

ORDINANCE NO. 2025-10-07-001

AN ORDINANCE ESTABLISHING RULES FOR THE CONDUCT OF BUSINESS OF THE VILLAGE COUNCIL OF WAYNE LAKES AND REPEALING ANY OTHER RULES ADOPTED BY SAID VILLAGE COUNCIL PRIOR TO THE ADOPTION OF THIS ORDINANCE.

WHEREAS, The Village Council of Wayne Lakes desires that a set of rules be adopted that are compatible with the Ohio Revised Code; and

WHEREAS, The Village Council of Wayne Lakes desires that the business of said Village Council be discharged in an orderly manner.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF Wayne Lakes, DARKE COUNTY, OHIO AS FOLLOWS:

**Village of Wayne Lakes
POLICY ESTABLISHING RULES OF PROCEDURES FOR VILLAGE COUNCIL**

Section 1. Applicability of policy.

This policy applies to all meetings of the village council at which the council is empowered to exercise any of the executive, quasi judicial, administrative, or legislative powers conferred on it by law.

Section 2. Open meeting policy.

- (a) The public policy of the state and of the village is that all meetings of the council and its committees be conducted openly.
- (b) Except as otherwise provided in this policy and in accordance with applicable state law, each official meeting of the town council shall be open to the public.

Section 3. Location of meetings.

All meetings shall be held within the boundaries of the village except as otherwise provided in this section.

- (a) A joint meeting with the governing board of any other political subdivision of this or any other state may be held within the boundaries of either subdivision as may be specified in the call of the meeting. At any joint meeting, the council reserves the right to vote separately on all matters coming before the joint meeting.
- (b) A special meeting called for considering and acting on an ordinance or resolution requesting members of the Village Council to support or oppose any bill pending in the legislative authority or proposed for introduction therein may be held in the Village of Wayne Lakes or other such places as stated in the call of the meeting.
- (c) Retreats, work sessions, or other special meetings may be held outside of the town provided that the meetings are advertised in accordance with the Ohio Revised Code.

Section 4. Quorum generally.

A majority of the council membership shall constitute a quorum. The number required for a

quorum shall not be affected by vacancies. If a member has withdrawn from a meeting without being excused by majority vote of the remaining members, that member shall be counted as present for the purpose of determining whether a quorum exists.

Section 5. Organizational meeting.

On the date and at the time as prescribed by the Ohio Revised Code following a general election in which town council members are elected, the newly elected members of the council shall take and subscribe to the oath of office as the first order of business, or prior to the first meeting in January but after the election. The retiring Mayor will preside until the new Mayor is sworn in. As the second order of business, the legislative authority of a village shall immediately proceed to elect a President Pro Tempore from its own number, who shall serve until the first meeting in January next after his/her election.

Section 6. Meetings.

- (a) Regular meetings. The council shall hold its regular monthly meeting on the third Monday at 7:00 p.m. in the council chambers, except if a regular meeting day is a legal holiday, the meeting day and time will be decided upon by council.
- (b) Workshop meetings will be held on the first Tuesday of each month, specifically intended for council work, discussion, and planning purposes and will be held regularly as long as there is work that requires further discussion not addressed in the regularly scheduled monthly meetings
- (c) (b) Special meetings. The Mayor, the President Pro Tempore or any three members of the council may at any time call a special meeting of the council by signing a notice stating the time and place of the meeting and the subjects to be considered. At least 12 hours before a special meeting is called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (a) delivered to the mayor and each council member or left at the usual dwelling place of each council member; (b) posted on the council's principal bulletin board, or if none, at the door of the council's usual meeting room; and (c) mailed or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the village clerk. Only those items of business specified in the notice may be transacted at a special meeting, unless all council members are present or those who are not present have signed waivers.
- (c) Emergency meetings. The Mayor, the President Pro Tempore or any three members of the council may at any time call a special meeting of the council by signing a notice stating the time and place of the meeting and the subjects to be considered. If a special meeting is called to deal with an unexpected circumstance requiring immediate consideration, the notice requirements of this section do not apply. However, the person or persons calling an emergency meeting shall take reasonable action to inform the other members and the public of the meeting at least six hours before the meeting. Local news organizations shall be notified of such emergency meetings by the same method used to notify council members. Only business connected with the emergency may be discussed at the meeting.
- (d) Work sessions and informal meetings. The council may schedule work sessions, committee meetings, or other informal meetings of the council or of a majority of its members at such times and concerning such subjects as may be established by resolution or order of the council. A schedule of any such meetings held regularly shall be filed in the same place and manner as the schedule of regular

meetings. Work sessions and other official informal meetings not held regularly are subject to the same notice requirements as special council meetings.

