

City of Coburg Charter (1992)

§15: "The Council may adopt rules for the governance of its members and proceedings."

§18: "The Mayor shall:

- (1) Preside over Council deliberations and preserve order;
- (2) Not vote except in the case of a tie;
- (3) Enforce the rules of the Council; and,
- (4) Determine the order of business under the Council rules."

COBURG CITY COUNCIL RULES OF GOVERNANCE**1. MEETINGS - General****1.01 Regular Meetings**

A. Regular meetings of the Coburg City Council ("the Council") shall be on the second Tuesday of each month.

B. Except for special circumstances, as determined by the Mayor, these meetings shall begin at 7:00 p.m. and shall end when the agenda item being considered by the Council at 9:30 p.m. is concluded, unless the meeting time is extended by a majority of the Councilors present.

C. If a regular meeting date is on a legal or religious holiday, the City Administrator may schedule the meeting on an alternative date.

1.02 Special Meetings and Work Sessions

A. The City Administrator shall schedule a special meeting or work session when the Administrator determines such a meeting is needed to effectively carry out a Council directive or upon the request by the Mayor or four Councilors.

B. Special meetings and work sessions should be scheduled on the fourth Tuesday of the month, if practicable.

1.03 Executive Sessions

A. All meetings of the Coburg City Council shall be held in open session, except those meetings, or portions of meetings, that may be closed for purposes specified in ORS 192.610 to 192.690. These include the employment or dismissal of public employees, the performance evaluation of the City Administrator, labor negotiations, real property transactions negotiations, and consulting with legal counsel on pending or threatened litigation.

B. The City Administrator shall schedule an executive session when the Administrator

determines such a meeting is needed to effectively carry out a Council directive, upon the request by the Mayor, or upon request of the City Attorney.

C. No notes may be taken during an executive session. Any material distributed during an executive session shall be returned to the City Administrator prior to the end of the executive session.

D. The Mayor and City Councilors are expected to maintain the confidentiality of the information discussed in executive sessions to ensure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other Councilors, the City Administrator or City Attorney.

1.04 Location of Meetings

A. Coburg City Council meetings shall be held within the jurisdictional boundaries of the City.

B. Retreats and training sessions may be held outside the City limits, if no deliberations toward a decision are made. Inter-jurisdictional meetings may be held outside City limits, but should be as close to Coburg as practical.

C. No City Council meeting shall be held at any place where discrimination on the basis of an individual's race, national origin, age, color, creed, sex, sexual orientation or disability is practiced.

1.05 Notice of Meetings

A. Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media which requested notice.

B. In the case of emergency or when a state of emergency has been declared, notice appropriate to the circumstances shall be provided and reasons justifying the lack of 24-hour notice shall be included in the minutes of such meeting.

C. Notice of executive sessions shall be given as required by state law and must state the specific provisions of law authorizing the session.

1.06 Public Hearings

A. Public hearings shall be held and noticed as required by State law and may be held for other items at the discretion of the Mayor or the City Administrator.

B. Persons wishing to speak shall sign up to speak prior to the commencement of the public hearing at which the person wishes to speak. The presiding officer shall inform the audience of the requirement to sign up prior to the commencement of a public hearing.

C. Each speaker will be limited to three minutes unless the presiding officer specifies a different time limit prior to the public hearing.

D. Councilors may ask clarifying or follow-up questions of the City Administrator. Questions posed by City Councilors should be to provide clarification or additional information about the testimony provided. The presiding officer should intervene if a Councilor is violating the spirit of this guideline.

1.07 Minutes

Written minutes shall be taken for all City Council meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

1.08 Voting

- A.** Section 18 of the City of Coburg Charter states that the Mayor only votes on matters before the Council in the case of a tie.
- B.** Section 20 of the Charter states that a Councilor may not abstain from voting unless the Councilor first explains, at the meeting, the reasons for so abstaining.
- C.** Councilors and the Mayor should explain the reason(s) they vote against a motion.

1.09 Presiding Officer

The Mayor shall preside over City Council meetings when present. The president of the Council shall preside if the Mayor is absent or unable to preside.

