interest, leaving less than a quorum to vote on a matter, the remaining members are not permitted to vote on the matter. The vote will not be considered a legal vote. A meeting quorum must be maintained for business to be conducted.



## **Frequency of Meetings**

Frequency of the meetings will be determined by the Board.

## **Absences**

City board and commission members are expected to attend all scheduled meetings. If a city board or commission member is going to be absent from a meeting, the member should provide advance notice of the intended absence to the Chair for that board or commission as soon as possible. Excessive absences may result in the member being removed from the board or commission per the process defined in the City Charter.

A board or commission member may be excused for a valid absence or extenuating circumstances by a vote of the board or commission and the excused absence will be recorded in the minutes of the meeting. All absences will be considered before a recommendation would be made for removal or reappointment to a board or commission. Each board or commission may have rules and operating procedures specific to its function that would be reviewed in considering the removal of any member of a City board or commission. The Board Chair keeps a record of all absences. A board or commission member may also be removed by an affirmative vote of the City Council under conditions spelled out in the City Charter or originating ordinance or resolution.

## **Role, Election, and Terms of Chair and Vice Chair**

The Chair elected by the board or commission shall preside at all board or commission meetings. In the absence of a Chair, the Vice Chair (also elected by the board or commission) or other person elected by the board or commission shall preside. Boards and commissions should refer to the City Charter or the originating ordinance or resolution for specific provisions for the Chair or Vice Chair. Generally, the Chair has no special powers over and beyond the power of any other board or commission member, unless otherwise provided in the City Charter or originating ordinance or commission to call special meetings subject to certain conditions.

Unless provided in the City Charter or the originating ordinance or resolution, the Chair and Vice Chair are elected from among the membership of the board or commission by a majority vote. The elections of the Chair and Vice Chair are scheduled on the agenda annually, generally at the first meeting of the year of the board or commission. There are no term limits for being designated as a Chair or Vice Chair. The City Charter or the originating ordinance or resolution may provide

a specific month for the election of a Chair and Vice Chair. Normally, the Chair and Vice Chair positions are held for a one- year term.

## **Laws, Regulations, and Policies**

### **Ohio Sunshine Laws**

The Ohio Sunshine Laws are a set of rules and regulations that provides the public with a right of access to government proceedings. The Ohio Sunshine Laws were designed to afford the public entrance into the process of governmental decision-making. Section 121.22 of the Ohio Revised Code provides the regulations that governments must follow when conducting a meeting and what happens to the documents and files used during a meeting.

### **Communication Among City Board**

Meetings of a majority of a city board to discuss board matters must be open to the public, noticed to the public, and have written minutes taken of the meeting's proceedings. Any time a majority of a city board or commission communicates about any matter that may come before the board, it is considered a meeting under the Ohio Sunshine Laws. Communication may include the following:

1. Face-to-face
2. Written correspondence
3. Telephone
4. Email
5. Hand signals
6. Through an intermediary, a person who separately speaks to board members and tells one what the other says regarding a matter that may come up before the board.

A board member may send an email to other members of the board with their thoughts about a matter of business that has or will come before their board. However, it is recommended that the subject of the email should only be discussed at a future board or meeting.

No board member should speak on behalf of the board unless that board has voted to authorize that member to speak on its behalf.

A board member may report what the board did at its board meeting without authorization but should be advised to rely on a copy of the meeting minutes in order to be accurate about the board proceedings. If not, the member is at risk of accidentally misrepresenting what that board did at the meeting.

Members of different boards can talk about a matter to come before their individual boards. Since the members are not on the same board, the two individuals may discuss business that may come before their board provided the members are not acting as a delegate for the. This holds true even if the subject matter is a proposal that will be presented to both boards.

### **Open to the Public**

A public meeting is a meeting of a board or commission where the public is allowed to attend but does not necessarily have permission to speak. A public hearing is a meeting where the public is invited and encouraged to speak.

If a meeting is advertised as a meeting that does not require or request public input, the public does not have to be permitted to speak. Otherwise, the public should be encouraged to speak and everyone should be able to hear what is being said and see what is being presented. While the public has a right to attend and observe a public meeting, the law does not provide a requirement to allow the public to speak about the items being addressed at a meeting unless there is a legal requirement. The notice of a meeting should state if the meeting is one that will or will not have public input. Otherwise, the better practice is to permit public comment. The Chair should make the manner of public participation clear at the beginning of the meeting. The Chair and/or the bylaws of the meeting body establish and enforce reasonable time limits that govern how long members of the public may speak.

### **Guidelines for Public Participation in a Meeting**

A City board or commission may find it advantageous to adopt standing rules or bylaws for public participation in its meetings. However, any rules or bylaws that a board or commission might wish to adopt must be approved by the City Council. Some guidelines for suggested standing rules are:

1. Anyone wishing to make a comment or ask a question shall wait for recognition from the Chair before beginning to speak.
2. The board or commission may limit the length of time for public comments on any one subject (i.e., twenty minutes on any one subject).
3. The board or commission may limit the number of speeches and the length of time for individual members of the public to speak (i.e., a member of the public may speak two times for five minutes).
4. No individual may speak a second time if someone who has not spoken wishes to speak.
5. Individuals from the public shall address the board or commission from the podium or designated area for public address so that the comments are properly recorded and amplified.
6. Speakers must use the microphone or speak in a clear, strong voice so that all may hear.
7. Comments made by the public shall be relevant to the subject under consideration.
8. The public in attendance not recognized to speak shall refrain from talking among themselves while others are speaking.
9. The rules of decorum and order required under the Ohio Sunshine Laws apply to public participation in a meeting and shall be observed at all times.

No one can be asked to leave a meeting unless they are disrupting the proceedings with unruly behavior.

#### **Physical Needs of a Meeting Place**

For a meeting to be “open to the public,” it must take place in a place large enough to accommodate public attendees. If a larger group than expected arrives, sound and/or visual projections of the meeting should be made available. If this is not possible, another room should be used or the meeting should be postponed to another time and place when a larger room is available.

The meeting room door should be left open at all times during the meeting unless there is loud noise or activity outside of the door that is disrupting the meeting, and the noise or disruption cannot be stopped. In that instance, a sign should be posted on the door letting the public know that the meeting is going on inside the room.

