

CITY COUNCIL PROCEDURE ORDINANCE

BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE CITY OF BAY ST. LOUIS, MISSISSIPPI.

Sec. 1-1. Meetings – First Regular.

- (a) The city council shall hold its regular meetings on the first Tuesday of each month beginning at 5:30 p.m. If the day fixed for any regular meeting of the council falls upon a day designated by law as a legal or national holiday, such meeting shall be held the same hour on the next succeeding day not a holiday.
- (b) Regular meetings of the council shall be held in the Council Chambers located at 598 Main Street, Bay St. Louis, Mississippi, or as otherwise designated by resolution by the council, provided, that the council may adjourn any meeting to such other place as it may deem necessary, desirable or convenient for the holding of its session; provided further that if such meeting is adjourned to some other place, notice of the place the meeting is being held shall be affixed to the door of the Council Chambers.

Sec. 1-2 Meetings - Second Regular.

The city council will hold its second regular meeting on the third Tuesday of each month at the same time and place as set for the regular meeting with the same provisions and exceptions as stated for the regular meeting.

Sec. 1-3 Meetings - Recessed.

Any first or second regular meeting of the council may be recessed by appropriate board action to reconvene on a day and time fixed by order of the council and duly entered in the minutes of the meeting which is recessed.

Sec. 1-4 Meetings - Special.

Special meetings may be called at any time deemed necessary by the mayor or a majority of council members. At a special meeting, only the items that are listed on the agenda may be discussed by the council. Notice of the special meeting must be posted in City Hall and at council chambers within one hour of calling the special meeting. A copy of the special meeting notice shall be placed on the minutes.

Sec. 1-5. Agenda.

All items of business or other matters to be officially considered for action of the council shall be submitted to the city clerk, or his/her designee by close of business on the Wednesday prior to each council meeting, whereupon the city clerk shall create a council agenda.

All matters of Planning & Zoning shall automatically be placed on the action agenda and may not be part of the consent agenda.

An agenda item added by a councilmember may only be removed or withdrawn by the submitting councilmember. Any member of the council may, however, bring before the council during a regular meeting any urgent or emergency matter not on such agenda, subject to the majority voted approval of the other council members.

The mayor may add agenda items as needed by the administration. Only the mayor may remove an agenda item that he/she has placed on the agenda for council consideration.

During a meeting, the city council may vote to add, to remove, or table any agenda item or motion placed on the agenda.

Sec. 1-6. Presiding Officer.

The presiding officer of the city council shall be the president or in his/her absence the vice president. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the council. The president shall state every question coming before the council, announce the decision of the council on all subjects and decide all questions of order, subject however, to an appeal to the council, in which event a majority vote of the council membership shall govern and conclusively determine such question of order. Such appeal shall be immediately presented and voted upon by the council. The presiding officer has no other authority.

At the first meeting of the newly elected city council, a motion shall be made by a member of the council to appoint a president and vice president. The city council shall vote to elect the president and vice president at this first meeting. The president and vice president will serve the entire term of office unless a motion is presented to remove the president and/or vice president by a member of the council. The regular procedure for considering an agenda item shall be followed by the council if this

motion is presented by a member of the city council.

Sec 1-7. Calling of Meetings to Order.

The president, or in his absence, the vice president, shall take the gavel precisely at the time selected for the council meeting, and shall immediately call the city council to order. In the absence of the president and vice president, the city clerk, or his designee, shall call the council to order, whereupon a temporary presiding officer shall be elected by the members of the council present. Upon the arrival of the president or vice president, the temporary presiding officer shall immediately relinquish the gavel upon conclusion of the business immediately before the council.

Sec. 1-8. Roll Call and Seating Arrangments

Before proceeding with the business of the city council, the President shall take roll of the members. The names of those present shall be entered in the minutes.

The council President shall sit in the middle chair on the platform. All other members of the council shall sit by in numerical order by ward. The councilman-at-large shall be in the last seat.

The mayor, city clerk, chief administrative officer, and attorney shall sit at a table to the left of the platform. The council clerk and any supporting technology shall be set up on the right of the platform.

