

ORDINANCE 25-04

ADOPTED 1-27-2025

AN ORDINANCE ADOPTING AN AMENDED RULES OF THE VILLAGE OF THORNVILLE COUNCIL AND DECLARING AN EMERGENCY

WHEREAS, R.C. 731.45 and Council Rule 2.03 allow Council for the Village of Thornville to determine, and subsequently amend, its own rules; and

WHEREAS, since adopting a set of rules, in 2007 Council for the Village of Thornville amended these rules. The last amended was in April 2022 and this amended only Section 8 (Order of Business); and

WHEREAS, Council for the Village of Thornville believes it is necessary to add a second council meeting per month; and

WHEREAS, in addition to amending Section 4 (Council Meetings), Council for the Village of Thornville wants to take advantage of this opportunity to make several other changes.

NOW, **THEREFORE, BE IT RESOLVED** by the Council for the Village of Thornville, Perry County, State of Ohio:

SECTION 1: Council for the Village of Thornville hereby adopts the amended Rules of the Village of Thornville Council which is attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent part thereof.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal actions were in meeting in open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 4: This Ordinance is hereby declared an emergency measure necessary for the health, safety and welfare of the residents of the Village and for the further reason that Council needs to add a second monthly meeting, as well as the other rule changes, as soon as possible. Wherefore, provided this Ordinance receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

Passed in Council this 27<sup>th</sup> day of January, 2025

ATTEST:

Abigail Tolliver  
Clerk of Council

Amanda Lackey  
Amanda Lackey, Mayor

APPROVED:

Approved as to form this 23<sup>rd</sup> day of January  
2025:

Brian M. Zets  
Brian M. Zets, Esq.  
Village Solicitor

Rules  
of  
The Village of Thornville  
Council

Adopted on April 9, 2007. Amended on June 23, 2008, April 13, 2009 and May 24, 2010 and February 25, 2013 and January 12, 2015 and October 24, 2016, August 26, 2019, October 27, 2021, April 26, 2022 and January 27, 2025.

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# TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. DEFINITION OF TERMS	3
2. APPLICATION OF RULES	3
3. COUNCIL COMMITTEES	3
4. COUNCIL MEETINGS	4
5. COUNCIL MEETING AGENDA	5
6. NOTICE OF MEETINGS	6
7. AVAILABILITY OF MEETING AGENDAS	6
8. ORDER OF BUSINESS	6
9. REQUEST TO SPEAK	7
10. VOTING PROCEDURES	8
11. LEGISLATING PROCEDURE	8
12. EXECUTIVE SESSIONS	10
13. MISCELLANEOUS	11

## COUNCIL RULES OF ORDER

### 1. DEFINITION OF TERMS

- 1.01 Member – a member of Council;
- 1.02 Clerk – the Clerk of Council;
- 1.03 Meeting – any regular, alternate or special meeting of Council;
- 1.04 Quorum – a majority of the members of Council;
- 1.06 Standing Committee – a permanent committee created by Council by motion; and
- 1.07 Ad Hoc Committee – a temporary committee created by Council motion.

### 2. APPLICATION OF RULES

- 2.01 Except as otherwise provided by the laws of the State of Ohio, the functioning and proceedings of Council, including all meetings of Council and its Committees, shall be governed by these Council Rules of Order.
- 2.02 On matters involving parliamentary procedure not provided for in these Council Rules of Order, the latest revised edition of “Robert’s Rules of Order” shall be referenced by the Mayor as persuasive, rather than binding, and the Mayor’s determination shall be final.
- 2.03 These Council Rules of Order shall not be altered except by duly proposed and approved vote of a majority of all members of Council, at any regular or special meeting. These Rules of Order may be suspended, when appropriate, by a majority vote of all Council members.