#### **Off-Site Meetings**

The location of board or commission meetings should not be changed unless circumstances beyond the control of the board or commission require it to be moved. However, if the board or

commission needs to visit a particular site or location, a tour should be scheduled. Board or commission members should refrain from discussion until the tour is concluded and the board or commission convenes at its customary meeting place. The Staff Liaison should consult with the Clerk of Council's Office concerning changes to meeting locations and dates. It is encouraged that changes be kept to a minimum. The Staff Liaison should notify and make arrangements with the person taking minutes in advance for any schedule changes.

### **Public Notice**

The Chairperson is responsible for ensuring that proper notice of a meeting is provided. City board members should review the statutes, rules or procedures governing the type of meeting being held and follow the appropriate public notice requirements as outlined earlier in this handbook.

### **Meeting Minutes**

Minutes are a written record of the activities that take place during a meeting. The law requires that minutes of official meetings be maintained as a permanent record of the City. All board meeting minutes are to be kept as permanent public records.

At a minimum, minutes should include:

1. A written record of the time the meeting starts and ends;
2. Meeting location;
3. Names of board members in attendance;
4. The full name for any acronyms;
5. Official actions taken by the board; and
6. Brief summary of meeting activities, including an attachment of any presentation slides used, materials, handouts, meeting packet, etc.

Minutes may also include:

1. Requests made that may not necessarily be made in the form of a motion (these may require follow-up after the meeting or may be in the form of questions that are answered at the same meeting where they are posed);
2. Comments made by the public;
3. Clarifying comments by the public or City Staff concerning requests or petitions before the City;

4. Policies or procedures announced by City Staff;
5. Opinions about the subject matter before the board within the scope of the board that warrant recording for historical purposes and to convey to the City Council.

A digital or tape recording does not replace the requirement for minutes. Written minutes must be taken.

Any official action results when a main motion, the basic device by which a matter is presented for possible action, is made. The minutes should reflect the following:

1. The name of the maker of the motion;
2. The name of the member who seconded the motion;
3. The wording of each motion as adopted or otherwise disposed of;
4. The disposition of the motion (adopted, defeated, deferred, or laid on the table);
5. Final disposition (adopted or defeated) and the record of each member's vote, for or against.

### **Rules for Conducting a Meeting**

#### **Meeting Agenda**

The physical structure of a meeting will be determined by the agenda which is created by the Chairperson. The agenda is a list of items to be considered at the board meeting based on matters the board or commission is authorized to consider as deemed by the City Charter or the originating ordinance or resolution. The agenda should also include the approval of the minutes of the prior meeting. In addition, a board or commission may have given direction at a prior meeting for an item to be placed on a future agenda. The New Carlisle City Council or Clerk of Council may also propose matters for consideration by a board or commission. Items of business not completed or postponed from a prior meeting would also be included on the agenda and would be labeled as "Pending Business." The proper place on the agenda to bring up new topics or recommendations is under the heading of "New Business." New topics, other than those of a purely general nature, would require public notice, and should not be discussed at the present meeting, but scheduled for a future agenda. After finalization of the agenda, within two business days in advance of a meeting, the Staff Liaison will transmit copies of the agenda to the board or commission members, the Clerk of Council, and post the agenda and meeting packet to the City of New Carlisle's webpage.

Failure to follow the published agenda may raise legal issues about public notice (i.e. the public is not made aware or not prepared to listen to the discussion and respond to a certain matter).

City boards and commissions consider matters as ordered on the meeting agenda. Reordering an agenda should only be done for a public purpose based on a majority vote of the members of the board or commission after a member has made a motion to reorder the agenda. An item on the agenda can be moved by making a motion. For example: "I move to take up agenda Item 6 after Item 2." or "I move to consider item number 7 first." When adopted, the items are then taken up as reordered. Sometimes, agendas are reordered due to anticipated public participation for a specific item.

### **Conducting Business**

The primary method by which city board or commission business is generally conducted is by motion. Business may also be conducted by discussions, reports submitted, and requests by members, City Staff, City Council, or citizens.

Parliamentary procedure is generally regarded and accepted as a set of rules for the orderly conduct of business at meetings. These written rules of order allow everyone to be heard and to make decisions without confusion. Examples of parliamentary rules are:

1. A quorum must be present for business to be conducted legally.
2. Every member has the right to make motions, speak in debate, and vote.
3. A member must be recognized by the Chair before speaking or making a motion.
4. Before a motion is brought before the board or commission, it must be seconded.
5. Only one question or motion can be considered at a time.
6. The basic principle of decision is that a proposition must be adopted by a majority vote.
7. Once a motion is seconded and before the board or commission, it must be adopted or rejected by a vote or be disposed of in some other way, before any other subject can be introduced.

Although the New Carlisle City Council has officially adopted Robert's Rules of Order Newly Revised as a parliamentary authority, many of the basic principles of common parliamentary law are so widely accepted, that Robert's Rules of Order are followed.

## **Duties of Chair and Vice Chair**

The duties of the Chair and Vice Chair, but are not necessarily limited to, those listed below:

1. Open the meeting at the appointed time by taking the Chair's seat and calling the meeting to order, having determined that a quorum is present.
2. Announce that all speakers, including City Staff, should speak from the podium and provide their names and the spelling of last names.
3. Swear in all individuals intending to speak on a specific matter at any quasi-judicial proceeding of a city board or commission.
4. Ask the person taking the minutes to call the roll.
5. Announce in proper sequence the business that is to come before the board or commission.
6. Recognize members who are entitled to the floor.
7. State and put to vote all questions that legitimately come before the board or commission.
8. Restate all motions and amendments to the motions.
9. Announce the name of the member who made the motion and the person making the second.
10. Ask the person taking the minutes to call the roll to vote.
11. Protect the board or commission from obvious frivolous or dilatory motions by refusing to recognize them.
12. Enforce the rules relating to debate and those relating to order and decorum within the board or commission, and with the public in attendance.
13. Open the floor to public comment.
14. Expedite business in every way compatible with the rights of the members.
15. Decide all questions of order, subject to appeal, unless submitted to the board or commission for a decision.
16. Respond to inquiries of members relating to parliamentary procedure or factual information.
17. Declare the meeting adjourned when the board or commission so votes.

The organization of the meeting is determined by the agenda and the Chair must keep the meeting on track by adhering to one subject or main motion at a time. If a board or commission member (or member of the public) who has been recognized deviates to an unrelated topic, the Chair should interrupt and tactfully restate the topic or motion under discussion. The Chair should also recognize only one member at a time.



