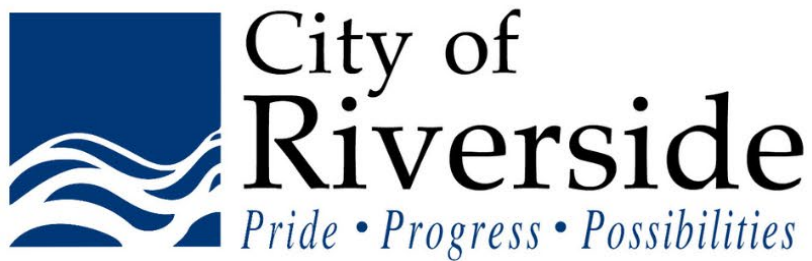


*City of Riverside*

# Rules of Council



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Council Member Handbook  
February 2024

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## About the City Council

Except as otherwise provided under the City Charter, all legislation and other powers of the City are vested in the Council. The Council has the power to enact ordinances, resolutions, and other measures to carry out municipal functions involving the City's departments, divisions, offices, boards, commissions, and employment. (Section 3.01, City Charter)

Council Members have power and may exercise that power only when Council is in session. Council Members and the Council itself are not bound by any statement or action taken by individual members, City officials, or employees unless in accord with Council action.

Individual Council members shall not direct any City official or employee to perform services or take action related to City operations. Except for the purpose of inquiry or investigation incident to carrying out their powers, duties and responsibilities as set forth in this Charter, the Mayor, Council, and its members shall deal with that part of the administrative service for which the manager is responsible, solely through the City Manager. (Section 6.04, City Charter)

Some specific Council functions include:

- Making policy necessary for the operation of the City.
- Appointing a City Manager and establishing a salary for the City Manager. (Section 6.01, City Charter)
- Appointing a Clerk of Council and establishing a salary for the Clerk. (Section 4.12, City Charter)
- Appointing a City Attorney and establishing a salary for the Attorney. (Section 7.01, City Charter)
- Obtaining reports from the City Manager concerning conditions, efficiencies, needs and other affairs and related City matters.
- Evaluating and approving the city budget and appropriations and their modifications.
- Evaluating the effectiveness of City programs and the performance of the City Manager, Clerk of Council, and City Attorney.
- Informing the public of City activities and needs.

## Legislation and Proclamations

### Ordinances and Resolutions:

Council legislative action shall be by ordinance or resolution. Ordinances shall be enactments of the Council establishing permanent rules of conduct or of government. Resolutions shall be orders of the Council dealing with a specific matter of temporary nature which expresses the policy of the Council or opinion regarding such matter, and which do establish permanent or general legislation. (Section 5.01, City Charter)

Legislation shall be reviewed by the Law Director who shall ensure that it is written in the manner prescribed by law.

### Procedure for Adopting Ordinances:

- **First Reading:** Once placed on the agenda, a first reading can be read by title only, unless a full reading is requested by a member of Council. The complete text of the ordinance shall be posted at the Municipal Fire department and the Municipal building. The Clerk of Council shall publish the title of the proposed ordinance in a newspaper and on the municipal website. Such publications shall specify the time and place for the second reading and public hearing and that copies of the proposed ordinance are available to the public at no cost. The posting of the publication of the second reading shall be posted seven (7) days prior to the time set for the second reading and public hearing. (Ref. Section 5.03, City Charter)
- **Second Reading and Public Hearing:** Second reading may be read by title only, unless Council requested ordinance be read in full. All interested persons shall be given an opportunity to be heard prior to the final vote. Council can approve, reject, or amend the proposed legislation. Ordinances that are amended shall not be adopted until they are published again, and another public hearing takes place.
- **Final Adoption:** Vote of at least four (4) members of Council is necessary for the final passage of an ordinance, unless otherwise provided in the City Charter. Every ordinance shall be recorded and be authenticated by the signature of the presiding officer of the Council and the Clerk of Council.
- **Emergency Ordinance:** Emergency ordinances and resolutions are those necessary for the immediate preservation of the public peace, health, safety, welfare or to provide for special emergencies in the operation of the usual municipal services. Each emergency ordinance or resolution be presented with specific facts necessitating the emergency legislation. Emergency ordinances will become effective immediately.