### 3. COUNCIL COMMITTEES

- 3.01 The standing committees of Council have been established as the Finance Committee, Parks and Recreation Committee, Personnel Committee, Rules Committee, and Public Facilities/Village Safety Committee. The Rules Committee shall meet after the first Council meeting in January, and as required throughout the year. All other standing committees shall meet as necessary.
- 3.02 Membership of each standing committee shall be determined by the Mayor and committee assignments are permitted to be changed at any time during the year, taking into consideration the preferences, willingness, and

experience of each Council member. The committee members shall choose its chairperson

- 3.03 The Clerk of Council shall provide written minutes to the Chairperson within one week from the date of each standing committee meeting, and in the event the Clerk of Council is unable to take the minutes, the Chairperson shall provide written minutes to the Clerk of Council within one week of the standing committee meeting.
- 3.04 Council may establish new standing committees, assign the functions of standing committees, add, combine, expand, contract, or eliminate certain standing committees as it deems necessary for the proper functioning of council.
- 3.05 Ad hoc committees may be created by Council to review, study, and make recommendations on specific matters. The Mayor shall appoint each ad hoc committee member, whose appointments shall be confirmed by Village Council. Each ad hoc committee shall consist of at least one Council member. Upon approval of the committee the Mayor shall give the committee a charge, and establish the time frame within which the committee is to report to Council. When an ad hoc committee has completed its charge, the existence of the committee shall terminate. The committee members shall choose its chairperson.
- 3.06 The Clerk of Council shall maintain the written record of all ad hoc and standing committee meetings as the permanent record of these meetings. Each standing and ad-hoc committee may add Village residents as non-voting members. Village residents must be approved by Council.
- 3.07 The Clerk of Council shall provide twenty-four (24) hour written and/or verbal notice of any and all standing and ad hoc committee meetings to all members of Council.

#### 4. COUNCIL MEETINGS

- 4.01 All meetings of the Thornville Village Council and its duly appointed bodies, except for those exempted by the Ohio Revised Code, are declared public meetings open to the public at all times.
- 4.02 Regular council meetings shall be held on the second and fourth Monday of each month. Meetings shall be convened in the Council meeting room of the Village Office Building, 3 South Main Street, at 7:00 P.M. or in an alternate public place within the Village of Thornville corporation limits, provided that a public notice shall be posted at least twenty- four (24) hours prior to the meeting time. In the event that a regular meeting presents a conflict for a majority of members, Council or the Mayor may

establish an alternate date, or cancel the regular meeting provided the public notice is posted at least twenty- four (24) hours prior to cancellation of the regular meeting and twenty- fours (24) hours prior to the rescheduled meeting time.

- 4.03 The Mayor and the Village Administrator shall confer regularly regarding the agenda for Council meetings, after which the Mayor shall determine the agenda. Upon concurrence that a meeting may become unduly lengthy due to the content and/or number of items on the agenda, the Mayor may divide the agenda and defer items to the following regular meeting, or call a special meeting.
- 4.04 Members shall be present during all regular and special meetings. Council members shall notify the Mayor or Village Administrator, as soon as possible, when the Member knows he or she cannot attend a regular or special meeting. Immediately following roll call, the Mayor shall note that he or she has been contacted by the absent member or members, and give the reason therefore. Council may, by motion, excuse the absent member or members, and such action will be entered in the Council meeting minutes.
- 4.05 Any Council member having three (3) meetings of unexcused absences within a year shall not be paid for the missed meetings. Upon the third absence Council may vote to remove such truant member.
- 4.06 Minutes of all Council meetings shall be prepared by the Clerk of Council within one week following an official meeting. A copy of these minutes shall be distributed to the Mayor, each Council member, the Village Solicitor, and the Village Administrator for review prior to the next meeting.