### **Handling an Item of Business on the Agenda**

Members also have responsibilities (not the least of which is to understand and follow all of the laws, rules or policies that apply to the board or commission of which each is a member). Additionally, every member has the responsibility to:

1. Learn the correct way to make motions to carry on the business of the board or commission.
2. Amend motions if they do not express the need of the majority.
3. Know and observe the rules of debate and decorum in debate.
4. Call a point of order when a rule has been broken (must be called attention to immediately).
5. Appeal the decision of the Chair on a point of order if not in agreement with the decision of the Chair.
6. Know the difference between the use of the motions "Postpone to a time certain." and "Table."
7. Understand when one should consider abstaining from voting.
8. Know that motions that limit or take away a privilege require a two-thirds vote.
9. To participate by contributing ideas, voicing meaningful concerns and opinions in debate, and voting for principle.

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## STEPS IN HANDLING AN AGENDA ITEM IN AN ADVISORY BOARD OR COMMISSION

Step	Action
The Chair announces the item of business.	"The next item of business is item number 5 on the agenda which is related to... Is there any discussion?"
Item introduced is open for informal discussion.	Reports may be given related to the matter, members may bring up several proposals, ideas or recommendations.
Developments or conclusions reached from open discussion.	The discussion and debate may develop in two possible ways: <ol style="list-style-type: none"><li>1. An unspoken general consensus is reached that a specific conclusion or action is the proper course or recommendation for the board/ commission to pursue.</li><li>2. Two or more conflicting proposals may result and passions are hard and fast on all sides.</li></ol>
A member or the Chair makes a main motion putting the conclusion (or one of the conclusions) into a formal motion.	"I move that the board/commission recommend to the City Council..." <b>OR</b> "I move that the board/commission request approval for an additional study to determine..."
The motion is seconded.	"I second the motion." <b>OR</b> "Second."
The Chair states the motion.	"It is moved and seconded that the board/commission recommend to the City Council..." <b>OR</b> "It is moved and seconded that the board/commission request approval for an additional study to determine..."
The motion made is open to debate.	"I speak in favor of the motion..." "I speak in opposition to the motion..."
The motion is also open to amendments or other disposition.	"I move to amend the motion by striking out the word _____ and inserting the word _____." "I move to defer the motion to the next meeting." "I move to refer this motion to..." <u>Voice Vote</u> : "The question is on the adoption of the motion to...[e.g., recommend to the City Council..., request approval for an additional study to determine...] Those in favor, say aye... Those opposed, say no..."
The Chair puts the question to a vote (the wording of the motion should be repeated).	<u>Roll Call Vote</u> : "This vote will be taken by roll call. Those in favor of adopting the motion to... will answer yes; those opposed will answer no. The Staff Liaison will call the roll."
The Chair announces the result of the vote.	"The ayes have it and the motion is adopted." <b>OR</b> "The noes have it and the motion is lost."
The Chair makes an announcement of the next item of business.	"The next business in order is..." <b>OR</b> "The next item on the agenda is..."

Order and decorum can be maintained while debating or discussing a controversial issue. Order and decorum may be assured if the rules of debate and decorum are observed. Debate “is an essential element in the making of rational decisions of consequence by intelligent people.” The basic rules of debate and decorum in debate are:

1. A board or commission member (or a member of the public) must be recognized by the Chair before speaking in debate.
2. Remarks must be confined to the merits of the pending question or topic under consideration.
3. When speaking in debate, a member must refrain from attacking motives and must avoid name calling. Honest disagreement is often a good sign of progress.
4. All remarks should be addressed through the Chair. Members do not address one another directly.
5. Makers of a motion are not permitted to speak against their own motion, although they may vote against it.
6. Do not interrupt anyone who is speaking except in special situations where the urgency justifies the interruption.
7. Obtain permission of the board or commission to read from any paper or book.

If a board or commission member or member of the public interrupts another board or committee member or a member of the public causing a smooth meeting to be interrupted, the Chair should ask that member of the public or board or commission member to hold his or her questions and comments until he or she is recognized by the Chair.

If a board or commission member is speaking on a topic that is not within the authority of the board or commission to discuss, another board or commission member may ask the Chair for a point of order to bring the meeting back to a topic within the authority of the board or commission.

### **Motions**

Generally, a motion is made prior to discussion. In small boards or commissions, informal discussion of a topic is permitted without a motion. The board or commission

may need to fully explore an issue or proposed action before deciding on the course of action to be taken.

A main motion is a formal proposal by a member in a meeting that the board or commission take certain action on an item. A motion may bring its subject to the attention of the board or commission, or the motion may follow upon the presentation of a report or other communication. There are many other parliamentary motions which involve procedural steps related to the main motion already under consideration. These are called secondary motions. However, they do not bring business to the meeting as a main motion does. A main motion can be made only when no other motion is pending. Board and commission members should refer to Robert's Rules of Order when making motions.

In parliamentary terms, the Chair does not make motions in order to remain impartial and run an orderly meeting. It is good practice for the Chair to hand over the gavel when he or she wishes to make a motion, so that the Chair would not have two jobs at that time - advocating the motion and running the meeting.

Knowing what motion to make, as well as how and when to make it, will result in better meetings. Motions should be made in the positive and the vote then would reflect the decision of the board or commission.

## WHAT IS IT YOU WANT TO DO?

The workhorse of introducing and handling business in a meeting is a motion. This summary of motions will not tell you everything you need to know but, for more effective meetings, you need to know what motion to make to accomplish what you want.

### Your Objective

### Motion to Use

Bring up business; propose an idea for action.

**MAIN MOTION.** A main motion can only be made when no business is pending. "I move that..."

Kill a main motion.

**POSTPONE OR DEFER INDEFINITELY.** A motion to postpone or defer action indefinitely. Avoids a direct vote on the main motion and "kills" it.

Make a main motion better, perfect the wording.

**AMEND.** Amend the main motion. You may add, delete, change, or even substitute one motion for another.

Get more information.

**REFER.** Refer the motion to a committee pre-approved by the City Council or back to the City Council for further instructions or for research by City Staff.

Put off the vote on a main motion.

**POSTPONE.** Postpone the main motion to a later time or to another meeting. The time must be definitely specified.

Put aside temporarily.

**TABLE.** A motion to lay the pending motion aside or on the table. Can only be used if there is an urgent reason to do so. Consideration of the motion continues after adoption of the motion to table.

Close debate and stop amendments.

**PREVIOUS QUESTION.** The motion requires a two-thirds vote and, if adopted, the vote is taken immediately on the pending motion.

Take a break.

**RECESS.** A motion to recess. A recess is a short intermission; the interrupted business is resumed after the recess.

Close the meeting.

**ADJOURN.** A motion to adjourn. Adjournment is in order when business is pending and, if adopted, closes the meeting immediately.

Need to know something.

**POINT OF INFORMATION.** A motion to ask a question of the Chair.

Point out a violation of the rules.

**POINT OF ORDER.** A motion to call the attention of the Chair to a problem. The point of order must be made immediately at the time the infraction occurs. The Chair must rule at once if the point of order is well taken or not well taken.

## **Voting, Abstaining from Voting, and Conflict of Interest**

A vote is a formal expression of the will or opinion or preference of the members of a board or commission in regard to a matter submitted to it.

A majority vote is the vote required for approval of an action or choice by a board or commission. Majority means more than half of the votes cast by persons legally entitled to vote at a properly called meeting at which a quorum is present.

When a decision is to be based on more than a majority, the requirement most commonly specified is a two-thirds vote.

A board or commission member vote may not vote “absentee” or by proxy when the member cannot attend a meeting. The right to vote is limited to board or commission members who are actually present at the time a vote is taken.

The taking of any vote should begin with repeating the question or motion which is to be decided. Refer to the Appendix for the proper wording for taking a vote. Time can often be saved by the procedure of unanimous consent (also known as general consent). It can be used to adopt a motion without the steps of stating the question and putting the motion to a formal vote. To obtain unanimous consent, for example, the Chair states:

“If there is no objection, the minutes are approved as submitted/corrected.”

“Without objection, public participation in this meeting is extended for ten more minutes.”

If any member objects, the Chair must state the question on the motion and take a formal vote.

The vote of each member must be recorded on every main motion or recommendation decided by the board or commission. There should be a roll call vote on all matters specifically listed on the agenda if there is any member dissenting. The Chair may call for the vote and if there are no dissenting members, a voice vote is sufficient. There can be no secret votes.

If a city board or commission member has a conflict, the member should announce the conflict, and remove himself or herself physically from the board or commission seating area during that portion of the meeting. If the member wishes to address the board or commission, he or she must do so as a member of the general public. A board or commission member may not represent an

application or topic for a client in front of his or her own board or commission. If a board or commission member is not sure whether he or she has a voting conflict, the member should inform the Staff Liaison and/or contact the Law Director.

### **Order and Decorum**

Decorum directly relates to the Ohio Sunshine Laws. The purpose of the Ohio Sunshine Laws in part is to provide the public with a right to attend a meeting and hear the proceedings, and that a record of what happened at the meeting is documented and available for those who could not attend the meeting.

The Ohio Sunshine Laws also state that all meetings shall be subject to order and decorum. "Order" is defined as customary or prescribed methods used in the conduct of deliberative, legislative, or public meetings. "Decorum" is defined as customs of formality that are followed by a presiding officer and members of a board or commission; propriety and good taste in conduct or appearance.

If a member of the public is shouting or talking off the topic or talking repeatedly about a point, thereby impeding "public" access to the meeting, there is disorder. The person exhibiting the unruly behavior may be asked to leave.

### **Rules of Conduct/Bylaws**

For general conduct of business, boards and commissions should first refer to the following laws and regulations to determine if a rule of conduct is already in place: (1) the Ohio Constitution or Ohio Statutes; (2) New Carlisle codified ordinances; or (3) a resolution or ordinance adopted by the New Carlisle City Council.

If rules are not in place and the board or commission believes a standard rule should be in place, it should be presented to the New Carlisle City Council for approval.

To be effective, all rules and regulations or bylaws of City boards and commissions appointed by the City Council must be approved by resolution of the City Council. A copy of such rules and regulations or bylaws must be attached to the resolution approving them and must be available for public inspection at any time. If a city board or commission would like to establish rules or regulations or bylaws, the Staff Liaison would submit a request to the Clerk of Council to schedule the matter on City Council's agenda.

A board or commission can set a special rule that is appropriate for the moment. Such special rules could be appropriate if the electricity goes out - should the meeting continue or be adjourned after a reasonable period of time? A representative might not be present at the time their item is called off the agenda. Or the Chair inadvertently strays from the agenda. These are just some examples. When necessary, the Chair may take action without a formal motion, provided no member of the board/commission objects. If there is an objection, the Chair must take a vote to obtain approval of the action proposed.

### **Testimony**

Any individual wishing to speak or give testimony at a public hearing at a public meeting of a city board or commission regarding an item on the agenda needs to be sworn in. The Chair should explain at that time that only such individuals need to stand and be sworn in. Individuals in the audience not wishing to give testimony on any item need not stand and be sworn in.

### **Executive Session**

Section 121.22 (G) of the Ohio Revised Code outlines the circumstances under which it is permissible for a city board or commission to go into Executive Session during a public meeting. A request for an Executive Session may only be made during a regular or special meeting of a public body.

The motion to convene into Executive Session must include one of the allowable reasons an Executive Session is permitted, which are as follows (this is the entire list):

- a) Appointment;
- Employment;
- b) Dismissal;
- c) Discipline;
- d) Promotion;
- e) Demotion;
- f) Compensation;
- g) Investigate charges or complaints against public (employee, official, licensee or regular individual) unless said persons request a public hearing;
- h) Consider purchase of property;
- i) Sale of property;
- j) Pending or imminent litigation (requires presence of Law Director;)



- k) Bargaining sessions regarding public employees (preparing for, conducting or reviewing);
- l) Confidential matters (required to be kept as such by law, rules or state statutes;
- m) Security arrangements (specialized details where disclosure might reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of the law;
- n) Confidential matters related to economic development issues (requires a unanimous vote of the board or commission).

In order to recess into Executive Session, a roll call vote is required and the motion to go into Executive Session must be passed by a majority vote of the quorum of the city board or commission. The motion must state the subject of the discussion using one or more of the allowable reasons listed above.