- (e) Sunshine list. Any individual and any newspaper, wire service, radio station, and television station may file a written request with the village clerk for notice of all regular and special meetings of the council. Requests by individuals and news organizations must be renewed annually by December 31. Any and all costs associated with notifying individuals about upcoming meetings will be incurred by said individual.
- (f) Attendance and Excused Absences. In the event a council person is granted an excused absence from a council meeting, said council member will be compensated.

Section 7. Executive/Closed sessions.

The council may hold closed sessions as authorized by law. The council shall only commence a closed session after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session and who shall be permitted to attend the closed session. No action shall be taken during a closed session. The motion to go into closed session must be approved by the vote of a majority of those present and voting. No member, or any participant in any closed session shall divulge in any form, to anyone, the contents of the issues and the conversations that take place therein, or any other items disseminated or discussed during the conduct of any such closed session, without proper authorization, therefore. Proper authorization shall be interpreted as the unanimous consent of all council members participating in closed session. Violations of this provision may be subject to public censure, or any other penalties provided by law.

Section 8. Public hearings – Generally.

Public hearings required by law or deemed advisable by the council shall be organized by a special order, adopted by a majority vote, setting forth the subject, date, place and time of the hearing as well as any rules regarding the length of time of each speaker. At the appointed time, the mayor or mayor's designee shall call the hearing to order and preside over it. When the allotted time expires or no one who has not yet spoken wishes to do so, the presiding officer shall declare the hearing ended.

Section 9. Quorum at public hearings.

A quorum of the council shall be required at all public hearings required by law. If a quorum is not present at such a hearing, the hearing shall be continued until the next regular council meeting without further advertising.

Section 10. Minutes.

Full and accurate minutes of the council meetings shall be kept. The minutes shall be open to public inspection and available in a timely manner, in accordance with applicable law. The exact wording of each motion and the results of each vote shall be recorded in the minutes, and on the request of any member of the council, the "ayes" and "no's" upon any question shall be taken.

There will be no minutes of closed sessions. Any and all actions shall be conducted in open meeting where minutes are kept.

Section 11. Office of Mayor.

The mayor shall preside at all meetings of the council and may only vote in case of a tie vote among council members. The mayor shall have the power to:

reference to the side having the greater votes.

Section 26. Introduction of ordinances, resolutions, orders.

Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.

Section 27. Adoption of ordinances generally.

- (a) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.
- (b) The vote on the passage of each ordinance or resolution shall be taken by yeas or nays and entered upon the journal.
- (c) Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of those members present.
- (d) Action by the legislative authority, not required by law to be by ordinance or resolution, may be taken by motion approved by at least a majority vote of the members present at the meeting when the action is taken.

Section 28, Suspension of Rule Requiring Readings

Council may suspend the rule requiring readings of ordinances and resolutions on three different days, by a three-fourths vote of all members elected to the legislative authority. The vote must be taken by yeas and nays on each ordinance or resolution, entered on the journal.

Section 29, Effective Date of Ordinances and Resolutions

- (1) Ordinances and resolutions shall go into effect thirty days from the date of passage.
- (2) Such ordinances and resolutions are subject to referendum petition within that time frame.
- (3) Exceptions:
 - (a) Ordinance for the appropriation of current expenses.
 - (b) Street improvements petitioned by certain residents; and
 - (c) Any emergency ordinance or other measure necessary for the immediate Preservation of the public, peace, health and/or safety.
 - (i) This ordinance or other measure would require a two-thirds vote from all members of the village council.
 - (ii) The reasons for such necessity

Section 30, Where Rules Do Not Cover Situation

Where council rules do not cover certain situations, it is intended that the presiding officer shall rule on the matter in the interest of the orderly and prompt conduct of the council affairs, subject to appeal.

Section 31, Intent of Rules

The intent of council rules is to expedite the affairs of council and improve the image of the village in the eyes of the public. If parts of these rules are found to conflict with the Ohio Revised Code, the Ohio Revised Code takes precedent, and the remaining rules will remain in full effect.

- (a) Rule motions in or out of order, including the right to rule out of order any motion patently offered for obstructive or dilatory purpose.
- (b) Determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and entertain and rule on objections from other members on this ground.
- (c) Entertain and answer questions of parliamentary law or procedure.
- (d) Call a brief recess at any time.
- (e) Adjourn in an emergency.

A decision by the presiding officer under (a), (b), or (c) may be appealed to the council upon motion by any member. Such a motion is in order immediately after a decision under (a), (b), or (c) is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion if timely made may not be ruled out of order.

Section 12. Office of President Pro Tempore.

At the annual organizational meeting, council shall elect a President Pro Tempore from its own number, who shall serve until the first meeting in January next after his election. A council member who serves as President Pro Tempore shall be entitled to vote on all matters and shall be considered a council member for all purposes, including the determination whether a quorum is present. In the mayor's temporary absence, the President Pro Tempore shall be acting mayor. In case of the death, resignation, permanent incapacity or removal of the mayor, the President Pro Tempore shall become the mayor and shall hold such office until his/her successor is elected and qualified to serve in such capacity in accordance with applicable law. If the mayor should become physically or mentally incapacitated to perform the duties of his or her office, the council may by unanimous vote declare that he or she is incapacitated and confer any of his or her duties on the president pro tempore. When a mayor declares that he or she is no longer incapacitated and a majority of the council concurs, the mayor shall resume the exercise of his or her powers and duties. If both the mayor and pro tempore are absent from a meeting, the council shall elect from among its members a temporary chair to preside over the meeting.

Section 13. Committee Appointments.

At the first regular council meeting of each year, the council president will appoint members of the legislative authority to committees. Committee appointments are subject to the majority approval of the legislative body. Committee chairs will be responsible to preside over committee meetings and the mayor may join any committee meeting.

Section 14. Agenda generally.

- (a) The Fiscal Officer shall prepare a proposed agenda for each meeting. All items to be placed on the agenda shall appear on the agenda as originally submitted, unless the submitter of the same consents to appropriate and mutually agreed revisions thereof. The mayor shall approve the agenda, using the format listed in section 15, before it is advertised. Any request to have an item of business placed on the agenda must be received at least five (5) business days before the meeting. Any council member, the Mayor, the Village Administrator and the Village attorney may, by a timely request, have an item placed on the proposed agenda.

- (b) The agenda package shall include, for each item of business placed on it, as much background information on the subject as is available and feasible to reproduce.
- (c) The council agenda and accompanying packet shall be delivered to all council members via their Village emailed by 10:00 a.m. the business day prior to the council meeting.
- (d) A copy of all proposed ordinances shall be attached to the agenda. Each council member shall receive a copy of the proposed agenda and the agenda package. Copies shall also be made available for public inspection.
- (e) The council may, by majority vote, add items to or subtract items from the proposed agenda.

Section 15. Order of Business.

Items shall be placed on the agenda according to the Order of Business. The Order of Business for each regular meeting shall be as follows:

- (a) Call to Order: Pledge of Allegiance, Invocation,
- (b) Roll Call
- (c) Minutes – Corrections and Approvals:
- (d) Approval for Payment of Properly Appropriated and Funded Expenditures
- (e) Comments from the Public
- (f) Administrative Reports
 - 1) Mayors Report
 - 2) Village Administrators Report
 - 3) Fiscal Officers Report
- (g) Committee Reports
 - 1) Lakes Committee
 - 2) Parks Recreation Committee
 - 3) Sewer Committee
 - 4) Finance/Compliance Committee
 - 5) Maintenance Committee
 - 6) Trees Committee
 - 7) 5-year Community Planning Committee
 - 8) Family Activities Committee
- (h) Unfinished Business
- (i) New Business
- (j) Announcements
- (k) Adjournment

Section 16. Public address to the council.

The council shall provide time at each meeting for anyone to address the council on any matter not on the agenda for public hearing at that meeting. The mayor may set and enforce appropriate time limits for such comments.

Section 17. Action by the council.

The council shall proceed primarily by motion. Any member may make a motion. Each motion shall have a second. The council may proceed by consensus for matters including: direction to staff, information received with no action taken, ratify action already taken. The mayor shall state the consensus reached and the minutes shall reflect the consensus.

Section 18. Motions generally.

- (a) One motion at a time. A member may make only one motion at a time.
- (b) Adoption by majority vote. A motion shall be adopted by a majority of the votes cast, unless otherwise required by this division or state law.
- (c) Renewal. A motion that is defeated may be renewed at any subsequent meeting unless a motion to prevent reconsideration has been adopted.
- (d) Withdrawal. A motion may be withdrawn by the introducer at any time before the vote.

Section 19. Substantive motion.

