



**TROY CITY COUNCIL  
COMMITTEE MEETING  
COUNCIL CHAMBERS, CITY HALL  
100 S. Market Street, Troy, Ohio**

**MONDAY, MARCH 9, 2026, 6:00 PM**

**Buildings & Utilities Committee**

**(Marshall [Chm.], Phillips, Snee)**

1. Provide a recommendation to Council regarding Council authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the purchase of a 350kw Portable Generator for the Wastewater Treatment Plant at a cost not to exceed \$325,000.

**Community Partnerships Committee**

**(Westfall [Chm.], Schilling, Whidden)**

1. Provide a recommendation to Council regarding notwithstanding legislation associated with a Troy Truck Yard Event for May 8, 2026 to be held at Herrlinger Park. Consideration of emergency legislation requested.

**Finance Committee**

**(Severt [Chm.], Whidden, Westfall)**

1. Provide a recommendation to Council regarding acceptance of the recommendations of the Tax Incentive Review Council that the Enterprise Zone Agreements be continued and that the Troy Towne Park TIF be continued. Consideration of emergency legislation requested as reports are to be filed with the State.
2. Provide a recommendation to Council regarding declaring as surplus and authorizing the sale of some vehicles no longer needed for a municipal purpose.
3. Provide a recommendation to Council regarding the recommendation of the Loan Review Committee that Council accept the settlement with Jessica Nielsen in the amount of \$80,000 to release her from personal liability on the two defaulted ED RLF loans issued to A.M. Scott Distillery, LLC. To finalize the settlement without delay, consideration of emergency legislation is requested.

**Law & Ordinance Committee**

**(Schilling [Chm.], Marshall, Twiss)**

1. Provide a recommendation to Council regarding approving the DORA Application for the expansion of the temporary activation boundary (to be on an event-by-event basis requiring the permission of the property owner and Council) and provide recommendations related to various concerts.

**Streets & Sidewalks Committee**

**(Phillips [Chm.], Schilling, Marshall)**

1. Provide a recommendation to Council regarding dedication of 0.471 acres of IL 10898 as new right-of-Way, located at 1375 S. Union Street, as recommended by the Troy Planning Commission,

**COUNCIL AS A COMMITTEE OF THE WHOLE**

**Chaired by Council President Rozell**

1. Review of the Rules of Council to determine if there are any changes.


3-6-2026

Other Committees/items may be added

cc: Council  
Mayor  
Mr. Titterington, Mr. Kerber  
Mr. Frigge, Departments, Media

**BUILDINGS &  
UTILITIES COMMITTEE**

**MEMORANDUM**

TO: Mr. William G. Rozell, President of Council  
FROM: Patrick E. J. Titterington, Director of Public Service and Safety   
DATE: March 4, 2026  
SUBJECT: **AUTHORIZATION TO BID WWTP 350kw PORTABLE GENERATOR**

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**RECOMMENDATION:**

That Council authorizes the Director of Public Service and Safety to advertise for bids and enter into a contract for the purchase of a 350kw Portable Generator for the Wastewater Treatment Plant at a cost not to exceed \$325,000.

**BACKGROUND:**

The Wastewater Treatment Plant's existing 350kw portable generator was purchased in 1992 and staff have been advised that some replacement parts for this generator are no longer being produced. During a loss of utility power, the portable generator is used as an emergency power source to operate the City's three storm water, and ten sanitary sewer lift stations. This procurement was included in the 2026 Plant Budget (Fund 711.672) budget in the amount of \$325,000.

The specifications for the new unit will provide for some flexibility for possible uses by other City departments.

**REQUESTED ACTION:**

It would be appreciated if you would assign to a Committee of Council authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the purchase of a 350kw Portable Generator for the Wastewater Treatment Plant at a cost not to exceed \$325,000.



**COMMUNITY  
PARTNERSHIPS  
COMMITTEE**



**MEMORANDUM**

**TO:** Mr. William Rozell, President of Council  
**FROM:** Patrick E. J. Titterington, Director of Public Service and Safety  
**DATE:** March 2, 2026  
**SUBJECT:** RECOMMENDATION OF BOARD OF PARK COMMISSIONERS – 2026 TRUCK YARD EVENT TO BE HELD AT HERRLINGER PARK; NOTWITHSTANDING ORDINANCE FOR THE EVENT TO INCLUDE THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES (BEER ONLY)

**RECOMMENDATION:**

That Council authorizes a Notwithstanding Ordinance for the Troy Truck Yard Event on May 8, 2026, to be held at Herrlinger Park, with such event to include the sale and consumption of alcoholic beverages (beer only). The Board of Park Commissioners has reviewed and recommended approval.

**BACKGROUND:**

Starting in 2019, the City has held the Troy Truck Yard event in different areas to help promote the riverfront area in general. The Troy Truck Yard is a casual pop-up event, featuring music, food and beverages. These events have been very popular. Information regarding the May 8 event includes:

- Venue - Herrlinger Park. Set-up would include picnic tables/chairs, portable stage, a tent, port-a-lets, and would be the responsibility of the City. This venue has been identified as within the Downtown Riverfront Study Area.
- Time - 6:00 pm to 9:00 pm.
- Music - a contract with a band is pending Council approval of the Notwithstanding Ordinance.
- Food - food trucks will be solicited for this event.
- Alcohol Permit - the permit would be held by the City, with the City responsible for complying with the liquor permit requirements and securing insurance.

