



## **LEGISLATIVE RULES**

Adopted 02/16/2016;

**Proposed Amendment 02/07/2017**

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### **I. Rules of Order and Business Adopted; Purpose**

- a. These rules shall govern all meetings and proceedings of the City Council, Boards, Commissions, and Authorities and the order of business, and the conduct of the Mayor, City Council and Board and Commission members and persons in attendance at such meetings.
- b. All City Commissions, Boards, and Authorities shall adhere to these rules and procedures to the extent that these rules and procedures are not inconsistent with the public business to be conducted by such bodies. Where applicable throughout this document, references to City Council will be interchangeable with Boards, Commissions, and Authorities, and references to Mayor or Mayor Pro tem will be interchangeable with Chair, Vice Chair or other Presiding Officer of any Board, Commission or Authority.
- c. These rules are simple. Strict technical rules may impede rather than advance the legislative process. Reason, common sense, and cooperation must prevail in the conduct of City business. Dissent and debate are essential and beneficial elements of our system of free and open government. No action of the City shall be deemed invalid because of failure to follow any rule of order or business provided herein.
- d. The Council may hold joint meetings with Boards, Commissions, or Authorities in addition to other meetings.
- e. Non-substantive changes may be made to this document and then distributed to Council.

### **II. Council Meetings**

- a. **Regular Meetings.** The City Council shall conduct regular meetings generally on the first and third Tuesdays of each month. All regular meetings shall begin promptly at 6:30 p.m. Meetings shall be held at the City Hall unless otherwise posted in accordance with state law. The time, date, and location of any meeting can be changed by majority vote of Council and posted in accordance with state law.
- b. **Special Meetings.** Special meetings shall be called by the Mayor at the request of a

majority of Council, in action taken at a publicly noticed Council meeting, or may be noticed by the City Clerk upon the request of the Mayor or two or more members of the City Council. Generally, special meetings shall start at 6:30 p.m. Notice of special meetings of Council shall be given to the members not less than 24 hours before the time fixed for the meeting.

- c. Emergency Meetings. In the event an emergency has been declared by the City Manager, notice of emergency meetings shall be given by the most expedient mechanism available in such event; emergency meetings may be called by the Mayor or the City Manager. Notice of the date, time, and place of any emergency meeting shall be given to the Council members and the public not less than one hour prior to the time fixed for the meeting.
- d. Study Sessions. The City Council may conduct study sessions generally on the second and fourth Tuesday of each month. The City Council may hold study sessions on such dates and at such times as called by City Council or the City Manager. Generally, study sessions shall begin at 6:30 p.m. Such study sessions may coincide with regular or special meetings of City Council. The purpose of the study session is to discuss and study items. Council may vote or take a consensus to give direction to staff. Study sessions shall not be a forum for public hearings.
- e. Meeting Cancellation. Except for those cancellations necessitated by Acts of God, notice of cancelling a meeting of City Council shall be posted and given to the members not less than 24 hours before the time fixed for the meeting.
- f. Meeting Duration. Regular and Special meetings of the City Council shall end at approximately 10:00 p.m. unless formal action is taking by the Council to extend the meeting duration.
- g. Agenda. The agenda for meetings of City Council shall be prepared by the City Manager and posted by the City Clerk in the manner required by law.
- h. Order of Agenda. The agenda, for regular and special meetings, may be organized as follows: call to order, roll call, Pledge of Allegiance, ~~first public comment for consent agenda and general business items~~, consent agenda, GENERAL BUSINESS, public hearing and second reading of ordinances, ~~general business, second public comment~~, reports, and adjournment.
- i. Review and Approval of Minutes. At each regular meeting of non-quasi-judicial Board, Commission or Authority that is not recorded, the draft minutes of the preceding meetings shall be reviewed, amended if appropriate, and approved.
- j. Approval OF ACTION MINUTES. ~~Of Video Certification~~. For City Council, quasi-judicial boards and authorities: At each regular meeting of the City Council or quasi-judicial board or authority, ACTION MINUTES ~~of the video~~ will be presented by the city clerk/recording secretary to be approved by City Council, Board or Authority.

### **III. Council Proceedings**

- a. Roll Call. The Mayor shall call the meeting to order and the City Clerk shall call roll. In the absence of a quorum at the time appointed for a meeting, the members present may, by a majority vote, take a recess or recesses, and direct the City Clerk to procure the attendance of absent members.
- b. Temporary Chair. In both the absence of the Mayor and Mayor Pro Tem, the City Clerk shall call the Council to order and call the roll of the members. If a quorum is found to be present, the Council shall proceed to elect, by a majority vote of those present, a chair of the meeting, to act until the Mayor or Mayor Pro Tem of the Council appears.
- c. Decorum. During the meeting, the Mayor shall preserve order and decorum and decide all questions of order, decide who is allowed to speak, and in what order, be it either a Council member or a member of the audience.
- d. Appeals from Decisions of the Chair. The Mayor shall preserve decorum and decide all questions of order, subject to appeal to Council. In case of an appeal by a Council member of a ruling of the Mayor, the question shall be: "Shall the decision of the Mayor stand as the decision of the Council?" The Council shall vote either to affirm or reverse the decision of the Mayor. If a member transgresses the rules of Council, the Mayor shall call him or her to order.