2. ROUTINE ITEMS ON A REGULAR MEETING AGENDA

2.01 Pledge of Allegiance

At each regular meeting, the first item on the agenda shall be the Pledge of Allegiance.

2.02 Roll Call for Quorum

At the beginning of each regular meeting, the minutes recorder shall call the roll and announce either that a quorum is present or that no Council meeting can take place until a quorum has been assembled.

2.03 Citizen Testimony

- A.** Citizen Testimony shall be taken at every regular meeting
- B.** The time allotted for citizen testimony shall not exceed 60 minutes, unless a majority of Councilors present vote to extend the time.
- C.** Speakers will be limited to three minutes unless a majority of Councilors present to vote approves a different time allowance prior to the start of the Citizen Testimony agenda item.
- D.** Persons wishing to speak during the Citizen Testimony portion of a Council meeting must sign up to do so prior to the start of the Citizen Testimony agenda item. The presiding officer shall inform the audience of the requirement to sign up prior to the commencement of the Citizen Testimony agenda item.
- E.** During the Citizen Testimony item, members of the public may speak about any topic, except:
 - An item that is scheduled for a public hearing at that same meeting (the speaker shall wait until that public hearing);
 - An item that is not a public matter; or
 - An item that relates to a quasi-judicial land use matter that may or will be decided by the City Council.

F. Verbally abusive or slanderous comments will not be tolerated.

2.04 Response by City Council

- A.** At the end of the Citizen Testimony, each member of the Council shall have the opportunity to respond to comments made during the Citizen Testimony, acknowledge a speaker, to address a misrepresentation, or to ask the City Administrator for information.
- B.** Councilors shall confine his/her remarks to the subjects addressed in the Citizen Testimony. No discussion may occur during this agenda item.
- C.** The time allocated to each member of the Council for such responses shall be up to three minutes with additional rounds at the discretion of the presiding officer.

2.05 Consent Agenda

In order to expedite the Council's business, routine and standard items may be placed on the consent agenda. Any item on the consent agenda may be removed for separate consideration by any member of the Council. The remaining items on the consent agenda may then be considered for action by a single vote. The items pulled from the consent agenda shall be considered after the approval of the remainder of the consent agenda and before the next scheduled item on the main agenda.

2.06 Mayor Comments

A specific agenda item shall be included during which the Mayor may give special reports, make personal announcements, announce resignations and appointments, read proclamations, and advise Council and the public of any other matters or events of interest. If, prior to publication of the agenda, the Mayor has indicated that he/she has nothing to report, this item may be omitted from the agenda.

2.07 Councilor Comments

- A.** A specific agenda item shall be included during which individual Councilors may bring up items of interest or concern which have not been formally placed on the agenda.
- B.** Except for a motion to request Council support for use of City staff for a particular issue, no discussion or vote shall occur during Councilor Comments.
- C.** The time allocated to each member of the Council for such responses shall be up to three minutes with additional rounds at the discretion of the presiding officer.

3. PLACING OTHER ITEMS ON A MEETING AGENDA

3.01 Mayor/City Administrator

- A.** The Mayor may direct the City Administrator to place an item on a future agenda. This direction may be given as a result of a request or recommendation from the City Administrator.

3.02 Scheduling of Items on the Agenda

- A.** The City Administrator and Mayor shall decide the date that items come before Council.

B. The presiding officer may consider agenda items out of order as he/she deems necessary to facilitate the efficient management of the agenda.

C. If a Councilor wishes to have an item placed on the Agenda, the Councilor shall contact the Mayor or the City Administrator with the request. If the item is not placed on the next available Agenda, the Mayor and the City Administrator shall inform the Council of that decision at the next Meeting, and shall allow the Initiating Councilor to seek to add the item to the Agenda by a majority vote of the Council.

3.03 Business Items on the City Council Agenda

The City Administrator shall continue to place items of Council business on the City Council agenda, including, but not limited to ordinances, resolutions and public hearings.

4. MEETING PROCEDURES AND CONDUCT

4.01 Roberts Rules of Order

The Council has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it. Where appropriate to accomplish the Council's orderly consideration of matters, conduct at Council meetings is governed by Robert's Rules of Order, Revised. Council members shall avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues.