As the alcohol sales/consumption would involve public property, City Council is requested to approve a Notwithstanding Ordinance,

**REQUESTED ACTION:**

It would be appreciated if you would assign to a Committee of Council consideration of a Notwithstanding Ordinance for the above-described event. Since the liquor permit has to be submitted at least 30 days in advance of the event, consideration of emergency legislation is requested.





HEPLINGER WAY

IS NOINN S

S GRAYFORD ST

RAILROAD

Stage

Entrance

Beverage Truck

Food Truck

Entrance

Port-a-Jets



Date Printed: 6/3/2026

**FINANCE  
COMMITTEE**



**MEMORANDUM**

TO: Mr. Rozell, President of Council  
FROM: Patrick E. J. Titterington, Director of Public Service and Safety  
DATE: March 4, 2026  
SUBJECT: **ANNUAL REVIEW - ENTERPRISE ZONE PROGRAM & TROY TOWNE PARK TIF**

**RECOMMENDATION:**

That Troy City Council accepts the recommendations of the Tax Incentive Review Council regarding the four current Enterprise Zone Agreements and the Troy Towne Park TIF so that the required annual reports can be filed with the Ohio Department of Development.

**BACKGROUND:**

The Tax Incentive Review Council (TIRC) met March 4, 2026 to review the current Enterprise Zone Agreements (EZA) and the Troy Towne Park TIF and provide recommendations on the status of each to City Council. The recommendations of the TIRC are attached, and the summary recommendations are:

- The TIRC recommended continuance of the Troy Towne Park TIF Agreement
- There were four active EZ agreements representing two companies as of December 31, 2025
- All four EZ agreements (#33, #34, #35, #37) are in full compliance with their terms and conditions and the TIRC recommended continuance of the agreements:
  - EZA #33, ConAgra Foods Packaged Foods, LLC
  - EZA #34, ConAgra Foods Packaged Foods, LLC
  - EZA #35, Clopay Building Products Company, Inc.
  - EZA #37, ConAgra Foods Packaged Foods, LLC

**REQUESTED ACTION:**

It would be appreciated if you would assign to a Committee of Council consideration of acceptance of the recommendations of the Tax Incentive Review Council. So that the annual reports can be filed with the Ohio Department of Development without delay to meet the filing requirement, consideration of emergency legislation is requested.

encl.





**Exhibit A**  
**Tax Incentive Review Council**  
**Enterprise Zone Agreements**  
**Summary and Review Recommendations**  
**March 4, 2026**

**Clopay Building Products, Inc. – EZA # 35 (2015 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 33 (2010 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 34 (2012 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 37 (2019 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

Respectfully Submitted

City of Troy Tax Incentive Review Council





**MEMORANDUM**

TO: Mr. William Rozell, President of Council  
FROM: Patrick E. J. Titterington  
DATE: March 5, 2026  
SUBJECT: **SURPLUS PROPERTY**

**RECOMMENDATION:**

That Council authorizes the sale of the below listing of surplus vehicles.

**SUMMARY:**

Departments have provided a listing of vehicles to be declared as surplus that have an estimated value in excess of \$1,000.00. As provided by the ORC, Council action is required to dispose of property with a value of \$1,000.00 or more. The City plans to use the internet auction site, GovDeals, to advertise the sale of the items. The internet company does receive a percentage of the sale price, usually 7%-7.5%. When the items are placed on the GovDeals site, there will also be a few items that have a value of less than \$1,000.00, for which legislative consideration is not required. The list of items to be declared as surplus by Council is below.

**REQUESTED ACTION:**


It would be appreciated if you would assign to a committee of Council consideration of declaring the below items as surplus and authorize the sale of the items.

Description	VIN/Serial	Est. Value
2012 Dodge 2500 Heavy Duty	3C6TD5CT6CG242786	\$2,000.00
2000 Ford Aerial Lift Truck	3FDXF75JH9YMA78589	\$25,000.00
1998 Ford E150 (Van)	1FMRE1165WHA93962	\$1,500.00
2019 Ford Explorer Interceptor	1FM5K8AR2KGB45525	\$1,500.00
2020 Ford Explorer Interceptor	1FM5K8AB9LGA09701	\$1,500.00
2021 Ford Explorer Interceptor (#4)	1FM5K8AB0MGA64417	\$1,500.00
2021 Ford Explorer Interceptor (#8)	1FM5K8AB7MGA64415	\$1,500.00
2021 Ford Explorer Interceptor (#11)	1FM5K8AB9MGA64416	\$1,500.00
2022 Ford Explorer Interceptor	1FM5K8AB8NGB49121	\$1,500.00
2014 Ford Explorer	1FM5K8AR6EGA14569	\$2,000.00
2004 CAT 420D Backhoe	CAT0420DKFDP20595	\$4,500.00



**MEMORANDUM**

TO: Mr. William Rozell, President of Council

FROM: Patrick E. J. Titterington, Director of Public Service and Safety 

DATE: March 6, 2026

SUBJECT: ACCEPTING SETTLEMENT WITH JESSICA NIELSEN REGARDING PERSONAL GUARANTY OBLIGATION ON LOANS TO A.M. SCOTT DISTILLERY, LLC

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**RECOMMENDATION:**

That City Council authorizes a settlement with Jessica Nielsen in the amount of \$80,000 to release her from personal liability on the two defaulted Economic Development Revolving Loan Fund (ED RLF) loans issued to A.M. Scott Distillery, LLC, as recommended by the Loan Review Committee.

