

# **HOWEY IN THE HILLS TOWN COUNCIL RULES OF ORDER**

## **1. Meetings**

- a) The Town Council is empowered to determine the policies necessary for the effective operation and general improvement of the town.
- b) The council shall meet regularly on the second and fourth Monday of each month at such times and places as the Council may prescribe. By ordinance, the council may change from time to time the days of the month when regular meetings are to be held.
- c) Any meeting falling upon a legal holiday or other date on which a majority of the Council is not able to attend will be rescheduled.
- d) The Town Manager is responsible for determining and preparing the agenda for each meeting of Town Council.
- e) The Town Clerk is responsible for proper noticing of the meetings, and preparing the respective ordinances, resolutions, and reports for each meeting.
- f) The Town Council will endeavor to complete regular meetings within two and a half hours. In the event a meeting approaches two and a half hours in length, the Mayor will request if the Council would like to extend the meeting, schedule a special meeting, or table the remaining agenda items until the next scheduled meeting. This will then be decided by a majority vote from the Council.
- g) The parliamentary authority governing the Town Council will be the most recent edition of Robert's Rules of Order, Newly Revised in Brief, except as otherwise provided by these rules of order.

## **2. Special Meetings**

- a) Special meetings shall be held on the call of either the Town Manager or a majority of the council, when called in writing, with written notice to the Mayor and Town Council members no less than 72 hours before the meeting (except in cases of extreme emergency) setting forth the date, time, place and purpose of the special meeting; the Town Clerk shall be responsible for noticing the meetings. No business other than the purpose specified in the call shall be transacted during the special meeting unless approved by a unanimous vote of all councilors present.
- b) Additionally, the Council, by majority vote, may call for a special meeting at any duly noticed meeting. The Council will specify the date, time and place of the special meeting and the business to be conducted.
- c) The Town Manager will be responsible for the agenda and packet to be delivered to each individual Council Member at least forty-eight (48) hours prior to the meeting.

## **3. Emergency Meetings**

An emergency meeting may be called by the Town Manager providing such notice has been provided to the members of the Council and the Town Clerk and public notice is given as practical under the circumstances. An emergency necessitating such a meeting is a perceived immediate threat to the public health, safety, or welfare of the community and as otherwise defined by Florida law.

#### **4. Workshops**

- a) Workshops may be scheduled by the Town Manager, Mayor and/or Council Member provided at least seventy-two (72) hours' notice be given to the Town Clerk. Workshops are opportunities for Councilors to discuss issues and provide policy guidance. The public may comment at workshops provided such comments are limited to three minutes per person. No formal votes may be held at workshops, but non-binding "straw polls" may be used to determine the intentions of the Council.
- b) Additionally, the Council, by majority vote, may call for a workshop at any duly noticed meeting. The Council will specify the date, time and place of the workshop and the business to be discussed.
- d) The Town Manager will be responsible for the agenda and packet to be delivered to each individual Council Member at least forty-eight (48) hours prior to the meeting.

#### **5. Quorum**

- a) A quorum for the transaction of business will consist of three (3) Council Members.
- b) If no quorum is present, the meeting will be adjourned or continued as a Workshop. The Presiding Officer will decide to schedule a special meeting, or table the remaining agenda items until the next scheduled meeting.
- c) Workshops may consist of two (2) or more Council Members.

#### **6. Cancellation of Meeting**

Whenever a council meeting is cancelled after the agenda has been distributed or posted, the items on that agenda will automatically be postponed to the next regular or special meeting.

#### **7. Closed Meetings**

- a) All meetings of the Town Council will be open to the public with exceptions as provided for by state statute.
- b) No member of the Town Council, employee of the Town, or any other person will disclose the content or substance of any closed meeting until the transcript of the meeting becomes public record upon conclusion of the litigation.