### Procedure for Adopting Resolutions:

Resolutions are adopted by a majority vote of Council Members present. No second readings for resolutions are required.

## Proclamations

The City generally presents proclamations at Regular Meetings. Proclamations are typically issued to increase awareness of a cause or recognize an individual, group, issue, or achievement that supports the City's mission and values. The Mayor and City Clerk review proclamations on a case-by-case basis to ensure they adhere to guidelines and values.

### Procedure

- Proclamation requests must be submitted at least 30 days in writing before the date on which the proclamation is to be presented. Proclamations will not be accepted more than six months in advance of the proposed City Council meeting.
- Annual proclamations are not automatically renewed; requests must be made on an annual basis.
- The requestor shall provide the language to be included in the proclamation per the Guidelines below. Any draft language is subject to edits and revisions by the City Clerk.
- No more than three (3) proclamations will appear on an agenda. Proclamations are granted on a first-come, first-serve basis. The sooner a request is received, the more likely it will be presented at the meeting requested.
- The expectation is that there will be at least one representative on hand to receive the proclamation from the Mayor; therefore, the name, title, and name of the organization of the person that will accept the proposed proclamation needs to be submitted to the Clerk of Council.
  - The Mayor or presiding officer may request the recipient to provide brief remarks after receiving the proclamation.
- Once the proclamation has been finalized, the Clerk will schedule the proclamation to be presented at the beginning of an upcoming council meeting and will notify the parties involved.
- Any questions can be addressed by contacting the Clerk via email.

### Guidelines

- The draft language must fit on one page.
- The proclamation should include at minimum four (4) "whereas" clauses.
- Proclamations should promote the community values, goals, strategic plan, and operating principles of the City of Riverside.
- The City of Riverside reserves the right to deny any proclamation request where criteria are not met and to edit any drafted material for final wording.
- The Mayor may issue a proclamation representing his/her own viewpoint independently from Council.

- Mayoral proclamations should end with the following language: “Now, Therefore, I, [Mayor Name], Mayor of the City of Riverside, Ohio, do hereby.....”
- All other proclamations on behalf of the Mayor and Council collectively should end with the following language: “Now, Therefore, I, [Mayor Name], Mayor of the City of Riverside, Ohio, and the Council of the City of Riverside, Ohio do hereby....”

## Meetings

Unless otherwise provided in the Charter, the Riverside City Council conducts its meetings according to the procedures contained in Roberts Rules of Order.

Each Council member is responsible for coming to the meetings fully prepared, meaning that you should read through the entire packet of information made available to you prior to the meeting. If you have questions regarding this information, contact the City Manager or Clerk of Council to direct you to the appropriate resource. Council members are expected to vote and take other official action on all matters presented in the packet.

All Council meetings are public meetings, except executive sessions as defined and authorized by ordinance of the Municipality. (Section 4.09, City Charter)

- **Regular Meetings:** Regular Council meetings will be held on the first and third Thursdays of the month at 6:00 P.M. in Council Chambers at City Hall.
- **Special Meetings:** Special meetings may be called by the Mayor or City Manager or any three (3) members of Council on seventy-two (72) hours’ notice served on each member personally or left at the member’s usual place of residence. Any member of Council may waive this notice by filing with the Clerk of Council a written waiver prior to the special meeting. The purpose of the special meeting shall be stated in the notice, and no other business shall be transacted at the special meeting. (Section 4.09, City Charter)
- **Council Work Session:** Work Sessions are work meetings for Council and are not utilized for legislative action or other formal Council actions appropriate to Regular or Special Council Meetings. Public input is not permitted during a Work Session. Council Work Sessions are held as needed on the second and fourth Thursday of each month at 6:00 P.M. in Council Chambers at City Hall.
- **Executive Sessions:** Executive Sessions shall be closed, private, and confidential; and shall be held in accordance with the Ohio Revised Code 121.22, the Ohio Sunshine Law. These meetings are to be noted on the agenda of a regular or special meeting, when practicable. Any individual Council member may suggest or move that Council enter Executive Session when circumstances are such that satisfactory answers or useful discussion may be provided only in Executive Session. A motion to include the general purpose of the



Executive Session as specified in the Ohio Revised Code 121.22 and passed by a roll call vote is required for Council to enter into Executive Session.

- Minutes of the Executive Session discussions shall not be kept, nor shall any participant record the proceedings of an Executive Session through electronic means.
- Discussion in Executive Session is confidential. Participants shall not compromise the confidentiality of an Executive Session. (Admin Code 103.06 (e))

### Notification

The Clerk of Council will make public notice of all meetings as follows:

- **Regular/Work Session meeting:** Council adopts the meeting schedule at the beginning of each year. Changes to the schedule must be publicized by the Clerk of Council 24 hours in advance of a meeting. (Admin code 103.02(a))
- **Special meeting:** The Clerk of Council must provide public notice 48 hours in advance of the meeting. (Admin code 103.03(a))

This public notice will include the date, time, place and purpose for the meeting or session. The public notice will be done in the following manner.

- Posting of the public notice at City Hall.
- Posting of the public notice on the City of Riverside official website.
- Distribution of the public notice by email via the Internet through an electronic distribution list maintained by the Clerk of Council, to include media outlets and individual members of the public who have requested notification in advance.

The public may obtain notice of the date, time, place, and purpose of all meetings of Council by calling the office of the Clerk of Council.

### Attendance

Council members are required and expected to attend all regular and special meetings of Council. Absences from Council may be excused for reasonable cause. A motion of a simple majority of Council is required to excuse absence of member.

Unexcused absences from three (3) consecutive Regular Council Meetings may result in the forfeiture of Office.

Council Members may be removed from a Council meeting for disorderly conduct or violation of the *Rules of Council* (as described in this document) by a two-thirds (2/3) majority of Council. Removals will be considered an unexcused absence.

## Quorum

A quorum consists of four (4) members of Council including the Mayor for all Council meetings.

Passage of an ordinance requires affirmative vote of four (4) members of Council. A resolution may be enacted on a formal motion by majority vote of the members of council present. (Section 5.02, City Charter)

## Motions

A motion refers to a formal proposal by a Council member that the Council may take action upon. Motions are generally introduced by voice. If a motion is long or involved, the motion should be in writing. (Roberts Rules of Order)

Examples of spontaneous motions that could be made at a Council meeting include, but are not limited to:

- Adding new business to a work session or regular meeting.
- Requesting another City body to take action (e.g. requesting a rezoning recommendation from Planning Commission).
- Directing the City Manager, City Clerk, or Law Director to undertake a specific task.

## Public Participation

Public comment may occur at meetings during specified times as noted on the agenda, or at public hearings during the second reading of an ordinance (Charter, Section 5.03B).

The purpose of public comment is to enable members of the public to formally read their opinions and perspectives into the meeting record. Public comment periods are not an invitation to engage in discussions with Council or staff. Neither Council nor staff have an obligation to respond to comments or questions made by speakers at a meeting. As a matter of policy, the Council discourages back-and-forth discussion during public comment as a way of preserving good order and timely meetings. If speakers raise particular, actionable concerns, the Council may direct the City Manager to follow up with the concern after the meeting.

The Mayor or presiding officer will recognize individuals wishing to speak. Members of the public who wish to speak shall abide by the following rules:

- Wait to speak until recognized by the Mayor or presiding officer.
- Approach the microphone and clearly state name and address.
- Limit comments to three (3) minutes in total. Time may not be delegated or transferred to other speakers.
  - The Mayor or presiding officer has discretion to waive this requirement; however, it is the preference of the Council that this discretion be exercised sparingly to preserve the good order and timeliness of public meetings.

- Avoid disparagement and/or personal attacks directed against individual employees or appointed officials. Public meetings are an improper venue for personal disparagement of employees or appointed officials. The presiding officer shall rule the comments out of order and explain the proper procedure for filing a complaint as discussed elsewhere in this handbook.
  - The public has a right to criticize; however, it is inappropriate to render accusations or levy personal attacks in a public forum for the sake of good order. The City also has an obligation to protect employees and appointed officials from public censure without the chance to answer specific complaints.

## Packets and Agendas

Three (3) working days prior to scheduled Council meetings, Council members will be furnished an electronic packet with information germane to the meeting agenda items. All electronic documents will be delivered via a city email address. The packet will include an agenda, past meeting minutes, copies of ordinances and resolutions, and additional relevant information. The agenda will normally be finalized on the Friday preceding the scheduled Council meeting.

All meeting packets and attachments will be delivered electronically via email. If requesting a paper packet, please notify the Clerk. The Clerk will notify all Council members via email if packets are delayed till the following Monday.

Due to the nature of work session meetings, formal packets may not be developed or provided in advance. However, the City Manager should provide any relevant documents or information via email to Council Members prior to work session meetings to facilitate productive discussion.

## Agendas

- The Clerk of Council shall be responsible for preparing the agendas for all Council meetings in consultation with the City Manager and the Mayor.
- The agenda format for Regular Meetings should generally be as follows:
  1. Call to Order
  2. Roll Call
  3. Excuse Absent Members
  4. Additions or Corrections to Agenda
  5. Approval of Agenda
  6. Pledge of Allegiance and/or Moment of Silence
  7. Approval of Minutes
  8. Acceptance of Citizen Petitions for Public Comment

9. Public Comment on Agenda Items
10. Unfinished Business
11. New Business
12. Public Comment on Non-Agenda Items
13. City Manager Report
14. Council Member Comments
15. Executive Session (If needed)

- The agenda format for Work Sessions should generally follow items 1-6 above, and then transition into discussion items facilitated by the City Manager.
- The presiding officer shall be responsible for approval of agendas at all Council meetings.

## Clerk of Council

The Clerk of Council serves as the Council administrator. The Clerk attends council meetings, records proceedings, maintains city records, handles public records requests, authenticates legislation and signatures, prepares correspondence and minutes and performs other duties as directed by Council and required by law.

**Minutes:** Minutes shall record actions taken at the meeting and are not required to be a verbatim transcript of what is said at the meetings. (*Part 1-Administrative Code, Title Three-Legislation Chap 111.05*)

## Committees

When Council deems necessary it may establish a Committee by Ordinance.

- **Standing Committee:** Composed of “x” number of Council members. Membership of all standing committees will be determined at the yearly Organizational meeting in January. Each committee shall select a Chairperson for one year not to exceed three consecutive terms.
- **Special Committee:** Committee created for a specific length of time to complete a specific task.
- **Citizen’s Committee:** Citizens of Riverside appointed by Council to provide input and advice on matters effecting the municipality. Council will determine the number of residents to be appointed and the term of the position being held.
- **Sub Committee:** Committee created for Council members to work on specific projects or legislation that support progress for the city.

## Compensation and Expenses

Council may increase or decrease the compensation of its members by ordinance. However, no ordinance increasing the salaries of the Council members and/or Mayor shall become effective until the commencement of the terms of Council members elected at the next regular municipal election, provided that such election follows the adoption of such ordinance by at least six (6) months. (Section 4.06, City Charter)

Council Members shall be reimbursed their actual expenses incurred in the performance of authorized travel on official business of City for approved training seminars, conference, etc. The Council expense budget is approved annually. All expenses should be logged through the Clerk of Council, and any reimbursements need to be submitted to the City Clerk.

## Council/Administration Communications

Official communications between Council or its individual members and City officers and employees are to be conducted solely through the City Manager. (Section 6.04 City Charter)

The City Manager may determine that a request for information is not routine or will require more than minimal effort, in which case the requesting Council member will be informed and has the option of taking the matter before the entire Council for consideration. Similarly, routine complaints or requests received by the City Manager from elected officials will be handled promptly without Council approval.