**BACKGROUND:**

In 2023, an ED RLF loan in the amount of \$350,000 was extended to A.M. Scott Distillery, LLC for the acquisition of restaurant equipment, furniture, and supplies for the property at 9 West Main Street. The restaurant opened in 2024, and a second ED RLF loan in the amount of \$150,000 was subsequently issued to A.M. Scott Distillery, LLC. Both loans required a signed Direct Guaranty Agreement by the owners of A.M. Scott Distillery, LLC, including Mrs. Nielsen.

The City received the final payment from A.M. Scott Distillery, LLC in December 2024. Since that time, the loans have remained in default. Both A.M. Scott Distillery, LLC and Anthony Scott have filed for bankruptcy, and these cases are pending in the bankruptcy court. The City has submitted a claim in the bankruptcy court, but it is unclear what amount the City can recover through this process. Mrs. Nielsen has offered a lump sum settlement payment of \$80,000 in exchange for the release of her personal guaranty obligations on the loans.

On March 6, 2026, the Loan Review Committee met and recommended that the settlement agreement be accepted by City Council.

**REQUESTED ACTION:**

It would be appreciated if you would assign to a Committee of Council accepting the settlement with Jessica Nielsen in the amount of \$80,000 to release her from personal liability on the two defaulted ED RLF loans issued to A.M. Scott Distillery, LLC. To finalize the settlement without delay and accept the settlement payment, consideration of emergency legislation is requested.



**LAW & ORDINANCE  
COMMITTEE**



MEMORANDUM

TO: Mr. William Rozell, President of Council  
FROM: Patrick E. J. Titterington  
DATE: March 5, 2026  
SUBJECT: AUTHORIZING VARIOUS ACTIONS RELATED TO THE DORA AND CONCERT EVENTS

**RECOMMENDATION:**

- That in accordance with the requirements of the ORC, after five years of operation, Council confirms the continued operation of the DORA.
- That Council authorizes the Director of Public Service and Safety to file a new application for the existing DORA with the Ohio Division of Liquor Control. That application would include the following additional areas within the Temporary DORA Activation Boundary requiring property owner permission and approval of Troy City Council on an event-by-event basis:
  - Troy Memorial Stadium area to Staunton Road
  - Troy Senior Citizens Center
  - N. Market Street to Staunton Road
  - Miami County Courthouse/Safety Building areaThese areas are shown on the attached map.
- That following approval of the new application by the Ohio Division of Liquor Control, Council authorizes activation of the Temporary DORA Activation Boundary including the property of the Troy Memorial Stadium area and the Troy Senior Citizens Center for the concert on June 6, 2026.
- Following approval of the new application by the Ohio Division of Liquor Control, Council authorizes activation of the Temporary DORA Activation Boundary for the Miami County Courthouse/Safety Building Area for concerts on July 10, 17, 24 and 31, 2026.
- That agreements be authorized related to the use of the stadium on June 6 and related to the use of the Courthouse/Safety Building area on July 10, 17, 24 and 31, 2026.

**BACKGROUND:**

The DORA was established in 2021. In 2023, Council approved a DORA application to include an extended permanent boundary and a temporary expansion boundary that can be activated only by Council action. Council is now being asked to consider various actions related to concert events and a new application for the existing DORA to the Ohio Division of Liquor Control as follows:

Confirm the Continued Operation of the DORA.

In accordance with the requirements of the ORC, after five years of a DORA operation, the City is to either confirm the continued operation or suspend the DORA. From previous information provided, the DORA has generally received positive reviews. Having a DORA has not resulted in increased issues for the Police Department to address. With minimal exceptions, downtown merchants have not expressed issues or concerns with the DORA operation. As you know, businesses in the DORA area have the option of whether or not customers may bring DORA beverages into the business.

Include the Troy Memorial Stadium, Troy Senior Citizens Center, and an Additional Area of North Market Street in the Temporary DORA Activation Boundary.

Council has authorized the Director of Public Service and Safety to enter into a contract related to a Troy Strawberry Festival/America 250 Celebration Concert to be held in the Troy Memorial Stadium on June 6, 2026. The stadium is the property of the Troy Board of Education (Board). The use of the Stadium will be through an agreement that is being worked out. The Board has agreed to the sale and consumption of alcoholic beverages within the stadium and adjacent property at the June 6 concert. The stadium property is not currently within the temporary expansion boundary that needs to be approved by the property owner and approved by City Council.



On January 21, 2026, the Board of Park Commissioners recommended that Council authorize including the Troy Senior Citizens Center in the Temporary DORA Activation Area Boundary for activation for the June 6 concert. For mapping and enforcement purposes, it is much simpler to have this area within this specific Temporary Activation Area than it would be to carve it out with an actual physical barrier that would have to be monitored. To be clear, the Senior Citizens Center area would not be part of any DORA without a recommendation of the Board of Park Commissioners to City Council and approval by City Council on an event-by-event basis. The Senior Citizens Center would be identified as within the temporary expansion boundary in the new application.

Include the Miami County Courthouse/Safety Building Area in the Temporary DORA Activation Area Boundary. During the Streetscape Project (starting after July 4) and Prouty Plaza being used as a staging area for the contractor, an alternate location is needed for the "Fridays on Prouty" concerts sponsored by Troy Main Street and the Troy-Hayner Cultural Center. The Miami County Courthouse/Safety Building area has been discussed with these partners and the Miami County Commissioners. The Commissioners are agreeable to this, with an agreement that will detail some conditions, such as the Showmobile being placed on the street and not on County property. Details will include the Miami County Courthouse/Safety Building Area being included in the expanded Temporary DORA Activation Area Boundary and activated July 10, 17, 24 and 31, 2026. All four of these concerts are sponsored by Troy-Hayner Cultural Center.

As Council is aware, a public comment period regarding the expanding the Temporary DORA Activation Area Boundary was included as part of the March 2 Council Meeting with no comments received.

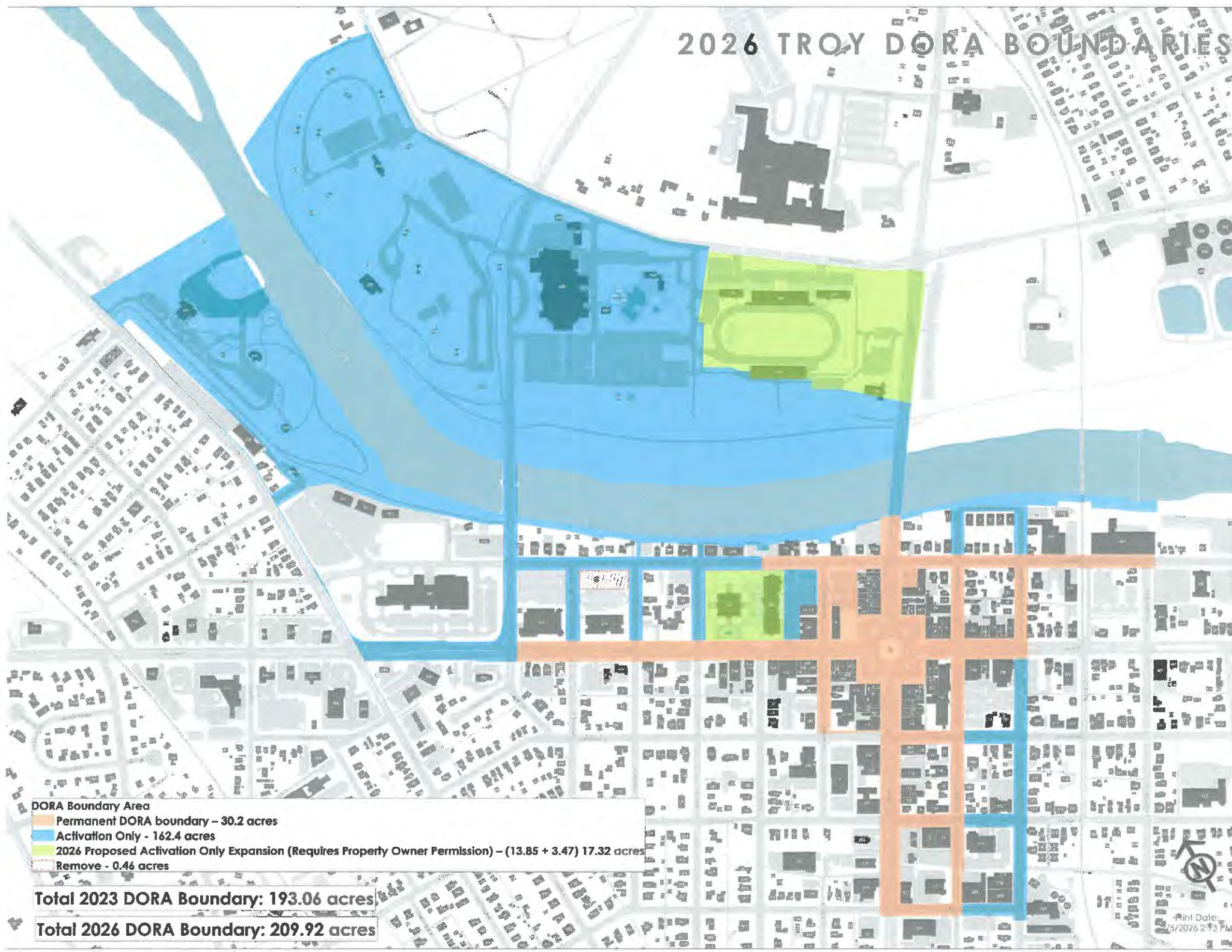
**REQUESTED ACTION:**

It would be appreciated if you would assign to a Committee of Council the following actions:

1. That legislation be prepared confirming the continued operation of the DORA.
2. That legislation be prepared authorizing the Director of Public Service and Safety to submit a new application for the existing DORA to the Ohio Division of Liquor Control that would include the following areas within the Temporary DORA Activation Boundary requiring property owner permission and approval of Troy City Council on an event-by-event basis:
  - o Troy Memorial Stadium area
  - o N. Market Street to Staunton Road
  - o Troy Senior Citizens Center
  - o Miami County Courthouse/Safety Building area
3. Following approval of the new application by the Ohio Division of Liquor Control, legislation be prepared authorizing activation of the Temporary DORA Activation Boundary for the Troy Memorial Stadium area, N. Market Street to Staunton Road, and the Troy Senior Citizens Center for a concert on June 6, 2026.
4. Following approval of the new application by the Ohio Division of Liquor Control, that legislation be prepared authorizing activation of the Temporary DORA Activation Boundary for the Miami County Courthouse/Safety Building Area for concerts on July 10, 17, 24 and 31, 2026.
5. That agreements be authorized related to the use of the stadium on June 6 and related to the use of the Courthouse/Safety Building area on July 10, 17, 24 and 31, 2026.

encl.

# 2026 TROY DORA BOUNDARIES



- DORA Boundary Area**
- Permanent DORA boundary – 30.2 acres
  - Activation Only - 162.4 acres
  - 2026 Proposed Activation Only Expansion (Requires Property Owner Permission) – (13.85 + 3.47) 17.32 acres
  - Remove - 0.46 acres

**Total 2023 DORA Boundary: 193.06 acres**

**Total 2026 DORA Boundary: 209.92 acres**



**STREETS &  
SIDEWALKS  
COMMITTEE**



MEMORANDUM

TO: Mr. Rozell, President of Council  
FROM: Sue Knight, for the Troy Planning Commission  
DATE: February 26, 2026  
SUBJECT: REPORT OF THE PLANNING COMMISSION  
DEDICATION OF RIGHT-OF-WAY: 1375 S. UNION STREET, PART OF IL 10898

At the February 11, 2026, meeting of the Troy Planning Commission, the Commission reviewed a submittal regarding the dedication of 0.471 acres of Inlot 10898 as Right-of-Way, located at 1375 S. Union Street.

The City Engineer recently approved a replat to divide IL 10898 into two parcels. The replat is considered a minor subdivision that can be approved by the City Engineer and does not require Planning Commission approval. However, the replat includes the dedication of 0.471 acres of IL 10898 as new Right-of-Way, which requires a recommendation of the Planning Commission and approval by Council.

By unanimous vote, the Troy Planning Commission approved a motion recommending that Troy City Council accept the dedication of 0.471 acres of current Inlot 10898 as Right-of-Way. This is as shown on the attached replat map and on the below drawing.

This is forwarded herewith for consideration of Council.

encl.



# COMMITTEE OF THE WHOLE

**TROY CITY COUNCIL**

**RULES FOR PROCEDURE**

**ADOPTED:** Jan. 5, 2004  
Jan. 3, 2006  
Jan. 2008  
Jan. 19, 2010  
Jan. 17, 2012  
Jan. 6, 2014  
Jan. 4, 2016 (no changes from 2014)  
Jan. 16, 2016 (P. 5 changes highlighted)  
Jan. 21, 2020 (Committee names changed)  
Jan. 3, 2022 (no changes from 2020)  
Feb 20, 2024

**CITY OF TROY, OHIO**  
**CITY COUNCIL RULES FOR PROCEDURE**

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## CITY COUNCIL RULES FOR PROCEDURE

Except as otherwise provided by law or specifically waived by Council, the conduct and proceedings of City Council, and members, shall be governed by the rules set forth herein.

### RULE I. ORGANIZATION

#### A. President of Council; Presiding Officer

The President of Council shall preside at all regular and special meetings of Council but he/she shall have no vote except in case of a tie.

The presiding officer shall call the meeting to order at the appointed time and announce the business before Council in its proper order, and state and put all questions properly brought before Council. He/she shall, in common with any other member, call any member who does violate any of the rules; and shall, when in the chair, decide all questions of order, subject to an appeal to the Council on demand of a member of Council, on which appeal there shall be no debate; however, the member making the appeal may briefly state his/her reason for the same.

The presiding officer shall avoid any appearance of partisanship on any question and shall refrain from making any statements, verbal or written, espousing a position on any issue currently before the Council. He/she is solely to see that the business properly brought before Council is conducted in an orderly manner and that the members of Council observe the rules of procedure adopted by Council.

#### B. President Pro Tem of Council

The members of Council shall, within ten days from the commencement of their term, organize by the election of a President Pro Tem.

The President Pro Tem shall preside in the absence of the President of Council. The voting right of the President Pro Tem as a member of Council is preserved, but the President Pro Tem does not take on the voting right of the President of Council in addition.

#### C. Clerk of Council

The members of Council shall, within ten days from the commencement of their term, organize by the election of a Clerk of Council.

The Clerk of Council shall attend regular and special meetings, record all proceedings in the minutes, attend to all correspondence incidental to that office, attend to the codification of the ordinances, according to the system employed by the city, and perform such other duties as may be assigned to that office by a majority vote of Council, or are required by law.