#### **8. Presiding Officers**

- a) Whenever the term "Presiding Officer" is used, it will mean the Mayor, and if the Mayor is absent, it will apply equally to the Mayor Pro Tempore, and if the Mayor Pro Tempore is also absent, to the temporary presiding officer elected pursuant to this section.
- b) The Mayor will preside over all meetings of the Council. In the absence of the Mayor and the Mayor Pro Tempore, the Town Manager will call the Council to order, whereupon a temporary meeting presiding officer will be elected by the majority vote of Council Members present as their first order of business. Upon the arrival of the Mayor or the Mayor Pro Tempore, the temporary presiding officer will relinquish the chair at the conclusion of the item of business then before the Council.
- c) The Presiding Officer may move, second, debate, and vote and will not be deprived of any of the rights and privileges of a Council Member.

- d) The Presiding Officer will maintain order and decorum at all meetings. He or she will decide all questions of order and procedure, with the counsel, if necessary, of the Town Attorney.
- e) For matters other than legislative ordinances and quasi-judicial matters, the Presiding Officer, or such person as he or she may designate may verbally summarize the item to be voted upon immediately after it has been moved and seconded and may restate each question immediately prior to calling for the vote. If there is no second to a Motion made, the Mayor may announce that the Motion died for lack of a second and will request that a new Motion be made. After a new Motion is made and there is a second, the Council may discuss the matter further if necessary. The Presiding Officer may close the discussion once he or she deems it appropriate and will then ask the clerk for a Roll Call vote. Following the vote, the Presiding Officer will announce whether the item carried or was defeated.

## **9. Decorum of Council Members**

- a) Council Members will confine comments to the question under debate and will refrain from impugning the motives of any other member's argument or vote.
- b) A Council Member, who is being disruptive and is called to order by the Presiding Officer, will thereupon discontinue speaking.

## **10. Use of Electronic Media Technology for Meetings**

- a) Electronic media technology has become a valuable and prevalent asset for group meetings. Electronic media will, at a minimum, provide the capability of two-way voice communication audible to Council Members not present and present at the meeting.
- b) Except as provided by law, a Council member absent from the meeting may enter into discussion by telephone or video conference but may not vote unless present as long as a quorum of Council Members are physically present at the meeting. However, if a quorum is physically present, the participation and vote of an absent member is permissible when such absence is due to extraordinary circumstances such as illness. Such a circumstance is a determination that must be made in the good judgement of the Council.
- c) The absentee member will provide notice to the Town Manager of his/her request to participate via electronic media technology and the circumstance as listed above. The Town Manager will provide this request to the Council members.
- d) Two (2) Council members may not be present at the same remote location.

## **11. Agendas**

- a) In order to facilitate the orderly conduct of business, the Town Manager will determine and prepare the agenda for each Council meeting.
- b) Subject to these rules, items of business may be placed on a regular meeting agenda by the Town Manager. Except as provided in Section 3, Emergency Meetings, the Town Manager must make any and all changes or additions to the agenda before 5:00 p.m. three (3) days before the Council meeting. No business other than the items specified in the agenda shall be transacted during a council meeting unless approved by a supermajority vote of all councilors present.
- c) When a Council Member wishes to request an item to be placed on the regular meeting agenda, the item will be presented to the Town Manager's office no later than seven (7) days preceding the Council meeting so that the information may be included as part of the regular agenda which will

be distributed to the members preceding the meeting. If a councilor's requested item is not placed on an agenda, a majority of the council can have the item added to a subsequent meeting.

- d) Any agenda item which has been noticed to the public can only be removed from the agenda with the approval of the Town Council.
- e) No item will be placed on an agenda which is substantially the same as an item voted upon by the Council within the last six months unless three or more Council Members agree. During other business at a regular Council meeting, the Council will discuss and vote on whether such an agenda item should be formally reconsidered by the Council on a future agenda.
- f) The agenda packet for each regular meeting will be delivered to each Council member so as to provide proper time for the member to study the agenda packet. Generally, the agenda packet should be delivered no later than four (4) days prior to the meeting. The agenda packet for a special meeting will be delivered at least forty-eight (48) hours before the meeting, consistent with provisions calling for special meetings.
- g) The Council will transact business according to the agenda prepared by the Town Manager and submitted to all Council members in advance of the meeting. The order of business may be altered at any meeting by a majority vote of the members present.