The minutes of the city board or commission must reflect the Executive Session by documenting the member who made the motion; the member who seconded the motion; the vote count; the subject of the discussion; and the times the Executive Session was opened and was closed. No other minutes of the Executive Session are recorded, and no digital recordings are made of an Executive Session. Visitors may be allowed in Executive Session at the invitation of the board or commission. All other persons should be asked to leave the meeting area and the doors should be shut.

As a practical matter, the need for an Executive Session by a City board or commission is an infrequent occurrence. Most of the allowable reasons for going into an Executive Session normally do not pertain to a city board or commission. An Executive Session to discuss pending or imminent court action requires the presence of the Law Director.

## **V. RESPONSIBILITIES OUTSIDE OF A MEETING**

### **Code of Ethics**

The citizens and businesses of the City of New Carlisle are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of New Carlisle's commitment to excellence, the effective functioning of democratic government therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial, and fair in their judgement and actions;
- public offices be used for public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the New Carlisle City Council has adopted a Code of Ethics for members of the City Council and of the City's boards, commissions, and committees to assure public confidence in the integrity of local government and its effective and fair operation.

## Principles

1. **Act in the Public Interest** – Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of New Carlisle and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the New Carlisle City Council, boards, commissions, and committees.
2. **Comply with the Law** – Members shall comply with the laws of the nation, the State of Ohio, and the City of New Carlisle in the performance of their public duties. These laws include but are not limited to: the United States and Ohio constitutions; the New Carlisle City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.
3. **Conduct of Members** – The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of Council, boards, commissions, and committees, City Staff, or the public.
4. **Respect for the Process** – Members shall perform their duties in accordance with the processes and rules or order established by the City Council, boards, commissions, and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City Staff.

5. **Conduct of Public Meetings** – Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.
6. **Decisions Based on Merit** – Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
7. **Communication** – Members shall publicly share substantive information that is relevant to a matter under consideration by the City Council or boards and commissions, which they may have received from sources outside of the public decision-making process.
8. **Conflict of Interest** – In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts may exist.
9. **Gifts and Favors** – Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgement or action or give the appearance of being compromised.
10. **Confidential Information** – Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
11. **Use of Public Resources** – Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.
12. **Representation of Private Interests** – In keeping with their role as stewards of the public interest, members of City Council shall not appear on behalf of the private interests of third parties before the City Council or any board, commission, or proceeding of the City, nor shall members of boards and commissions appear before

their own bodies or before the City Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. **Advocacy** – Members shall represent the official policies or positions of the City Council, city board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of New Carlisle, nor shall they allow the inference that they do.
14. **Policy Role of Members** – Members shall respect and adhere to the structure of New Carlisle City government. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards and commissions, and City Staff. Members therefore shall not interfere with the administrative functions of the City or the professional duties of City Staff; nor shall they impair the ability of City Staff to implement Council policy decisions.
15. **Independence of Boards and Commissions** – Because of the value of the independent advice of boards and commissions to the public decision-making process, members of City Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.
16. **Positive Workplace Environment** – Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to City Staff.
17. **Implementation** – As an expression of the standards of conduct for members expected by the city, the New Carlisle Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understand the City of New Carlisle Code of Ethics. In addition, the Code of Ethics shall be annually reviewed by the City Council, boards and commissions, and the City Council shall consider recommendations from boards and commissions and update it as necessary.
18. **Compliance and Enforcement** – The New Carlisle Code of Ethics expresses standards of ethical conduct expected for members of the New Carlisle City Council, boards, and commissions. Members themselves have the primary responsibility to assure that the ethical standards are understood and met, and that the public can

continue to have full confidence in the integrity of government. The Chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a City Council, board, or commission decision.

### **City Board or Commission Member as a Public Official**

Board and commission members are considered public officers. A public officer “includes any person elected or appointed to hold office in any agency including any person serving on an advisory body.” This includes all advisory board and committee members.

Certain laws apply to board and commission members when they are not participating strictly in the role as board or commission members. Most of these laws deal with conflict of interest in business relationships and can be found in Section 102.01 et. seq. of the Ohio Revised Code.

### **Conflict of Interest**

A conflict of interest can be related to your interests or those of a relative or friend or those of a company where you are an employee or officer. Board or commission members can avoid conflict of interest problems by being aware of statutory restrictions, adhering to such restrictions, using good judgment, and being fair in decision-making.

Board or commission members shall not rent or sell the City services or goods or property that they or their employer are providing without first checking to see if there is an exception. Members may not be able to be a board or commission member and do business with the City of New Carlisle at the same time. A board or commission member may request a waiver from the New Carlisle City Council. The City Council will review the request and decide if a waiver is warranted.

### **Public Records**

Public records include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law or ordinance or in

connection with the transaction of official business of the City. The City of New Carlisle Public Records policy is located in the Appendix of this handbook.

Email on official business sent from a personal computer is also subject to public records laws.

### **Gifts**

A board or commission member is prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor or service that is based on an understanding that their vote, official action, or judgment would be influenced by such a gift.

It may be permissible for someone to buy lunch for a board or commission member. It depends on who is buying the lunch and how much it costs. However, the board or commission member needs to be sure the person buying lunch is not someone trying to influence a vote on a particular matter.

## **VI. INDEMNIFICATION AND INSURANCE**

City officials, including board and commission members, are indemnified and covered by the City insurance policies in the performance of their official duties on behalf of the city in a dispute, proceeding, or litigation.

## **VII. PENALTIES**

Possible consequences for violation of the Ohio Sunshine Law, conflict of interest, gift, and public records laws include:

1. Criminal penalties for a “knowing” violation;
2. Fines;
3. Removal from office;
4. Action taken outside of the Ohio Sunshine Laws is void (may take corrective action by rehearsing the item); or
5. Payment of attorney’s fees of person seeking redress for the violation.

## **VIII. REMOVAL OF BOARD OR COMMISSION MEMBER**

Removal of board or commission member by a majority of the City Council at a regular City Council Meeting, City Council may remove any member of a board or commission for lack of qualifications, incompetency, misconduct, or neglect of duty. The reasons for the removal shall

be stated in writing and said member of a board or commission shall be given an opportunity to be heard at a regular City Council Meeting. Action of the City Council shall be final.

DRAFT



# **BOARDS AND COMMISSION HANDBOOK APPENDIX**

DRAFT



## HOW TO CONDUCT A MEETING

### Order Of Business

Call To Order.