The Clerk shall attend Executive Sessions of Council upon request; however, it shall be the determination of Council whether or not minutes of such session shall be kept.

The Clerk shall prepare an agenda, or schedule of matters to be brought before Council.

D. Clerk Pro Tem

The members of Council shall, within ten days from the commencement of their term, organize by the election of a Clerk Pro Tem.

The Clerk Pro Tem shall perform the duties of the Clerk of Council in the absence of the Clerk.

E. Committees

1. Standing Committees

The President of Council shall appoint standing committees, which are permanent in their functions, but they may have a change in membership from one Council to the next. The President of Council has the right to change membership of Committees if there is a change in personnel. Three is the usual number appointed to comprise a committee. The following are suggested as standing committees:

- Buildings & Utilities
- Community and Economic Development
- Community Partnerships
- Finance
- Law and Ordinance
- Personnel
- Recreation and Parks
- Safety and Health
- Streets and Sidewalks

2. Special Committees

As needed, Special Committees may be appointed by the President of Council with the concurrence of a simple majority of the City Council.

3. Committee Of The Whole

As needed, the President of Council may assign a subject to Council for discussion as a Committee of the Whole.

## **RULE II QUORUM**

A majority of all the members elected shall be a quorum, but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as are prescribed by ordinance. (RC 731.44)

## **RULE III ABSENCES; CENSURE; EXPULSION**

When some member of Council may be unable to attend meetings, by reason of illness, vacation, absence from the city, or for other reasons, and if the absent member is absent for just cause, a motion shall be passed and entered on the minutes, excusing such member.

City Council may punish or expel any member for disorderly conduct in Council or for a violation of its rules and, further, may declare his/her seat vacant for absence without valid excuse where such absence has continued for two months. No expulsion shall take place without the concurrence of two-thirds of all City Council members, and until the delinquent member has been notified of the charge against him/her and has had an opportunity to be heard. (RC 731.45)

## **RULE IV MAYOR**

The Mayor may attend Council meetings and shall answer questions put to him/her by the City Council. He/she shall make recommendations, in writing, to Council for the welfare of the city as seem wise to him/her.

At the first regular meeting in January of each year he/she shall report to Council concerning the affairs of the City.

## **RULE V SCHEDULE OF BUSINESS (or AGENDA)**

Each meeting of Council may be opened with an invocation which shall precede the order of business. Traditionally, the first meeting of each calendar year shall be opened with an invocation.

### **Schedule (OR AGENDA)**

The schedule of business for conducting meetings of Council shall be as follows:

1. Pledge of Allegiance.
2. Roll Call. Roll call of members to determine if a quorum is present. Absent Council members should be excused by motion, for cause.
3. Public Hearings if scheduled.
4. Minutes. Reading and approval of the minutes (summary) of the previous meeting, and correction of errors of omission or commission therein, if there be any.
5. Introduction of persons to Council.
6. Reports of Committees and discussion thereof by Council members.
7. Comments by citizens related solely to Committee Reports or Pending Legislation, which shall be limited to two minutes in length and which shall be enforced by the Law Director.
8. Reading of Resolutions and disposition thereof.
9. Reading of Ordinances and disposition thereof.

10. Reading of communications. Should any communication call for Council action which cannot be immediately taken, it should be referred to the appropriate committee by the presiding officer. Should the presiding officer have any question about the committee to which any matter should be referred, Council may, by majority vote, refer the matter to any committee.
11. Referrals to committee by President of Council.
12. Reports from the Mayor, Director of Public Service and Safety, Director of Law, Auditor, President of Council, Members of Council, and other public officials.
13. Comments of citizens wishing to appear before Council.
14. Adjourn.

## **RULE VI      REPORTS OF COMMITTEES**

- A. Reports  
Reports of committees should be in writing and signed by a majority of the members of the committees, but may be oral. Minority reports may also be presented, if desired, either written or oral.
- B. Contents of Reports  
All petitions, ordinances, and resolutions presented to Council shall be referred to the proper committee, for study and report. A committee report may include therein recommendations for approval of a number of items, including request for the preparation of Ordinances or Resolutions which deal with the matters referred to the committee. As it is possible that some members of Council may approve of some items and disapprove of others, at the request of any member of Council, a separate vote shall be taken on each item presented by the committee report.

## **RULE VII      LEGISLATION**

- A. Preparation of Legislation  
Ordinances and Resolutions are to be prepared by the Director of Law in the manner prescribed by law. The committees concerned with the legislation shall not concern themselves with the fulfillment of the legal requirements but shall determine whether the subject matter has been fully covered.

Members may prepare Ordinances or Resolutions but they must be approved by the Director of Law as to form before a vote for passage.

1. The Director of Law shall prepare legislation after presentation of the committee report to Council. If a motion is defeated by majority recommendation in a meeting of a committee of Council, that action will be reported to the next meeting of Council, and the issue will not be brought into the agenda of the Council for consideration, unless brought into the Council agenda by a two-thirds majority vote.
2. The Director of Law may, in his/her discretion, prepare legislation prior to presentation of the committee report to Council for any of the following reasons:

- (a) Upon request of Committee Chairman due to immediate need for legislation.
- (b) Ordinances or Resolutions required to be prepared from a procedural standpoint resulting from report of boards and commissions (e.g., Planning Commission) where committee reports will be made after a public hearing.
- (c) Ordinances and Resolutions in series where committee has previously reported on the subject matter (e.g., assessment for sidewalk, curb and gutter).

