

RESOLUTION NO. _____

A RESOLUTION AMENDING THE RULES OF PROCEDURE FOR
THE BOARD OF MAYOR AND ALDERMEN

WHEREAS, on October 5, 2004, the board approved Resolution No.: 2005-046, wherein procedures for the Board of Mayor and Aldermen were established; and

WHEREAS, 2023 Public Chapter No.: 300 requires all governing bodies to hold a public comment period at meetings wherein action was being taken; and

WHEREAS, city is in the process of standardizing the procedures governing public comment across its boards and commissions including public comment at board of mayor and aldermen meetings.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the amendment to the Rules of Procedure for meetings of the Board of Mayor and Aldermen are hereby adopted, to wit:

**RULES OF PROCEDURE FOR MEETINGS OF THE BOARD OF MAYOR AND ALDERMEN NOT
SPECIFICALLY COVERED IN ROBERT'S RULES OF ORDER, NEWLY REVISED**
INTRODUCTION

The application of rules of parliamentary procedure enables the board of mayor and aldermen to provide appropriate regard for each member's opinion and to arrive at the general will of the majority of the board. Generally, the rules of parliamentary procedure for business meetings of the board of mayor and aldermen are set out in Robert's Rules of Order, Newly Revised. The following rules of procedure address some areas not fully covered by Robert's Rules of Order, Newly Revised and provide a framework for conduct of board meetings. These rules of procedure take priority over any contrary rule or statement in Robert's Rules of Order, Newly Revised. They should be reviewed at least annually for any changes, additions, or deletions deemed appropriate and necessary by the board.

AGENDA PREPARATION AND PROCEDURE

A. Agenda for Regular or Special Called Business Meeting of the Board of Mayor and Aldermen

The agenda for regular or special called business meetings will be prepared by the office of the city manager. The city manager will place items on the agenda, necessary for the conduct of the business of the city. Generally, an item will not be placed on a regular business agenda without having been first been reviewed in a work session. Exceptions to this general procedure include items of an emergency nature; when there is no work session held prior to the regular business meeting; when urgent circumstances warrant the inclusion of the item; or if the matter is routine and non-controversial in nature. However, whether an item is initially placed on a regular business meeting agenda is a decision of the city manager. Regular business meeting agendas will at a minimum include the following sections: items for consideration, consent agenda, public comment, and board member requests. It may include additional sections as deemed necessary. An agenda for a special called business meeting will include only those items set out in the call of the meeting.

A copy of the agenda and its accompanying material for a regular work session and business meeting will be delivered to the home address of each board member, or some other place in the city designated by the board member, on the Friday prior to the regularly scheduled business meeting. Agendas and accompanying material for special called meetings will be distributed to each board member, as soon as is reasonably possible after the call for the special meeting.

During the time at a regular business meeting agenda for board member requests, a board member may request an item be placed on a future business meeting for consideration by making a motion to place an item on an agenda for future consideration. If the motion is seconded and passed by a majority of the members voting, the item will be placed on the next regular business meeting

agenda, unless some other time is specified in the motion. The motion is debatable. The motion should pertain to an item requiring action by the board. Alternatively, if the matter does not appear to be controversial, the item may be added to a future business meeting agenda by unanimous consent. The member making the motion should ask for unanimous consent for the addition of the item to a future business meeting agenda. The mayor will ask if there is objection to the request, and if there is no objection, the item will be added to the next regular scheduled business meeting agenda, unless some other time is specified in the motion.

If the item contained in the motion pertains to an item for discussion or review by the board, it should be placed on a work session agenda as hereinafter set forth.

B. Agenda for Regular or Special Called Work Sessions of the Board of Mayor and Aldermen

The office of the city manager will prepare an agenda for each work session, giving due regard to the estimated amount of time any item is expected to take at the work session. However, whether an item is placed on the work session agenda is the decision of the city manager. A member of the board may request that the city manager place an item on a work session agenda for a future meeting for discussion and consideration. The request should be in writing stating the purpose of the request. The regular work session agenda will include a section for a review of the regular business meeting items scheduled for consideration at the business meeting following the work session. The agenda for a special called work session will include only those items included in the call and will be prepared by the office of the city manager.

BOARD COMMUNICATIONS ON REGULAR BUSINESS MEETING AGENDAS

During the business meeting, the discussion and comments of the board will pertain only to those items that appear on the agenda, except as hereinafter set forth.

The regular business meeting agenda will include a section for communications by board members. Any board member choosing to address the board during this section of the board meeting agenda will, when recognized by the mayor, be allowed to speak for up to five minutes. The purpose of this section is to allow members of the board to raise matters pertaining to city business, *i.e.*, to make requests of the city manager and staff or to move that some item be placed on a future business meeting agenda for consideration. It may also be used to recognize some individual or organization that has done something to positively benefit the city. All other matters raised by a board member in this section of the agenda will be considered out of order, and the mayor may rule such member out of order, at which point the member will cease such comments.

COMMENTS BY MEMBERS OF THE PUBLIC

In the past, the board has passed resolutions pertaining to comments by members of the public. To provide a vehicle for ongoing community participation and input, the substance of these resolutions has been incorporated herein.

A. Regular Called Business Meetings

At each regular business meeting the first item on the community interest items portion of the agenda, following approval of the minutes and any public hearings, will be a time for public input. Such input shall be for agenda items for consideration at that regular business meeting or other items that are civic in nature. The total time devoted to public input will be up to a total of thirty minutes. The time allowed for comments for each individual addressing the board will be up to five minutes, provided there is time remaining within the overall thirty-minute time limit. No member of the public may yield their time to any other member of the public. Speakers must address the board from the designated podium and must address their comments to the board as a whole, rather than to individual members of the board or staff.