On matters pending before Council, any new information that is developed by the City staff will be shared by the City Manager with all Council Members prior to discussion of the matter. Similarly, the City manager shall inform members of Council and seek approval for acting on matters which are appropriate for the entire Council to consider. To the greatest extent practical, the City Manager should use work session meetings to brief Council regarding these matters and to seek consensus on next steps.

Requests for information or reports which will interrupt the established day-to-day utilization of staff time must be approved and authorized by Council. If the request is approved, all information compiled will be shared with all Council members.

## Ethics

Council members are subject to all Ohio and local statutes and federal and state law regarding conflicts of interest, criminal misbehavior, ethics, and financial disclosure by municipal officials. (Section 13.03, City Charter) Members of Council shall abstain from voting on and the formal discussion of any motion or issue wherein the member might have a conflict of interest. Members having conflicts are expected to notify other members of the conflict as soon as such conflict becomes evident.

Council members are expected to adhere to the Ohio Ethics Law. The Ohio Ethics Law and related statutes are found in the Ohio Revised Code (R.C.) Chapter 102 and Sections 2921.42 and 2921.43. These laws generally prohibit public officials and employees from using their official positions for their own personal benefit or the benefit of their family members or business associated.

## Social Media/Internet Guidelines

These guidelines and standards apply to Elected Officials who maintain and use web pages, websites, blogs, and/or social networking sites or similar internet media in a purely personal capacity and/or in their capacity as a Riverside elected official.

The online activities and social media engagements of individual Elected Officials are not controlled by the City of Riverside. Elected Officials are responsible for managing their own individual online presences, should they choose to establish and maintain such a presence. The individual online presences of Elected Officials shall not be created, received, maintained, or used in any way by the City of Riverside. Elected Officials should not use their individual online presences to represent the City organization, functions, policies, decisions, procedures, operations, or other activities of the City or its Council as a whole, as this could create confusion with the City's official accounts.

The City does not provide web space, access, publicity, or online collaboration for any individual Elected Official's online presence. It is inappropriate for Elected Officials to request or expect links, likes, reposts/reshares, comments, or any formal linkages between their individual online accounts/sites and official City of Riverside accounts/sites. City accounts speak for the City organization as a whole and should be used purely to share official information with the public.

Elected Officials shall adhere to the following standards if they choose to maintain an individual presence online in any capacity:

- Elected Official sites/accounts should have a prominent disclaimer, such as:
  - This is a private page under the sole control of \_\_\_\_\_. The comments expressed by me are my own and do not reflect the opinions and/or position of the City of Riverside or its officers and employees. This page is not sanctioned or monitored by the City. This Page cannot be used for service of any legal notice, administrative notice or any other legal process directed to the City. This site cannot be used to request City records. I reserve the right to remove or edit any posts that are unlawful, threatening, libelous, defamatory, obscene, pornographic, invasive of privacy, infringing of intellectual property rights or otherwise violate any law or terms of service. This includes comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or intellectual disability or sexual orientation. Spam, links to other sites,

information that is clearly off topic and/or apparent spamming or trolling will be removed.

- Elected Officials should be honest and accurate when posting information or news and post a retraction of any mistakes, misstatements and/or factual errors in content upon discovery.
- Elected Officials should be mindful of the risks of electronic communication in relation to the Ohio Public Records Laws and the Open Meeting Law. Communication between elected officials should be avoided on internet platforms.
- Elected Official sites/accounts should NOT be designated as “governmental” or indicate that they speak on behalf of the entire organization. Elected Official sites/accounts should NOT appear to be an official City internet platform.
- Elected Officials should NOT promote their private Internet Platforms at official City meetings or in official City correspondence.
- Elected Officials should NOT disclose information that is considered privileged or confidential, such as personnel information, non-public information from criminal investigations, business trade secrets, or matters discussed in executive session.
- Elected officials should NOT post information about matters involving pending or threatened litigation, items that are or may be appealed to them in their official capacity or to City boards or commissions.
- Elected Officials should NOT represent themselves as a spokesperson for the City Council, board, commission, or committee.
- Elected Officials should NOT use internet platforms to communicate with city employees about City related matters.
- Elected Officials should NOT “tag” or link a matter to a City employee’s personal internet platform/site.
- Elected Officials should NOT reference any document(s) as a basis for making an official decision unless that document is available through the city as a public record.
- Removing a user’s comment or post for criticizing “government actions” is not advisable.