Opening Ceremonies (e.g. Pledge of Allegiance)

Roll Call.

Reading and approval of minutes (If the minutes were distributed in advance of the meeting).

Announce rules for public participation (if applicable).

Announce an item of business on the agenda.

Pending Business.

New Business.

General Good and Welfare.

Announcements.

Adjournment.

### Script For Presiding Officer

"The meeting will come to order." **OR**

"The meeting will be in order."

"The Chair recognizes... for..."

"The Staff Liaison will call the roll."

"The minutes were previously distributed to all board/commission members. Are there any corrections to the minutes? (pause)

"If there are no corrections, the minutes are approved as distributed."

**OR**

"Are there any additional corrections to the minutes?" (pause)

"If there are no further corrections, the minutes are approved as corrected."

"Several items on the agenda for this evening are of greater than normal concern for members of the public here this evening. The Chair has received several requests to permit public participation. If there is no objection, each individual from the public who wishes to speak will be permitted three minutes to speak and may not speak a second time until all who wish to speak once have spoken."

"The first (or next) item on the agenda is the request from the City Council for a recommendation to..."

"Is there any pending business?"

"Is there any further pending business?" "Is there any new business?"

"Is there any further new business?"

"Does any member have any item of a general nature relative to the work of this board/commission that needs to be discussed?"

"The Chair would like to make the following announcements... Are there any other announcements?"

"Is there any further business?" (pause) "Since there is no further business, the meeting is adjourned."

## MOTIONS

### 1. MEMBER ADDRESSES THE CHAIR

Member seeks recognition from the Chair by raising hand when no one else has the floor, and says...

"Mr. Chair...Madam Chair...etc."

### 2. CHAIR RECOGNIZES MEMBER

If the member is entitled to the floor at the time, the Chair recognizes member by saying...

"The Chair recognizes..." (person's title, place or area member represents, or name)

### 3. MEMBER MAKES MOTION

After the Chair recognizes the member, the member makes the motion... (Note: The maker of the motion has the right to speak first in debate, after the Chair has stated the question.)

"I move that..." (Note: Not "I make a motion that..." and not "I so move...")

### 4. ANOTHER MEMBER SECONDS THE MOTION

Another member without obtaining the floor or waiting for recognition says... (Note: A second merely implies that the seconder agrees that the motion should come before the meeting; not that the seconder is in favor of the motion.)

"I second the motion." OR "I second it." OR "Second."

### 5. CHAIR STATES QUESTION

The Chair formally places the motion before the board/commission by stating the question; that is, the Chair repeats or states the exact motion.

"It is moved and seconded that..."

### 6. DEBATE THE QUESTION

If debatable, after stating the question, the Chair should turn toward the maker of the motion to see if the member wishes to be assigned the floor first in debate. Debate must be confined to the merits of the pending question.

Chair: "Are you ready for the question?"

### 8. CHAIR ANNOUNCES RESULT

The Chair announces the result of the vote, declares that the motion is adopted or defeated, states the effect of the vote or orders its execution, and announces the next item of business.

"The aye's have it and the motion is adopted." OR  
"The no's have it and the motion is defeated."

"There are \_\_\_\_ in the affirmative and \_\_\_\_ in the negative.  
The affirmative has it and the motion is adopted."

OR

"The negative has it and the motion is defeated."

"There are \_\_\_\_ in the affirmative and \_\_\_\_ in the negative. There are two-thirds in the affirmative and the motion is adopted." OR "There are less than two-thirds in the affirmative and the motion is defeated."

Voice or Roll Call Vote

Two-Thirds Vote (Counted)

## GLOSSARY OF PARLIAMENTARY AND MEETING TERMS

### Introduction

Accountants have a jargon; airline pilots speak a language that is different; football, soccer, basketball and baseball all have rules and terms that are unique to each sport. Academic, religious, legal and scientific organizations also speak about rules and protocols unknown to most people. Why should parliamentary procedure, which applies to them all, be any different?

Some terms are not “parliamentary” but the terms are important to understand because of common usage in clubs, boards, commissions and various other organizations. Some words are new to the scene and tend to confuse the terminology generally accepted in parliamentary circles (e.g., a new meaning for “Chair” or a “super majority”).

The source for most of the definitions is Robert’s Rules of Order Newly Revised, 11<sup>th</sup> edition. Some definitions have been expanded with material from the Merriam-Webster online dictionary. Others have been extracted from a library of books on parliamentary procedures. Where Robert’s Rules of Order was the source, generally, no attempt was made to rewrite or edit or condense the definitions. Some definitions have been modified for use or application to municipal advisory boards or commissions and some definitions have been omitted because the definitions do not apply.

**abstain.** To refrain deliberately from voting.

**adopt.** Formal acceptance of what a motion proposes usually established by a vote.

**adjourned meeting.** A meeting in continuation of the session of an immediately preceding meeting which was incomplete and which takes up where the incomplete meeting was interrupted.

**agenda.** A list or outline of things to be done at a meeting; the most important of which is the items of business.

**ballot.** A sheet of paper used to cast a secret vote.

**call (or notice) of a meeting.** A written notice of the time and place for a meeting; to invite or command to meet.

**call (meeting) to order.** The opening action of a presiding officer that officially starts a meeting.

**call or put the question to vote.** Place a motion before the board/commission/organization for a vote; putting a motion to a vote. Merriam-Webster: a: to set before one for judgment or decision (put the question) b: to call for a formal vote on (put the motion).

**carried.** The same as “adopted.”

**chair.** The person presiding; the station in the meeting room from which the chair presides.

**chair pro tem (pro tempore).** The individual appointed or elected to preside on a temporary basis.

**con.** On the negative side; against; in opposition to (as in pro and con).

**consensus.** General agreement; unanimity; a group decision-making process where substantial agreement is reached by all concerned parties.

**custom.** A long-established practice considered as unwritten law.

**debate.** Discussion on the merits of a motion; the formal discussion on the reasons for or against a proposed action.

**decorum.** Customs of formality that are followed by the presiding officer and members of a board/commission/organization; propriety and good taste in conduct or appearance.

**dilatory.** Tending or intended to cause delay.

**elect.** Choose by vote for an office, position or membership.

**executive session.** Any meeting of a deliberative organization, or a portion of a meeting, at which the proceedings are secret.

**ex officio.** By virtue of an office or position held in the society or in the state or national society. An ex-officio member, is an individual who is a member of boards/commissions by virtue of an office or position held.

**floor.** The exclusive right to speak in a meeting.

**gavel.** A mallet used by a presiding officer for commanding attention or confirming an action.

**general consent.** A time-saving procedure whereby routine business or questions of little importance are decided/approved without putting a formal vote; a form of voting in which no objection is voiced (considered unanimous consent).

**germane.** Closely related to (used in relation to amendments and debate which must be germane to the motion being amended or debated).

**good of the order** (general good and welfare). An agenda item under which open and informal discussion is permitted on a varying range of topics related to the organization as a whole.

**hearing.** An open meeting of a board or commission in which members of the society have the opportunity to appear before the board or commission and present their view on a subject.

**incidental main motion.** A main motion that is incidental to or related to the business of the board/commission, or its past or future action.

**incidental motion.** A motion that arises out of another motion that is or has just been pending and must be disposed of before the original pending motion is acted upon.

**indecorum.** Lack of decorum; a breach of order; a violation of the rules or customs of formality in a meeting.

**in order.** Appropriate in the current environment according to parliamentary or other rules of a society.

**law.** a: A binding custom or practice of a community; a rule of conduct or action prescribed or formally recognized as binding or enforced by a controlling authority; b: The whole body of such customs, practices, or rules.

**legislative body.** Refers to a constitutionally established public lawmaking body of representatives.

**defeated motion.** A motion which has been defeated.

**main motion.** A formal proposal by a member, in a meeting, that the board/commission take certain action; the lowest ranking of the thirteen ranking motions. See **original main motion** and **incidental main motion**.

**majority.** More than half; a number greater than half a total.

**majority vote.** The basic requirement for approval of an action or choice by a deliberative board/commission; without qualification, it means more than half of the votes cast by members legally entitled to vote who are present and voting.

**meeting.** A single official gathering of the members of a board/commission/organization in one room or area to transact business for a length of time during which there is no cessation of proceedings and the members do not separate, unless for a short recess.

**member.** A person who has the right to participate in a meeting and whose opinion has equal weight with other members as expressed by a vote. A member has the right to make motions, to speak in debate and to vote.

**minority.** The smaller in number of two groups, constituting a whole; specifically; a group having less than the number of votes necessary for control.

**minutes.** The official record of the proceedings of a deliberative board/commission/organization which contains mainly a record of what was done at the meeting, not what was said by the members.

**motion.** A formal proposal for action made to a deliberative board/commission/organization; a question.

**nay.** A vote against; a negative reply or vote.

**negative vote.** A vote against the adoption of a motion.

**new business.** New items of business or matters which may be brought up to a board/commission/organization for consideration.

**notice of meetings.** See **call (or notice) of a meeting**.

**notice of motions.** See **previous notice**.

**null and void.** Having no legal or binding force or effect.

**objection (object).** A formal expression of opposition to a proposed or pending action or motion; to oppose something firmly and usually with words or arguments.

**obtain the floor.** Secure recognition in order to speak or to make a motion.

**officer.** One who holds an office of trust, authority, or command in an organization.

**opening ceremony.** A series of acts prescribed by protocol which immediately follow the meeting call to order and may include the invocation, the singing of the National Anthem, the reciting of

the Pledge of Allegiance, a ritual briefly recalling the objects or ideals of the organization, or the like.

**opinion (parliamentary).** The chair's reply to a parliamentary inquiry.

**opposed.** To be hostile or adverse to; to be against the adoption of the pending motion.

**order.** The customary or prescribed mode of proceeding in debates or in the conduct of deliberative or legislative bodies, public meetings, etc., (i.e., parliamentary rules of order).

**order of business.** An established sequence in which certain types or classes of business are to be brought up or permitted to be introduced at sessions of a given board/commission/organization.

**original main motion.** A main motion that introduces a substantive question as a new subject; the basic device by which a matter is presented to the board/commission/organization for possible action.

**out of order.** A motion, request, or behavior which is in violation of the rules of an organization.

**outrank.** Take precedence of; to rank higher than.

**parliamentarian.** A consultant, commonly a professional, who advises the presiding officer and other officers, boards, commissions and members on matters of parliamentary procedure. The role of the parliamentarian during a meeting is purely an advisory and consultative one.

**parliamentary authority.** Any accepted manual of parliamentary law which an organization may adopt as the rules of order the organization will follow; e.g., Robert's Rules of Order.

**parliamentary law.** The rules and precedents governing the proceedings of deliberative assemblies and other organizations.

**parliamentary procedure.** A set of rules for the orderly conduct of business at meetings that allows everyone to be heard and to make decisions without confusion.

**pass.** The response by a voter (in a roll call vote) indicating that the member is not ready to vote but wishes to be called on again after the roll has been completed.

**pass/passed.** (with reference to a motion) The same as adopted or carried.

**pending motion (pending question).** A motion which has been stated by the chair but has not yet been disposed of permanently or temporarily.

**personal privilege.** A right or immunity granted as a peculiar benefit, advantage or favor of an individual in a society. A question of personal privilege, may relate to an incorrect record of a member's participation or to charges circulated against a member's character.

**Pledge of Allegiance to the Flag of the United States of America.** A solemn oath of allegiance or fidelity to the United States which forms part of many opening ceremonies of deliberative assemblies in the United States.

**podium.** (plural: podiums or podia) A dais especially for a presiding officer; lectern.

**policy.** A high-level overall plan embracing the general goals and acceptable procedures in and for a society.

**preamble.** Usually refers to the statement(s) of the reasons for the action being proposed in a resolution. The preamble begins with the word “Whereas”.

**precedent.** Something done or said that may serve as an example or rule to authorize or justify a subsequent act of the same or an analogous kind.

**preside.** To exercise guidance, direction or control of a meeting; to occupy the place of authority; act as president, chair, or moderator.

**presiding officer.** The person conducting a meeting; the individual who has the responsibility of exercising guidance, direction and control of a meeting of a deliberative board/commission/organization.

**prevailing side.** The winning side, whether affirmative or negative.

**previous notice.** An announcement of intent to introduce a proposal – indicating the exact content – given at the preceding meeting or in the call of the meeting at which the proposal is to be brought up.

**primary amendment.** The first proposed wording modification to an amendable motion made using the subsidiary motion to amend.