## 5. COUNCIL MEETING AGENDA

- 5.01 Except for emergency matters or other special matters requiring the immediate attention of Council, a listing of business to be considered by Council shall be prepared and delivered to each member at least forty-eight (48) hours prior to each regular Council meeting.
- 5.02 Any person may request that a matter of business be placed on the agenda provided sufficient notice is provided to the Mayor, Village Administrator, or the Clerk of Council. All proposed agenda items must be delivered to the Clerk of Council prior to 5:00 PM on Thursday preceding the meeting.
- 5.03 It is the responsibility of the Clerk of Council to prepare and deliver the agenda and all supporting documentation under the general supervision and direction of the Mayor and the Village Administrator. All members of the Village organization and members of the public are encouraged to cooperate with the Clerk of Council in making the agenda complete and accurate.

While nothing herein will prevent the introduction of new business not listed on the agenda, Council may require additional time to study any item not included on the agenda. Once notice of a special or emergency meeting is given, nothing can be added to the agenda of the special or emergency meeting.

5.04 Upon a majority vote of its members, Council may modify the order or contents of the regular meeting agenda at the beginning of the Council Meeting.

## 6. NOTICE OF MEETINGS

Notice of Council Meetings will be posted at the following places:

Village of Thornville Website Calendar  
Village of Thornville Facebook Page  
Bulletin Board outside the Village Police  
Village of Thornville Post Office

## 7. AVAILABILITY OF MEETING AGENDAS

The Clerk shall post meeting agendas at the Village of Thornville Post Office and on the Village Facebook page. The Clerk shall also make available a copy of the agenda for any regular, special, or emergency meeting to any person requesting the same. Hard copies of the agenda and the corresponding material will be made available during regular work hours. It is the responsibility of the individual requesting the agenda packet to reimburse the Village for any associated copying expenses and costs. It is understood that failure of the Clerk to comply with this section for any reason does not invalidate any lawful action taken by this Council at a regular, alternate, or special council meeting.

## 8. ORDER OF BUSINESS

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

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

1. Call to Order
2. Pledge of Allegiance
3. Roll Call by Clerk of Council
4. Approval of Business Agenda
5. Review and Approval of Minutes
6. Public Hearings

7. Police Report (Only 4<sup>th</sup> Monday of Month Meeting)
8. Mayor's Report (Only 4<sup>th</sup> Monday of Month Meeting)
  - Water Report to Council
  - Water Report to Perry County Commissioners
  - Mayor's Court Report
9. Administrator's Report (Only 4<sup>th</sup> Monday of Month Meeting)
  - Presentation and Payment of the Bills
10. Fiscal Officer's Report (Only 4<sup>th</sup> Monday of Month Meeting)
  - Monthly Reports
11. Committee Reports (Only 4<sup>th</sup> Monday of Month Meeting)
12. Zoning and Planning Commission Report (Only 4<sup>th</sup> Monday of Month Meeting)
13. Unfinished Business
14. New Business
15. Executive Session (if necessary)
16. Comments & Announcements
17. Adjournment

## 9. REQUEST TO SPEAK

### 9.01 Members' Right to Speak

- a. While each member has the right to speak, the member must request this right by addressing the Mayor, or in the Mayor's absence, the acting Council president. Upon being recognized, the member may proceed.
- b. No member may filibuster. No member may speak for more than five (5) minutes continuously, except by leave of the Mayor. The decision by the Mayor in this matter is final. Reference to personalities shall be avoided by all speakers.
- c. The Mayor shall regulate debate in any other manner that he/she deems necessary, provided that the rights of all persons to express their views are respected.
- d. By a motion duly made, seconded, and passed by a majority of members present, the Council may overrule any limitation of debate by the presiding officer and allow a member to speak for an additional five (5) minutes.

### 9.02 Residents'/Interested Parties' Duties

Any resident or interested party desiring to address Council shall be first recognized by the chair during the time designated by agenda for Citizen Comments and/or Public Hearings. Residents and interested parties are not otherwise permitted to speak during Council deliberations. After being recognized by the chair, the individual shall state her/his name and address



in an audible tone for the Clerk's record. All provisions of 9.01 apply. Everyone who wants to address Council must sign in on the sheet provided.

### 9.03 Village Employees

The Village Administrator and any other appointed, administrative level official shall be entitled at all times to any privilege of the floor for the purpose of speaking upon any question that pertains to his or her duties, responsibilities and authority. All provisions of 9.01 apply.

## 10. VOTING PROCEDURES

- 10.01 Every member present, when a question is put shall vote unless the member has an ethical conflict of interest. Any member, who believes such conflict of interest requires recusal from the discussion, deliberation, and vote, must recuse himself/herself and may make a brief statement of the reason for such recusal. The roll call vote then shall be taken without further debate.
- 10.02 Voting on all legislation shall be oral and in open Council. No proxy votes are permitted. When the Clerk calls roll, each member shall respond "yes" "no," "here," or "abstain." No other comments are permitted during voting. The order of voting shall rotate in a random manner by issue.
- 10.03 The Clerk of Council shall announce the results of the voting and state whether the matter voted upon passed or failed.
- 10.04 No vote of a member shall be questioned. Any member so desiring may briefly comment upon the vote personally cast after the roll call and announcement of the result. The Mayor shall decide upon the propriety of the comments and monitor the length of the same.

## 11. LEGISLATING PROCEDURE

- 11.01 All ordinances and resolutions introduced but not yet acted upon shall automatically carry over at the end of the calendar year to the next calendar year.
- 11.02 The introduction, passage and amendment of ordinances and resolutions shall be governed by Chapter 731 of the Ohio Revised Code.
- 11.03 A member may speak on any legislation; call for questions; ask for a statement of the question (which the Mayor shall render); call for a division of the questions (the Mayor shall render a decision regarding the divisibility of any question and said decision shall be subject to appeal as is a question

of order); and question the Village Administrator. Any two members may demand the previous question.

- 11.04 Any member may introduce such legislation, as the member deems appropriate. Legislation can be prepared and recommended by the Administration, a standing committee of Council, an ad hoc committee of Council, or a Village Board or Commission; all such legislation must be introduced by a member.
- 11.05 Every motion shall be reduced to writing if the chair or a member so requests.
- 11.06 When a motion is offered and seconded, it shall be read back by the Clerk of Council before debate.
- 11.07 After a motion has been read by the Clerk of Council, it shall be deemed to be in Council's possession and may be withdrawn only by leave of the Council.
- 11.08 Ordinances and resolutions shall be read by title only unless there is a majority vote of Council to read in full (RC § 731.17(A) (1)).
- 11.09 Form of ordinances/resolutions
  - a. All ordinances and resolutions shall continue to be written in the same format and style as was in use at the time these rules were enacted by Council. All such legislation shall be assigned a number by the Clerk of Council, prior to its first reading before Council. Said number shall be assigned according to a system that reflects the sequential order and year.
  - b. Each ordinance/resolution shall contain not more than one subject, which shall be fully described in the caption in easily understood terms.
- 11.10 Order of Consideration of Questions
  - a. All questions shall be considered in the order in which they are made.
  - b. Roll call vote shall be called only on the third and final reading of ordinances / resolutions, unless readings are waived by a majority vote of Village Council.
- 11.11 Motion Made – Additional Proper Motions – When a question is before Council or under debate, or a motion has been made, no other motion shall be proper, except the following and these take precedence according to the order listed:

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

11.12 Question Without Debate – the following question shall be considered without debate:

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

11.13 Motion to Postpone – Adjourn

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

11.14 Motion to take From the Table – A motion to remove any matter from the table shall be in order after consideration of one question succeeding the tabling. This is not debatable.

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

11.16 Appeal Decision of the Chairperson – On appeal from the decision of the chairperson, no member shall speak more than once, and the chair shall have preference.

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

## 12. EXECUTIVE SESSIONS

Council may hold an executive session only after a majority of a quorum of Council determines, by roll call vote, to hold an executive session and only at a regular and special meeting for the sole purpose of the consideration of any of the specifically

enumerated purposes in Revised Code Section 121.22(G). The purpose with reference to the applicable Ohio Revised Code Section must be stated in the motion.

### 13. MISCELLANEOUS

#### 13.01 Council Courtesies

No member shall privately confer while Council is in session with anyone other than a fellow member, the Village Administrator, or the Clerk of Council. Such discussions as are permitted shall be brief and shall be conducted in a tone and manner so as not to disturb the proceedings. Council members shall be courteous to other members, Village officials and the public. Members of the public shall be courteous to Council members, Village officials and other members of the public.

#### 13.02 Confidentiality

- a. On matters where public knowledge of same could be detrimental to the Village's position on legal, fiscal, property acquisition, personnel or other matters deemed by Council or the Village Administrator to require confidentiality, all members shall limit and/or restrict discussion and/or dissemination of the confidential information unless and until Council or the Village Administrator decides such matters may be discussed publicly.
- a. No member may speak for the Council as a body unless specifically authorized to do so by Council.

#### 13.03 Enforcement of Rules

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

#### 13.04 Violation of Rules

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

#### 13.05 Social Media Guidelines and Disclaimer

- a. Know and understand the Internet is Permanent; When in doubt do not post. Once information is published online, it becomes part of a permanent record. The internet archives almost everything. Therefore,

even deleted postings may be searched and recovered. Ultimately, you are solely responsible for what you post online. Before creating on-line content, consider the risks and rewards that are involved.

- b. **Be Honest and Accurate**  
Before posting content or responding to comments, use your best effort to ensure the information or response is honest and accurate. Accuracy is critical because social media is extremely visible and can be replicated in multiple locations within minutes. Avoid posting any information or rumors you believe are false.
- c. **Correct Mistakes**  
If a mistake or inaccuracy occurs, be quick to correct it. Communicate its subsequent corrections clearly.
- d. **Be Considerate**  
Always be fair and courteous to fellow council members, Village employees, and Village residents. All on-line content should be professional, respectful and factual. If you decide to post complaints or criticism, do not use statements, photographs, video, or audio that reasonably could be reviewed as malicious, obscene, threatening, harassing or intimidating.
- e. **Maintain Confidentiality and Privacy**  
Always maintain the confidentiality of the Village's private or confidential information. Avoid posting information that was discussed in closed session. Avoid posting anything that would not be made present in a public forum.  
  
Do not post private or confidential information about fellow Councilors, Village Employees or constituents. Do not post situations involving names, pictured or otherwise identifiable individuals without their permission.
- f. **Misrepresentation**  
Express only your personal opinion(s). Never represent yourself as the spokesperson for the entire council of the Village. If the Village, and/or its officials business, is the subject of the content you are creating, be clear and open about the fact you are a councilmember, but also make clear that you are not speaking on the behalf of Council, any of the Village's committee or departments, or any of the Village's employees.
- g. **Refer Residents Service Questions to the Proper Individual**  
When asked a question about the Village's operations (garbage collection, snow removal etc.) you should acknowledge the question and refer the resident to the appropriate village staff member. These questions also may be directed to a Village monitored social page.

h. Give Credit Where Credit is Due

When you re-post something written by someone else, you may need permission to do so. If you do, make certain to obtain it. Then, clearly state that the material, letter, response etc. has been authorized by someone else. Do not use copyrights, trademarks, publicity rights, or other rights without necessary permission of the right holder. Avoid advertisement, sponsorship and endorsement.

i. The Public Records Act and The Meeting Act

Depending upon the content of your social media activity, your on-line content may be subject to the Ohio's Public Record Act. If it is, you must adhere strictly to the Village's Record Retention Schedule. Additionally, if your texts, tweets, and post involve a conversation where you are discussing/deliberating the public business with a quorum of council or committee, it implicates, and violates the Open Meeting Act.