## **12. Order of Business**

At any regular or special meeting, the Council will proceed to transact the business before it in the following order:

- a) Call to Order;
- b) Pledge of Allegiance;
- c) Invocation;
- d) Roll Call;
- e) Acknowledgement of Quorum Present and Proper Notice Given;
- f) Welcome and Introduction of Guests;
- g) Agenda Approval/Review;
- h) Public Question & Comment;
- i) Consent Agenda;
- j) Public Hearings;
- k) Old Business;
- l) New Business
- m) Department Reports;
- n) Council Member Comment;
- o) Adjournment.

## **13. Meeting Procedures (Discussion Flow / Making Motions)**

Town Council meeting procedures are aimed at improving discussion flow, managing public comments, and clarifying motion-making processes to make more efficient, equitable meetings.

- a) Preliminary Motions will be included in the Staff Reports: Staff Reports would include a requested or recommended motion, providing a starting point for Council discussion.
- b) It is important that the public should hear the views and explanations from Council and that Council shall hear and take account of public opinion before a motion is made. Therefore, other than for Public Hearings, the Presiding Officer will determine whether Public Question & Comment will be heard before Council Discussion or after.

- c) Councilors shall refrain from making motions before each Councilor has the opportunity to share their perspective and public input has taken place. This ensures balanced participation and helps address the key concerns.
- d) When the item has been fully discussed and after public comment has been heard, the Presiding Officer will call for a motion and vote without reopening the discussion unless necessary.
- e) Limiting Actions on Discussion-Only Items: Council shall refrain from making motions or approving items explicitly designated as discussion-only items on the agenda. This ensures transparency and adherence to intended agenda purposes. If necessary, a motion and vote to turn a discussion item into a voting item can be made by a supermajority of the council.

#### **14. Public Input**

It is the policy of the Council to permit and encourage input and comments by members of the public during the Public Question & Comment period as well as during public hearings. The Presiding Officer will strive to provide equal opportunity for individuals to address the Council at the appropriate times during the meeting.

- a) Input and comments by the public can be made during the Public Question & Comment period of the meeting. Clarification of questions by a Council Member regarding comments or input by a member of the public are permitted. Public comments are limited to three minutes per person; the Presiding Officer may permit additional time to a given speaker on a case-by-case basis. At the Public Question & Comment period of the meeting, each person desiring to address the Council will approach the podium, state his or her name and address for the record, and state the subject. The Town Council will hear questions, comments, and concerns from the citizens. If the issue raised is not on that day's agenda, action will not be taken by the Council at the meeting. Questions may be answered by staff or referred for appropriate staff action. If further action is necessary, the item may be placed on a future Council agenda. Specific zoning approval questions that have not yet come to Council and active code enforcement cases shall not be discussed during the Public Question & Comment period.

Each person is requested to observe general rules of decorum and civility (speak one at time, avoid personal attacks, and avoid profanity). While input and comments by the public are encouraged, the Council Members will not engage in debate with members of the public. In order to be able to address all agenda items, the general Public Question & Comment period will be limited to a maximum of thirty (30) minutes unless extended by the Presiding Officer.

- b) For Public Hearings, after an ordinance's title is read and the applicant provides a presentation, the Presiding Officer will ask whether any member of the public has any questions or comments. Public comments are limited to three (3) minutes per speaker; the Presiding Officer may permit additional time to a given speaker on a case-by-case basis. During public comment, Council Members may ask questions of those commenting but will not debate the matter with the party commenting. If there is no public comment or after public comment is closed, the Presiding Officer will ask for a Motion from the Council.
- c) During any public input, the Presiding Officer may:
  - (1) Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant.
  - (2) Request any individual to leave the meeting when that person does not observe reasonable decorum.
  - (3) Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting.

- (4) Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.