A substantive motion is out of order while another substantive motion is pending.

Section 20. Procedural motions.

In addition to substantive motion, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption. In order or priority, if applicable, the procedural motions are:

- (1) To appeal a procedural ruling of the presiding officer. The decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the council, as specified in Section 11. This appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.
- (2) To adjourn. The motion may be made only at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter.
- (3) To recess.
- (4) To call to follow the agenda. The motion must be made at the first reasonable opportunity, or it is waived.
- (5) To suspend the rules. The motion requires a vote equal to a quorum.
- (6) To go into closed session.
- (7) To leave closed session.
- (8) To divide a complex motion and consider it by paragraph.
- (9) To defer consideration or table. A substantive motion whose consideration has been deferred or tabled expires 100 days thereafter unless a motion to revive consideration is adopted.
- (10) To call the previous question. The motion is not in order until there has been at least 10 minutes of debate, and every member has had one opportunity to speak.
- (11) To postpone to a certain time or day.
- (12) To refer to committee. Sixty days after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire council, regardless of whether the committee has reported the matter back to the council.
- (13) To amend.
 - (a) An amendment to a motion must be germane to the subject matter of the motion, but it may achieve the opposite effect of the motion.
 - (b) There may be an amendment to the motion and an amendment to an amendment, but no further amendments.
 - (c) Any amendment to a proposed ordinance shall be reduced to writing before the vote on the amendment.

- (14) To revive consideration. The motion is in order at any time 30 days after a vote to defer consideration of it. A substantive motion on which consideration has been deferred expires 30 days after the deferral, unless a motion to revive consideration is adopted.
- (15) To reconsider. The motion must be made by a member who voted with the prevailing side. The motion must be made at the same meeting at which the original vote was taken. The motion cannot interrupt deliberation on a pending matter but is in order at any time before adjournment.
- (16) To prevent reconsideration for six months. The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires a vote equal to a quorum and is valid for six months or until the next regular election of council members, whichever occurs first.

Section 21. Debate.

The mayor shall state the motion and then open the floor to debate according to the following general principles:

- (a) The introducer, i.e., the member who made the motion, is entitled to speak first.
- (b) A member who has not spoken on the issue shall be recognized before someone who has spoken.
- (c) To the extent possible, the debate shall alternate between opponents and proponents of the measure.

Section 22. Duty to vote.

It is the duty of each member to vote unless excused by a majority vote according to law. The council may excuse members from voting on matters involving their own financial interest or personal conduct. A member who wishes to be excused from voting shall inform the mayor, who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as having voted with the prevailing side.

Section 23. Secret voting is prohibited.

No vote may be taken by secret ballot. If the council decides to vote by written ballot, each member shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for public inspection until the minutes of that meeting have been approved, when they may be destroyed.

Section 24. Action by reference.

The council shall not deliberate, vote, or otherwise act on any matter by reference to an agenda or document number unless copies of the agenda or documents being referenced are available for public inspection at the meeting and are so worded that people at the meeting can understand what is being discussed or acted on.

Section 25. Reconsideration

Any member who was absent or voted with the prevailing side may move a reconsideration of any action of Council, excepting measures which shall be into immediate effect. Such a motion for reconsideration shall be made not later than the next regular meeting after the action to which it relates was taken. No motion to reconsider shall be made more than once on any measure and such motion shall require a majority of all Members elected to Council, to prevail. Any Member of Council may second such a motion. EXPLANATION: Prevailing Side, as used in the foregoing action, shall mean the side, either Yeas or Nays, who's voted had the effect of passing or defeating the matter being voted on, and which has no

Section 32, Rules Expiration

Rules as adopted will remain in full force and effect until amended or repealed by council.

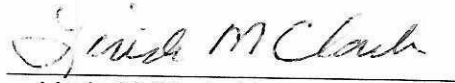
Section 33, Previous Council Rules

The adoption of these rules supersedes any rules previously adopted or instituted.

Section 34, Emergency Clause

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, welfare, and safety of the citizens of the Village of Wayne Lakes by reason of the fact that this Ordinance will provide for the welfare of citizens by allowing council to act in an expedient and efficient manner and shall go into effect immediately upon its passage.

Passed this 15th day of September 2025


Linda M Clark, Mayor


Susan Hyatt Council Pro-Tem

ATTEST:


Johna Wathen, Fiscal Officer

1st Reading

2nd Reading

3rd Reading

Three Reading Rule Waived: 10/7/2025

Emergency Declared: 10/7/2025