4.02 Public Conduct

The presiding officer shall be responsible for ensuring order and decorum are maintained. Behavior or actions that are unreasonably loud or disruptive shall be cause for removal from Council meetings. This includes engaging in violent or distracting action, making loud or disruptive noise, using loud or disruptive language, or refusing to obey an order of the presiding officer.

4.03 Council Conduct

A. Councilors shall support the presiding officer in preserving order and decorum during Council meetings, and shall not themselves, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these Rules of Governance.

B. Councilors shall, when addressing each other, City staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.

C. City Councilors shall work to keep the Council's discussion moving forward. A Councilor or the Mayor may call for a "process check" if the Council discussion appears to be regressing or bogged down.

D. When Councilors speak to each other during public meetings, last names shall be used (e.g., "Councilor Jones"). The Mayor is, however, always referred to as "The Mayor."

E. During public meetings, Councilors generally should not attempt to edit or rewrite prepared ordinances. Generally, Councilors should request changes to an ordinance through motions that direct the City Administrator to bring back amended ordinances for Council consideration at a later meeting.

F. If a member of the Council intends to make a motion at a meeting which is not reflected in the materials distributed by City staff, every effort should be made to contact other members of the Council and the City Administrator in advance of the meeting to inform them of the intent and the text of the motion. This contact should be limited to the initiating Councilor informing others of the Councilor's intent, and should not include a discussion of the merits of the intended action.

4.04 Councilor Discussions / Comments / Deliberations

Mayor and Councilor deliberations, discussions, response and comment times at Council meetings shall be as follows: the first round of comments by the Mayor and Council may be limited to no more than three minutes each. If any Councilor requests a second round for Councilor comments, the Mayor may limit those comments to no more than two minutes, and third round comments to no longer than one minute. This, however, will be at the discretion of the Mayor or presiding officer. Councilors who have no further comments during a round may pass.

4.05 Council Absences

Councilors and the Mayor should inform the City Administrator if they will be unable to attend any Council meeting and provide the reason for the absence. If the Mayor is unable to attend any Council meeting, the Mayor will also inform the Council President.

5. COMMUNICATION WITH CITY STAFF

5.01 Fifteen Minute Rule

A. If the Mayor or a Councilor wishes to request information or assistance from City staff, the request must be directed to the City Administrator. If the City Administrator determines that the request will require fifteen or fewer minutes of City staff time, the Administrator will assign the matter to the appropriate staff. If the request will take more than fifteen minutes of staff time, the Mayor or a Councilor must obtain the support of a majority of the Council before the Administrator may proceed with the request. A motion to request Council support for use of City staff is an appropriate item to be addressed during the "Council Comments" portion of a regular meeting.

B. If the proposed use of staff time is not approved by a majority of the Council, it may not be proposed again for 6 months.

5.02 Separation Between Policy Making and Administration

City Councilors shall respect the separation between policy making and administration by adhering to the policy of noninterference in the administration of day-to-day City business,

which is directed by the City Administrator in consultation with the Mayor. Councilors shall, at all times, refrain from actions that would undermine the administrative authority of the City Administrator or department heads.

6. REPRESENTING CITY POSITIONS AND PERSONAL POSITIONS

In written communication with other officials, governments, officials or groups and in letters for publication, such as “to the editor,” the Mayor and Councilors should be careful to decide whether to write on behalf of only themselves or for the Council.

When there is a Council position which the writer wishes to reinforce or explain on behalf of the Council, a copy should be circulated to the Council for comment before the letter is mailed or submitted.

When writing or speaking as an individual, a Councilor or the Mayor is free to take any position which he or she feels is appropriate. When it is a point of view different from a Council majority position, this fact should be included in the letter.

A Councilor or the Mayor in disagreement with an adopted policy should not be deprived of the right to express such views at another time and another place. However, the Councilor or the Mayor should feel bound to advise those to whom such disagreement is expressed that the disagreement is an individual view and that the Council majority has taken a different position.

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