**B. Voting on Legislation**

- 1. Ordinances and Resolutions shall always be voted on separately. The voting on such legislation shall be entered by the Clerk in writing in the minutes as "yes" and "no", together with the names of members of Council voting "yes" and "no".

Members may abstain from voting in a matter of conflict of interest. However, if there is no conflict of interest in a matter before Council, members are expected to vote "yes" or "no" and an abstention can be considered a "yes" vote.

**C. Second of Motions**

Each motion shall be seconded before further action thereon.

**D. First Reading of Ordinances; Resolutions**

When an Ordinance or Resolution is presented, by a member or a committee, it shall be read by title by the Clerk, with a summary explanation, and, if it is not an emergency piece of legislation, it may be set aside for second reading at the next meeting. If it is emergency legislation requiring immediate action, the presiding officer should, after the title reading and summary explanation by the Clerk, entertain a motion to suspend the rules. If three-fourths of the members approve the motion, the legislation is then ready for adoption. After a member moves for adoption, with a second, a vote will be taken. Unless a piece of emergency legislation in which a two-thirds vote is required, if a majority approves the adoption of the legislation, it shall be signed by the Clerk and presiding officer and sent to the Mayor for his/her signature. The vote will be recorded in the Minutes.

All legislation passed as emergency legislation must state the reason for the emergency and not in the mere general terms that such action is "necessary for the peace, health, welfare and safety of the city".

**RULE VIII CONDUCTING DISCUSSIONS**

No member shall speak more than once upon any subject, until every member choosing to speak shall have had an opportunity to be heard, except rebuttal, nor for a time longer than five minutes, without leave of Council upon a majority vote.

**RULE IX APPOINTMENTS TO COMMISSIONS and BOARDS**

Appointments to City commissions and boards except such as are permitted by law to certain officials, shall be subject to the approval of a majority of Council.

#### **RULE X RECEIVING MOTION WHEN QUESTION IS BEFORE COUNCIL**

When a question or a proposition is before the Council or under debate, or when a motion has been made, no additional motions shall be received except for the following:

- A. To adjourn.
- B. To table the motion - lay it aside until later.
- C. To request that discussion end, and that any motion being considered be voted upon. (Previous question, as it is usually called.)
- D. To postpone any action on a motion until some stated future time.
- E. To refer the proposal to a standing or special committee.
- F. To amend the main portion.
- G. To postpone any action for an indefinite time.

These motions shall have precedence in the order in which they are arranged. Motions listed as A., B. or C., above, shall be decided without debate.

#### **RULE XI HANDLING MOTIONS FOR REFERENCE TO COMMITTEE**

When a motion is made for reference of any subject to a standing committee, and it is moved to substitute therefore a select or special committee the question of reference to a standing committee shall be put first.

#### **RULE XII MOTIONS TO RECONSIDER**

A motion to reconsider a subject that may have been acted upon favorably must be made before adjournment of that session of Council. A motion to reconsider any other subject may be made not later than the next regular meeting after such action was taken. A motion to reconsider may be made only by any member who voted with the prevailing side. A motion to reconsider shall be in order at any time except when a motion on some other subject is standing.

A motion to reconsider, being laid on the table, may be taken up and acted upon at any time when the Council is engaged in the transaction of new or miscellaneous business.

No motion to reconsider shall be made more than once on any matter or subject, and the same number of votes shall be required to reconsider the action of Council as was required to pass or adopt the same.

#### **RULE XIII MOTION TO TAKE FROM THE TABLE**

A motion to take from the table shall be in order when that order of business is being transacted in which such matter to be taken up was laid upon the table, or under the head of new or miscellaneous business, and such motion shall be decided without debate, provided the mover may be permitted to state briefly his/her reasons for the motion.

#### **RULE XIV MOTION TO POSTPONE INDEFINITELY**

If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

#### **RULE XV MOTION FOR THE PREVIOUS QUESTION**

The previous question shall be in the form, "Shall the main question now be put?" It shall be admitted only when demanded by two members, and until decided shall preclude further debate and all amendments and motions. If the previous question is demanded on an amendment, it shall apply only to the amendment. If the motion for the previous question is carried by a two-thirds vote, the question shall be put without further debate. However, if the motion for the previous question is carried, but before it is actually put in execution, the motion to which it is directed may be laid on the table.

#### **RULE XVI MOTION TO AMEND**

A motion to amend is susceptible of but one amendment thereof. An amendment once rejected may not be moved again in the same form.

#### **RULE XVII MOTION OF QUESTION ON PRIVILEGE**

Questions of Privilege shall be:

- First: Those affecting the rights of the Council collectively, its safety, dignity, and the integrity of its proceedings;
- Second: The rights, reputation, and conduct of the members of the Council individually, in their capacity as such members.

A question of privilege shall have precedence over all questions except a motion to adjourn.