**pro.** On the affirmative side; in favor of (as in pro and con).

**pro tem** (pro tempore). For the time being; temporarily.

**protocol.** A code prescribing strict adherence to correct etiquette and precedence.

**question.** A motion; a subject or point of debate or a proposition to be voted on in a meeting; the bringing of such to a vote; the specific point at issue. The “question” is whether the board/commission/organization agrees to or will adopt the immediately pending motion.

**question of privilege.** Relates to the rights and privileges of the board/commission/organization or its members. There are two types: 1) the privileges of the board/commission/organization as a whole; 2) personal privileges.

**quorum.** The minimum number of voting members who must be present at a meeting of a deliberative board/commission/organization for business to be legally transacted.

**rank.** The same as **precedence**.

**ratify.** To approve and sanction formally. In a parliamentary sense, it means to confirm or make.

**recognition.** The chair’s formal acknowledgment that a member is assigned the floor.

**recognize.** The process by which the presiding officer assigns the floor to a member for the purpose of making a motion, to speak in debate or to make a proper inquiry permitted under the rules.

**regular meeting.** The periodic business meeting of a permanent society, local branch or board, held at weekly, monthly, quarterly or similar intervals, for which the day should be prescribed by the bylaws and the hour should be fixed by a standing rule of the society.

**report.** An account, usually written, of the study or work conducted by an officer or by a board/commission.

**reporting member.** Member of a board/commission that submits the board/commission's report to the board/commission/organization.

**resignation.** The formal act of giving up one's office or position.

**resolution.** A main motion which either because of its importance or because of its length or complexity is presented (usually in writing) in a formal format. A resolution begins with "Resolved" and may have a preamble (begins with "Whereas") which includes a brief statement(s) of the background and/or the reasons/rational for adoption of the resolution.

**Robert's Rules of Order.** The most widely used manual on parliamentary procedure written by General Henry M. Robert; originally published in 1876.

**Robert's Rules of Order Newly Revised.** The current edition of the parliamentary manual written by General Henry M. Robert with material from his other books incorporated into the original Robert's Rules of Order.

**roll call.** The procedure (usually by the secretary) of calling off a list of names (as for checking attendance).

**roll call vote.** The process of voting by each member responding "yea" or "nay" as the member's names are called by the secretary. It has the opposite effect of a ballot vote.

**RONR.** Acronym for *Robert's Rules of Order Newly Revised*.

**ROR.** Acronym for *Robert's Rules of Order Revised*, editions of General Robert's manual published between 1915 and 1951.

**rules of order.** Refers to the written rules of parliamentary procedure; such rules related to the orderly transaction of business in meetings and to the duties of officers in that connection.

**ruling.** A decision of the chair on questions of parliamentary law usually rendered in response to a point of order.

**second.** A verbal, sometimes written, indication made by any member of a board/commission/organization that the member agrees that a motion made should come before the meeting (not that the member necessarily favors the motion).

**secondary amendment.** A motion to amend applied to itself (the pending primary amendment) i.e., an amendment to an amendment.

**secondary motion.** A subsidiary, privileged or incidental motion that can be made while a main motion is pending and whose procedural or emergency character does not violate the principle of taking up only one question at a time; it must be acted upon or disposed of before continuation of the main question.



**secretary.** An officer of an organization or society responsible for its records and where there are both a recording secretary and a corresponding secretary, the term secretary, used alone, refers to the recording officer.

**secretary pro tem.** The person elected or appointed to serve as secretary on a temporary basis, as in the case where the secretary may not be present at a meeting.

**special meeting (or called meeting).** A separate session of a society held at a time different from that of any regular meeting and convened only to consider one or more items of business specified in the call of the meeting.

**special rules of order.** Parliamentary rules adopted by an organization which it finds are needed at that moment in order to address a situation that arises and there is no existing rule to address it.

**stand at ease.** A brief pause in a meeting permitted by the chair without objection and without a declaration of recess whereby members remain in their places but there is a technical interruption of the meeting.

**standing rules.** (except in the case of conventions). Rules which are related to the details of the administration of a society rather than to parliamentary procedure.

**stating the question.** After a motion is made and seconded the presiding officer repeats the motion so there will be no doubt what is to be considered.

**subcommittee.** A subdivision of a board/commission usually organized for a specific purpose. A subcommittee is responsible to and reports to the board/commission which organized it.

**substitute motion.** The motion proposed to be substituted for the pending motion.

**super majority** (a fairly recent term). A majority that must represent some percentage more than a simple majority (more than half), e.g., a two-thirds or a three-fifths vote.

**sustain.** To uphold or support as true, legal or just. When a point of order or any ruling of the chair is appealed, a presiding officer may ask the organization to decide if the decision of the chair should stand as the judgment of the organization. If the board/commission/organization votes "yes", the members are said to sustain the decision of the chair.

**table.** A colloquial term for disposing of a motion by putting the motion aside temporarily.

**tie vote.** An equal number of affirmative and negative votes; since a tie vote is not a majority, a motion requiring a majority vote for adoption is lost.

**timekeeper.** Appointed by the presiding officer (mostly at conventions) to monitor the time each speaker is allotted for debate.

**two-thirds vote** (when the term is unqualified). At least two-thirds of the votes cast by persons legally entitled to vote, excluding blanks and abstentions, at a regular or properly called meeting at which a quorum is present.

**unanimous consent.** A time-saving procedure whereby routine business or questions of little importance are decided/approved without taking a formal vote. See **general consent**.

**undebatable motion.** A motion on which discussion is not permitted.

**unfinished business.** Matters not completed at the previous meeting, which are included on the agenda of the current meeting.

**vacancy.** An office or position which has not been filled or which is otherwise not occupied by an incumbent.

**vacate the chair.** The process whereby the regular presiding officer leaves the chair and another individual presides.

**voice vote.** The process of voting by voice where an “aye” vote indicates for or in favor and a “no” vote means against or not in favor.

**vote.** A formal expression of the will, or opinion, or preference of the members of an organization in regard to a matter submitted to it.

**withdraw** (as a motion). To take back or remove from consideration.

**yeas and nays.** Another term for a roll call vote.

**yield.** Give precedence to; give way to. A lower ranking motion yields to a motion of higher rank.

**yield the floor.** When a member who has been recognized as “having the floor” finishes speaking, the member is said to “yield the floor” after the member sits down.

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