## 15. Voting

- a) When the Clerk has commenced to call roll of the Council for the taking of a vote, all debate on the question before the Council will be deemed concluded. During the taking of the vote, a member will be permitted to ask a clarifying question of the Town Manager or Town Attorney and/or briefly explain his or her vote, and the member will respond to the calling of his or her name by the Clerk by answering “Yes” or “No” as the case may be.
- b) The Clerk will call the roll on a rotating basis so that every Council Member will have the opportunity to vote first on an issue at one time or another, provided the Presiding Officer will always be the last to voice his or her vote.
- c) Unless otherwise specified by these rules, all ordinances, resolutions, or motions will be passed by the affirmative vote of no less than a majority of Council Members present.
- d) A roll call vote will be required for the following:
  - (1) All ordinances and resolutions.
  - (2) All approval of contracts.
  - (3) All motions to create an office or a position of employment.
  - (4) All financial matters, budgets, budget amendments and appropriations.
- e) The Presiding Officer may utilize a voice vote for the approval of the consent agenda, approval of minutes or other matters where a roll call vote is not required by law; provided, however, that a roll call vote will be taken upon the timely request of any Council Member.
- f) A vote lacking the required number of affirmative votes will constitute defeat of a motion.
- g) A Council Member may change his or her vote only if a timely request to do so is made prior to the announcement of the vote by the Presiding Officer.
- h) Unless otherwise provided for by statute, if a Council Member present has reason to think a conflict of interest may exist on a particular matter, he or she will, after consultation with the Town Attorney, so state the nature of his or her disqualification in the open Council meeting. A Council Member who so announces a conflict of interest in any matter may remain seated during the debate or may leave. However, he or she will not vote or otherwise participate on such matter. The Town Clerk and Town Attorney will assist the disqualified Council Member in filing the necessary documentation with the Florida Commission on Ethics.
- i) Where lack of a quorum during a convened meeting results from the absence of a Council Member, the minutes will be so noted, and the matter under consideration will be considered as having been postponed until the next regular meeting. The meeting may continue after the postponement has been announced by the Presiding Officer and the member breaking the quorum has resumed his or her presence, otherwise the Presiding Officer will declare the meeting adjourned after such announcement.
- j) The Presiding Officer should announce the vote upon every matter upon which a vote is taken.

- k) On workshops and other matters not requiring a vote, the Council may take a straw poll to provide staff with clear direction on the consensus of the majority of the Council.

## **16. Documents.**

- a) Minutes of all regular and special meetings will be digitally recorded. Such minutes will be maintained in the office of the Town Clerk. The minutes will reflect:
  - (1) The date, time and place of the meeting or session.
  - (2) The members recorded as either present or absent.
  - (3) A general description of all matters proposed, discussed, or decided.
  - (4) Record of any votes taken.
- b) A Council Member may request, through the Presiding Officer, the privilege of having his or her comments or written statement entered into the minutes concerning any matter pending before the Council.
- c) Such minutes may be revised at any time by the Town Clerk to correct spelling, numbering, and other such technical defects. Prior to approval, any member may request the correction of any inaccuracy within the minutes. If objection is made by any Council Member to such correction of any inaccuracy, a majority vote of the Council will be necessary for adoption of the correction.
- d) Audio recordings of meetings will be taken and retained per Florida General Records Schedules. The Town Clerk's office is not required to prepare verbatim transcripts for any parts of any minutes of Town Council meetings unless the Town Council, by majority vote, directs verbatim transcripts for any parts of any minutes it deems necessary and proper for conducting internal affairs of the Town or when required for closed meetings.
- e) The Mayor will sign all approved ordinances, resolutions and other documents requiring his or her signature. If the Mayor is unavailable to do so, the Mayor Pro Tempore will be permitted to sign all ordinances, resolutions and other documents requiring the Mayor's signature in his or her absence.

## **17. Failure to observe procedures.**

These rules are adopted to expedite the transaction of the business of the Council in an orderly fashion and are deemed to be procedural only. The failure to strictly observe such rules by the Council will not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law. Any rule herein stated can be waived in a given meeting by a supermajority of all councilors present.

## **18. Disruption of Meetings**

No person will interrupt, disturb, or disrupt any Regular Meeting, Special Meeting or Workshop of the Council. Upon direction of the Presiding Officer, any such person will be asked to leave the meeting.

## **19. Amendment of Rules**

These rules will be amended by resolution.