Sec. 1-9. Quorum.

A majority of all the members of the council shall constitute a quorum at any regular or special meeting of the council. No official business may be transacted by the council in the absence of a quorum at any time after the meeting has been called to order.

Sec. 1-10. Order of Business.

All meetings of the city council shall be open to the public, except for executive sessions. Promptly at the hour set by law on the day of each regular meeting, the members of the council, mayor, city clerk, city council clerk, and city attorney shall take their regular stations in the council chambers, and the business of the council

shall be taken up for consideration and disposition in the following order:

- (1) Call to Order
- (2) Roll Call and Establishment of Quorum
 - a. Prayer and The Pledge of Allegiance
 - b. Roll call and establishment of quorum
- (3) Approve Agenda or Amend Agenda
- (4) Presentation Agenda
 - a. Announcements
 - b. Presentations
- (5) Public Comment for Agenda Items (3-minute limit)
- (6) Policy Agenda:
 - a. Approval of minutes of previous meeting
 - b. Consent Agenda
 - c. Public Hearing
 - d. Planning and Zoning
 - e. Ordinances
 - f. Action Agenda
- (7) Routine Agenda:
 - a. Claims docket or payment of expenses
 - b. Department Reports
- (8) Mayor's Report
- (9) Council Business
- (10) Public Comment for Non-Agenda Items (3-minute limit)
- (11) Executive Session, if necessary.
- (12) Adjournment

Sec. 1-11. Minutes.

The minutes of the previous regular meeting, and any intervening meeting of the city council duly recorded and prepared according to the Mississippi Statutes shall be made available to all city council members along with agenda packets for the meeting at which the minutes are to be adopted.

Sec. 1-12. Approval of Minutes.

The approval of the minutes of the previous city council meeting, and any appropriate intervening special meetings, may be approved by general consent as printed and distributed to the city council. Corrections to the printed minutes will be requested and considered at the time of their approval on the council meeting agenda.

Sec. 1-13. Record of Voting.

All actions of the city council requiring a vote shall be recorded in the minutes by individual council member as either "For," "Opposed" or "Abstained." Members introducing and seconding motions will also be recorded. While abstentions are recorded by name, the number of those abstaining is always counted on the "prevailing" side of the numerical. Should the council clerk, city clerk, mayor, or any council member be uncertain as to the individual disposition of the votes a roll call vote may be called.

Sec. 1-14. Rules of Debate.

- (a) Board members may debate and vote as allowed by Mississippi statutes. Members of the City Council may move, second and debate, subject only to such limitations of debate as are imposed by these rules on all members.
- (b) Every member desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- (c) A member, once recognized, shall not be interrupted when speaking, unless it is to be called to order by the presiding officer. If a member, while speaking, is called to order, he/she shall cease speaking until the question of order is determined, and, if in order, he/she shall be permitted to proceed. The presiding officer will enforce such procedure as necessary to maintain order in discussion.
- (d) Limitation on debate.
 - (1) At such time council enters debate or discussion, public comment is prohibited.
 - (2) The presiding officer shall give the floor to the council member making the motion, then to the council member having seconded the motion; debate shall then continue beginning by Ward and ending with At-Large.
- (e) Procedure for introduction and passage of ordinances, resolutions, or other matters.
 - (1) Ordinances, resolutions, and other matters requiring action by the council may be introduced by and sponsored by any member of the council or the mayor.
 - (2) Each ordinance, resolution, or other matters requiring action by the council shall be introduced in the form of a motion, duly seconded, and discussed prior to voting on the measure. Discussion shall follow formal introduction of motions, if deemed necessary by the presiding officer.
 - (3) Motion to Reconsider. A motion to reconsider an action taken by the council may be made only during the meeting such action was taken or during the next subsequent

recessed or adjourned meeting. Such motion must be made by a council member who voted on the prevailing side.

- (4) Suspension of the Rules. A motion to suspend the procedural rules of the council may be introduced when it is desired to temporarily suspend the operation of some standing rule in order to take emergency action, or action which is determined to enhance the efficient dispensation of business before the council.

Sec. 1-15. Citizens addressing the Council.