## Complaints

Complaints against employees, including the City Clerk and Law Director, are to be made to the City Manager. Complaints against the City Manager, Council Members, or members of City boards or commissions appointed by Council are to be made to the Mayor. All complaints must be formalized in writing.

## Evaluations

It shall be the responsibility of the Council to provide an annual written evaluation of the City Manager, and Clerk of Council. Dates for completion of evaluations will be determined by the Mayor in consultation with the Council and Law Director.

## Swearing in New Elected Officials

All newly elected officials shall attend a Council meeting in December following the election to be sworn in for their term. The Clerk of Council should provide newly elected officials with Council Rules, Sunshine law training, and answer any questions.

## Boards and Commissions

In addition to the boards and commissions established in the City Charter, the Council may by ordinance, create additional Boards and Commissions it deems necessary or desirable for the efficient operation of the Municipality and provide for their duties and powers. (Section 9.01, City Charter)

### Appointment Process for Boards and Commissions

The usual process for appointments and reappointments for Boards and Commissions should begin 100 days from appointment expiration. The schedules and timelines below do not include any holidays but do include weekends.

**100 days prior to appointment expiration:** Vacancy or reappointment notice is posted on the City's website and through other outreach platforms. Council Members and staff should also publicize the opportunity to serve on the board or commission by word of mouth, announcements at Council meetings, or through personal contacts with interested parties.

**90 days prior to appointment expiration:** Applications accepted for the posted appointment. Applications will be reviewed and vetted by staff on a first-come, first-served basis. Qualified applicants will be interviewed by staff no later than 30 days before the appointment expiration date.

**45 days prior to appointment expiration:** Application period closes.

**30 days prior to appointment expiration:** Interviews conclude, and recommended candidates are selected by Staff. Staff refer candidates and finalists to the City Manager. The City Manager schedules an Executive Session at the next available Council meeting to discuss applicants. Immediately following Executive Session, Council should move to issue letters of appointment to finalists.

Once Council has moved to issue letters of appointment, Staff shall notify finalists by an official letter either through email or physical mail. The letter shall contain information about their



appointment, including but not limited to term of service, meeting schedule, date and location of the next meeting.

Staff shall issue rejection notices to candidates that were not appointed by Council. These notices should include information about other opportunities to serve, if applicable and available. A waitlist of candidates should be generated.

Staff shall establish a calendar for each board and commission that identifies specific dates and milestones for reappointment, according to the process described above.

If no suitable candidates for an open board or commission appointment emerge from this process, the vacancy shall be held open. Applications and interviews shall be conducted on a rolling basis as quickly as possible so that recommendations can be provided to Council in a timely manner.

## Donations

The City of Riverside has historically provided modest donations to third-party organizations which directly or indirectly benefit and support the City. The decision to make such donations is solely at the City Council's discretion, and all donations must be approved by the Council in a formal Resolution. Resolutions are required for each and every donation request. It is improper for Council to adopt a Resolution providing a recurring donation over multiple fiscal years. All donations considered by Council should be modest and reflect de minimis support for outside organizations. The Council should not consider or approve donations that conflict with the City's mission and values, donations that create actual or apparent conflicts of interest, or donations that are likely to spark controversy in the community.

The process for initiating a donation request is as follows:

- Elected Officials and staff may discuss specific requests at a work session and debate the merits and drawbacks of making a donation. No vote on whether to make the donation may occur at a work session.
- The City Manager will determine whether to develop a resolution regarding the donation based on the context of the work session discussion, as well as in consultation with the Mayor and City Clerk (because these individuals are also responsible for setting meeting agendas).
- Council may debate and approve any Resolutions approving donations while conducting regular business.