#### **RULE XVIII MOTION THAT MATTER BE TAKEN FROM COMMITTEE**

When any Ordinance, Resolution, petition, or other matter has been referred to a committee, and said committee to which such has been referred fails, within a reasonable time, to report, or to offer a valid reason for its failure to report, any member of Council shall have the right to make a motion that such Ordinance, Resolution, petition, or matter be taken from the committee to which such matter has been referred; that the same may be laid before Council for action. Such motion shall be decided without debate, provided that the member making the motion may state his/her reasons briefly for the motion.

#### **RULE XIX MAJORITY DEFINED; THREE-FOURTHS DEFINED; TWO-THIRDS DEFINED**

Whenever the term "majority" is used herein, unless otherwise expressly indicated, it shall be held to mean a majority of those elected to Council; likewise, whenever a two-thirds or three-fourths vote is indicated, it shall mean two-thirds or three-fourths of the members elected to Council. Thus, in a Council of nine members, a majority shall be five, three-fourths shall be seven, and two-thirds shall be six.

#### **RULE XX SUSPENSION OF RULES**

Bylaws, Resolutions and Ordinances of a general or permanent nature shall be read by title on three different days, unless the rules are dispensed with upon vote of three-fourths of the members. The vote

on such suspension shall be taken by yes and no separately on each bylaw, Resolution or Ordinance, and the Clerk shall enter such vote on the journal or minute book, together with the names of the members voting yes and those voting no.

#### **RULE XXI AMENDING RESOLUTION OR ORDINANCE**

It shall be in order to amend a Resolution or Ordinance at any time, but if such Ordinance or Resolution be of a general or permanent nature, and such amendment is made after the second reading, it shall again be read as amended as the second reading, and laid over to the next meeting for final action.

#### **RULE XXII APPROVAL OF ORDINANCES OR RESOLUTIONS**

Every Ordinance or Resolution shall, before it goes into effect, be presented to the Mayor for approval. The Mayor, if he/she approves such Ordinance or Resolution, shall sign it and return it to Council. If he/she does not approve it, he/she shall within ten days after its passage or adoption return it with his/her objections to Council, or if Council is not in session, at the next regular meeting. Objections of the Mayor shall be entered in the journal.

The Mayor may approve or disapprove the whole or any item of an Ordinance appropriating money. If he/she does not return such Ordinance or Resolution within the time limit herein, it shall take effect in the same manner as if he/she had signed it unless Council, by its adjournment, prevents its return. When the Mayor disapproves an Ordinance or Resolution or any part thereof, and returns it with his/her objections, the Council may after ten days reconsider it, and if such Ordinance, Resolution, or item, upon reconsideration is approved by a two-thirds vote of all the members elected, it shall then take effect as if signed by the Mayor. (RC 731.27).

### **RULE XXIII DIRECTOR OF LAW**

The Director of Law shall, when requested by any member of Council, give a verbal opinion on any question of law concerning city affairs, in open Council, but he/she may if he/she deems the matter of importance take a reasonable time to submit his/her opinion in writing.

The Director of Law, when requested by the chairman of a committee to which any Ordinance or Resolution has been referred, shall assist in the examination of such Ordinance or Resolution.

### **RULE XXIV MANNER OF THE PUBLIC ADDRESSING COUNCIL**

This Rule applies to all public comment periods at any regular City Council meeting.

- A. Each person wishing to address Council shall approach the podium and give his/her name and address in an audible tone for the record.
- B. During the first public comment section on the agenda (Rule V,7), unless there is a request by a member of Council for additional information or clarification, a speaker shall limit his/her address to two minutes.
- C. During the second public comment section on the agenda (Rule V,13), a speaker shall have no predetermined time limit on his/her comments, provided that the presiding officer shall avoid redundancy and repetitiveness and may terminate comments to avoid same.
- D. Remarks shall be addressed to Council as a whole and not to any particular member thereof.
- E. No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directory or through a member of Council without the permission of the President of Council.
- F. No question shall be asked a Council Member except through the President of Council. A Council Member may, through the President of Council, request additional comment or pose a question to the person addressing Council. The two-minute response limit applies unless waived by Council. Waiver would be "without objection" upon the request of any Council Member.

### **RULE XXV SPECIAL MEETINGS OF COUNCIL**

The Mayor, the President of Council, or any three members of Council may call a special meeting of City Council upon at least 12-hour notice to each member, served personally or left at his/her usual place of residence. Said request for a special meeting shall clearly articulate the topic or topics to be discussion and the agenda for said special meeting shall be limited to the topic or topics so articulated. All special meetings shall be open to the public, unless for the purpose of a lawful executive session and shall not include general public comments such as allowed in Rule V, 13 above.

### **RULE XXVI NOTIFICATION OF MEETINGS TO THE PUBLIC AND NEWS MEDIA (SUNSHINE LAW)**

Pursuant to S121.22(F), R.C., all formal actions of Council relating to the adoption of legislation and all deliberations of Council and any of the committees leading to such action, will be in meetings open to the public as required by law.

**RULE XXVII ROBERT'S RULES OF ORDER**

The latest edition of Robert's Rules of Order, shall be followed with respect to any question for which an answer has not specifically provided herein.

**RULE XXVIII AMENDMENT OF COUNCIL RULES**

These rules may be amended, altered, or new rules adopted at any time upon motion and majority vote of the members of Council.