- (a) The presiding officer of the city council shall provide opportunity during the public forum session of the council meetings for public comments by interested persons or their authorized representatives on any matter before the city council; provided, that the preference shall be given to any person, who has made such request to the clerk and signed the register made available prior to the meeting in order to do so.
- (b) Any person may direct a written communication to the city council on any matter concerning the city's business by directing the communication to any councilmembers prior to the meeting or to the council through the city council clerk. The presiding officer of the council shall, from time to time, make such rules as he/she may deem necessary to fulfill and carry out the intent of the provisions of this section..
- (c) Items on the agenda for planning and zoning matters are not open for public comment. The public hearing on planning and zoning issues is held at the scheduled and noticed planning and zoning commission meeting. The presiding officer will not ask for public comment as public comments from the public hearing are already part of the official record of the council meeting.

Sec. 1-16. Manner of addressing council:

- (a) The purpose of the public comment portion of the agenda is to allow the public to be heard on agenda items and non-agenda items.
- (b) Public comment is limited to three (3) minutes per person.
- (c) Each person addressing the city council shall have made a request to the city council clerk, signed the register, and if granted, shall approach the podium when called to do so by the presiding officer of the council. Upon approaching the podium, each person shall give his/her full name for the records. All remarks shall be addressed to the council as a body and not to any particular member. No person, other than a council member or mayor shall be permitted to enter any discussion or ask questions to the

person addressing the city council. This is not intended to be a question-and-answer time between the public and the council during public comments.

(d) Speakers may not give (donate or yield) their time to another person. In the event there are numerous public comments on a single issue before the council, persons addressing the council with duplicative comments should refrain from repeating other's comments. Upon stating their name, he or she should simply state that they support or agree with the comments of a person who has previously addressed the council.

(e) As an alternative to speaking about non-agenda items at a city council meeting, the public is encouraged to first communicate directly with the administration or a particular council member.

(a) Sec. 1-17. Decorum - Generally.

- a) By council members: While the city council is in session, the councilmembers shall preserve decorum and order, and no councilmember shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council, nor disturb any member while speaking, nor refuse to obey the orders of the council or its presiding officer, except as otherwise provided in this article.
- b) By other persons. No person shall make personal, impertinent, profane, or slanderous remarks, nor otherwise disturb the order and decorum of any council meetings. The sergeant-at-arms, at the direction of the presiding officer, shall remove any person violating the provisions of the subsection.
 - a. No person shall make personal attacks or comment about specific employees of the city by name or position. In the event a resident has a concern about a specific employee of the city, they should contact the mayor.

Sec. 1-18. Decorum - - Preservation; Sergeant-At-Arms.

The chief of police, or such members of the police department as he/she may designate, shall be sergeant-at-arms of the city council meetings. The sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the council meetings.

The presiding officer shall caution or limit demonstrations (booing, hissing, and clapping). Members of the public may not disrupt the meeting. Disruptive members of the public will be given one (1) warning to cease from the disruptive behavior before being asked to leave the meeting.

Any person engaging in threatening speech or conduct will be required to leave the meeting immediately.

Speakers will not continue to address the council once they have left the podium and

will not engage in conversation with the council from their seats.

Sec. 1 19. Committees. The City of Bay St. Louis follows state law with respect to the establishment and governance of Committees. The city council may create committees as needed.

Sec. 1-20 Public Hearings.

All public hearings shall be properly noticed. If a public hearing is included on the agenda as order of business during a council meeting, the presiding officer shall announce the matter at-hand for public comment. The presiding officer opens the floor for public comment and calls aloud for the interested parties to present. Anyone addressing the council shall sign the register with the council clerk. They shall approach the podium when called to do so by the presiding officer of the council, shall give his/her name for the records. Unless further time is granted by the council, each person shall limit their address to three (3) minutes. Public hearings afford residents the opportunity to share comments about a particular matter and are not intended as an open platform for questions and answers. If council members choose to comment at a public hearing, the public hearing will close with said council comments.

Sec. 1-21. Motions to adjourn.

A motion to adjourn shall always be in order and shall be decided without debate.