### **IV. Parliamentary Rules**

As a guiding principle, the following rules of procedure will be observed at regular and special meetings.

- a. Addressing Presiding Officer. Every member speaking to a question or making a motion shall address the presiding officer, who shall thereupon state the nature of the question under debate.
- b. Debate Limitation. No member shall be allowed to speak more than once to a motion before all members have had an opportunity to speak.
- c. Questions to Contain One Subject. All questions (motions) submitted for a vote shall contain only one subject.
- d. Discussion. Discussion on an agenda item may be held prior to a motion.
- e. Main Motion. A subject is introduced by a main motion. Once seconded, no other topics should be taken up until after the motion is disposed of.

- f. Motion to Amend. This motion is used when the intention is to change, add, or omit some part of a main motion. This motion is debatable and requires a majority vote of the members present for passage. A motion to amend is not amendable. First, a vote is held on the motion to amend. If that vote is affirmative, the second vote is held on the main motion as amended. Only one amendment to a motion may be on the floor at any one particular time. Any motion to amend shall consist of but one amendment. An amendment once rejected may not be moved again in the same form.
- g. Motion to Table or Postpone to a Date Certain. This motion requires that consideration of the main motion be delayed until a certain, stated time for, among other reasons, obtaining more information. A future date certain shall be set when the subject is considered. This motion is debatable and requires a majority vote of the members present for passage.
- h. Motion to Table Indefinitely. This motion postpones consideration of the main motion in such a way that the issue being discussed may be taken up at an unspecified, later date when a majority of the members present vote to “call it from the table.” This motion is not debatable and requires a majority vote of the members present for passage.
- i. Motion to Call the Question. This motion is made to end discussion that has become lengthy or repetitious. When the motion is seconded, the Mayor immediately calls the vote on the question of closing the discussion. This motion is not debatable and requires a 2/3 vote of the members present for passage.
- j. Motion to Reconsider. The Council may reconsider a vote during the same meeting on the motion by a member who voted on the prevailing (winning) side of the issue. If that vote is affirmative, a second vote is held on the issue to be reconsidered. A motion to reconsider a proposal that has been acted upon must be made prior to adjournment of the meeting. A majority vote, of members present, of the Council, Board or Commission shall be sufficient for reconsideration of a vote.
- k. Vote. The Mayor shall call for a vote by requesting the ayes in favor of the motion and nays opposed to the motion be reflected on the vote board. If there is no vote board, the members shall cast their vote by voice.
- l. Show of Hands. The Mayor or any other member may request a show of hands at any time. No member may vote by proxy.
- m. Point of Order, Questions, and Inquiries. A point of order may be raised at any time and supersedes any issue being discussed at the time. The Mayor shall rule on the point of order before proceeding. If a member disagrees with the ruling by the Mayor, such member may appeal such ruling by stating “Shall the decision of the Mayor be sustained?” A majority

vote in the negative is required to overturn the Mayor's ruling. The appeal is debatable and the Mayor may participate in the debate without giving up the chair.

- n. Procedures. Whenever necessary, advice may be asked as to correct procedures or facts may be requested. The Mayor shall respond to the question or refer it to the proper person.
- o. Withdrawal of Motions. When a motion is made and seconded, it shall be stated by the Chair before debate. A motion may not be withdrawn by the mover without the consent of the member seconding it and the approval of a majority of Council.
- p. Motion to Adjourn or Recess. A motion to adjourn or recess is not debatable and shall be in order at any time, except as follows:
  - 1. When repeated without intervening business or discussion;
  - 2. When made as an interruption of a member while speaking;
  - 3. When the previous questions have been ordered;
  - 4. While a vote is being taken.
- q. Motion to Adjourn. At the conclusion of business, the Mayor may declare the meeting adjourned without waiting for a motion or a member may move to adjourn. A motion to adjourn by a member is not debatable and a majority vote of the members present is required for passage. When the meeting is adjourned, the meeting is immediately halted.
- r. Suspension. Unless otherwise provided by Charter or ordinance, any rule except such as required by a two-thirds (2/3) vote may be suspended by the vote of a majority of the members of Council present without debate. A rule requiring a 2/3 vote may be suspended upon a vote of 2/3 of the members, of the Council present.
- s. Committees/Liaisons. The Mayor shall appoint Board and Commission liaisons and the chair of any special Committee and such appointments shall be ratified by Council. The Mayor may appoint special committees of Council members or citizens, which shall be ratified by Council, to assist in the study of items before the Council and the committee so appointed shall serve until the matter is disposed of by the Council.
- t. Election of Mayor. The Mayor and Mayor Pro Tem shall be elected by Council. Nominations will be accepted at the meeting by the City Clerk and each Council member will cast a public vote for their selected candidates. Council members may be allowed questions of the candidates prior to voting.
- v. "Robert's Rules of Order Newly Revised." Robert's Rules of Order may be considered persuasive authority in deciding any questions arising on points of order not covered by these parliamentary rules.

## **V. Changes/Additions**

Changes and additions to these rules and procedures may be made at any regular or special meeting of the City Council for which the proposed changes have been publicly posted at the same time the agenda for the meeting is posted by an affirmative vote of at least four members of the entire Council. Changes and/or additions shall be effective at the next regular or special meeting.