B. Public Hearings

Upon the opening of a public hearing, members of the public may, when recognized by the mayor, address the board from the designated podium for up to five minutes on the subject matter of the public hearing. Members of the public may not speak more than once during a public hearing, unless otherwise so requested by the board. No member of the public will be permitted to yield their time to another member of the public. Comments of speakers must pertain to the item which is the subject of the public hearing. Speakers must address their comments to the board as a whole, rather than to individual board members or staff.

DECORUM IN BOARD MEETINGS

Members of the public are welcome to attend all meetings of the board of mayor and aldermen and will be admitted to the room where such meeting is held, up to the fire safety capacity of the room. When the board is in session all persons will observe order and decorum.

Members of the public addressing the board will give their name and address in an audible tone of voice for the record and sign the speakers' log, if provided.

Everyone attending the meeting will refrain from private conversations while the board is in session.

No one will interrupt the board proceedings or refuse to obey the orders of the mayor or comply with the rules of the board.

No one attending a meeting of the board will make personal, impertinent, profane or slanderous remarks or become boisterous and, when directed so by the mayor, may be removed from the meeting by the chief of police or other police official and barred from further attendance at the meeting during that session of the board, unless permission for continued attendance is granted by a majority of the board.

Unauthorized remarks from the audience, stamping of feet, whistling, yelling, clapping or similar demonstrations will not be permitted during board meetings. If necessary, the mayor may direct the chief of police or other police official to remove the offenders from the room, unless permission for continued attendance is granted by a majority of the board.

No banners, plaques, or signs will be permitted in the meeting room for a board meeting. Displays, visual aids, and exhibits used in conjunction with presentations to the board are permitted.

Members of the public and board members desiring to speak will do so at the appropriate time, upon recognition by the mayor, and will avoid all indecorous language or references to personalities. There may be disagreement, but members of the public and the board will be respectful of each other. All comments will be directed to the issues at hand and personal attacks will be avoided.

During debate, board members will confine their comments to the question under debate.

The mayor will preserve strict order and decorum at all meetings of the board, announce the board's decisions on all subjects, and decide all questions of order, subject to the provisions in Robert's Rules of Order, Newly Revised providing for appeal of such ruling by members of the board.

EXPECTATIONS OF BOARD MEMBERS AND CITY STAFF

The board has decided that board members and staff should meet certain expectations before and during meetings. These include the following:

1. Board members and staff should commit to using and respecting Roberts Rules of Order, Newly Revised, these rules and parliamentary procedure;
2. Board members and staff should assist in preserving order and decorum during board meetings and should not interrupt or delay proceedings by conversation or otherwise or refuse to obey the order of the mayor or the rules of the board;
3. Board members and staff should individually prepare for meetings by reviewing the agenda of the meeting along with the accompanying documentation prior to the work session or a regular or special called business meeting;
4. Board members should direct questions to staff about agenda items prior to the meeting, if possible. Questions raised by members at the meeting should be phrased so that it is clear that the staff member has an opportunity to research the question to obtain an answer, if needed, and to specify the timeframe in which the answer is expected;
5. Board members and staff desiring to speak at a meeting must first be recognized by the mayor and will address the mayor and will confine the discussion to the question under debate or discussion, avoid personal discussion or comment on personalities, and refrain from personal attacks and verbal abuse;
6. Board members and staff should not interrupt or argue with any other member while such member has the floor;
7. Board members should make their expectations clear;
8. Board members and staff should be punctual to meetings and should advise the city manager, if possible, when they will be delayed or will not be attending a meeting;
9. Comments by board members and staff should be succinct and should be respectful of time without repeating points previously made in debate or discussion by the member during that meeting;
10. When communicating with committees, individuals, or groups, board members will not represent their individual views as being representative of the full board, unless they have been formally authorized to do so;
11. Individual board members will not release information to the media or to the public, when that information has been provided to them by the city attorney as part of a confidential attorney-client memorandum;
12. Board members should make themselves available to the public for communication, both to give and receive input from members of the public outside of board meetings, providing citizens with an opportunity to address issues with individual members of the board; and
13. Board members and staff should respect the decision of the majority and refrain from introducing debate or discussion on issues already decided.

SUSPENSION OF THE RULES

These rules, along with the Roberts' Rules of Order, Newly Revised, may be suspended upon the adoption of a motion to suspend the rules. The motion is in order whether or not there is business pending. The motion cannot suspend a rule or requirement of the city charter or ordinance. The motion must be seconded, is not debatable or amendable, and requires a majority of the members voting to pass. Alternatively, if the matter does not appear to be controversial the suspension of the rule can occur by unanimous consent. The member requesting the suspension of the rules should ask for unanimous consent for the suspension of the rule. The mayor will ask if there is objection to the request, and if there is no objection the rule will be suspended.

SECTION II. That Robert's Rules of Order, Newly Revised will continue to be used to conduct the meetings, except when a matter is addressed in the preceding amended Rules of Procedures for meetings of the Board of Mayor and Aldermen, and then such rules will take priority over any contrary rule or statement in Robert's Rules of Order, Newly Revised, unless otherwise indicated therein.

SECTION III. That any provisions of resolution No.: 2005-046 adopted October 5, 2004, Resolution No.: 98-058 adopted October 21, 1997, or other prior resolutions are in conflict herewith those provisions are hereby rescinded.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 1st day of August, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY