

**AN ORDINANCE ESTABLISHING MEETING TIMES AND PLACES AND
ESTABLISHING THE AGENDA PROCESS FOR THE MEETINGS OF THE CITY
COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI**

WHEREAS, it is necessary to establish meeting times and a meeting place for the City Council of the City of Tupelo, Mississippi; and

WHEREAS, it is necessary to establish procedures for the orderly development of the Agenda to be considered by the City Council of the City of Tupelo; and

WHEREAS, it is in the best interest of the City of Tupelo, in conducting the business of the City Council, to have an orderly and efficient process to consider said matters, and to allow for proper study as well as legal and staff review.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, AS FOLLOWS:

SECTION ONE. Article II of Chapter 2 of the Code of Ordinances, Tupelo, Mississippi, is hereby amended to read as follows:

SECTION 2-16. Meeting Times and Places.

The regular meetings of the City Council will be at 6:00 p.m. on the first and third Tuesdays of each month at the Council Room at the Tupelo City Hall located at 71 East Troy Street, Tupelo, Mississippi.

SECTION 2-17 through 2-20. Reserved.

SECTION 2-21. Placement of Matters to be Considered on Agenda.

No matter of business may be considered by the Council for Council action at any Council meeting unless said business matter has been placed on the official Agenda as prescribed herein, or unless the Council duly suspends the rules as set out in Section 2-27 herein.

SECTION 2-22. Arrangement.

The Agenda as presented by the President of the Council shall be arranged as follows: Confirmation or Amendment of Agenda and the Agenda Order. The confirmation or amendment of the Agenda and the Agenda order is the first matter on the Agenda and shall be the only scheduled period during which the Agenda order will be adjusted. Any member of the Council may move to adjust the Agenda order. A motion to change the Agenda order must receive a majority vote of the Council members present and voting. The Mayor or Council President may request the Council to add an item to the Agenda that is necessary for the administration of city government after the submission deadline set out in Section 2-23, provided that either (1) the need for action on the matter arises after the submission deadline, or (2) that conditions beyond their control made it impossible to meet the deadline requirements. Late additions to the Agenda should not be routine nor frustrate or circumvent the requirement for staff review and comment and adequate information. Proclamations, Recognitions and Reports Agenda. The Proclamations, Recognitions and Reports Agenda shall be considered second and shall include

all proclamations, resolutions and reports to be presented to or by the Council or the Mayor. Any report of the Mayor, or his designee, shall normally occur during this portion of the Agenda. Whenever possible, all such Agenda items shall be scheduled for the Council's first meeting of the month. Public Agenda. The Public Agenda shall be considered third and shall consist of Public Hearings, Citizen Hearings, and Appeals.

Public Hearings.

Public Hearings required by law (such as zoning matters, annexation, and demolition of dilapidated buildings) shall be considered first on the Public Agenda. The length of the Public Hearing may be prescribed on the Agenda. The City Department or official responsible for the subject matter shall present the administration's information, position or report, including any proof of publication of notice of the hearing, if required by law or previously required by the Council. Any citizen may provide his or her comments during a Public Hearing provided he or she stands, is recognized by the presiding officer of the Council, and identifies himself or herself by name and place of residence. All citizen comments shall be directed exclusively to the presiding officer of the Council. Comments from each person shall be limited to five (5) minutes, unless otherwise voted upon by the Council, and questions and answers from the Council shall not count against the citizen's time. Comments also may be submitted in writing prior to or during the Public Hearing. If specific law permits, Council action may be taken by a vote immediately upon the completion of such hearing if the notice required by ordinance or statute has been provided.

Appeals.

If any law, code, or ordinance provides for an appeal or review by the City Council, such appeals shall be considered next and shall be conducted according to law. Unless otherwise provided by law (or policy as applicable), requests for such appeals must be made in writing and filed with the City Clerk, the Clerk of the Council or the Council President within forty-five (45) days after the action or order being appealed. The Clerk of the Council will promptly schedule the hearing for the next regular meeting for which notice to the appellant can be served at least three (3) business days prior to the hearing, and the Clerk shall ensure that notice is served. Hearings shall be limited to ten (10) minutes unless additional time is granted by the City Council, but the appellant may submit written testimony, evidence and exhibits for consideration. If any person affected by final order, ruling or action of a municipal officer (specifically excluding grievance appeals) is aggrieved by such final order, ruling or action, such person may appeal to the City Council in writing, and the City Council, in its discretion, may grant a hearing on such appeal in the manner provided in this section or may consider the written appeal only. Personnel grievances and appeals shall be handled by the Executive Branch and shall not be heard by the Council.

Citizen Hearing.

Any citizen of the City may request that a matter be placed on the Agenda for the purpose of bringing a matter before the City Council for subsequent Council action provided that he or she submits a written and signed request to the Council President or the Mayor describing the nature of his or her request. Presentation of a citizen's request shall be limited to five (5) minutes each, unless otherwise voted upon by the Council, and questions and answers from the Council shall not count against the citizen's time. Any action desired as a result of such Citizen Hearing must

subsequently be introduced by a Council member or the Mayor as otherwise provided herein. If requests for Citizen Hearing are too numerous to be handled efficiently, the Council may: defer a portion or all of the requests (1) to the end of the meeting, (2) until a future meeting, or (3) may require written submission in lieu of a hearing, by majority vote.

The Action Agenda.

The Action Agenda shall be considered fourth and shall consist of all ordinances, resolutions and other matters of business constituting formal action by the Council. Items on the Action Agenda shall have appeared previously on the Study Agenda and shall have been advanced to the Action Agenda as provided in Section 2-22(f) hereof, unless the rules are suspended under Section 2-27 hereof. The initial order of items within this part of the Agenda shall be set by the President of the Council.

The Routine Agenda.

The Routine Agenda shall be considered fifth and shall consist of all routine, administrative, or recurring matters for which policy already exists, for which staff review and study has already occurred or which study and review are otherwise unnecessary. The routine agenda shall include, without limitation, the claims docket, Council minutes, reports and minutes of boards and committees, and routine contracts, and all other matters determined by the Council President or the Mayor to be non-policy related matters. New or non-recurring contracts which are coming before the Council pursuant to an advertised request for bids or request for proposals and which contracts have received full staff and legal review prior to the agenda deadline set forth in Section 2-23, may be placed upon the Routine Agenda; such contracts shall be marked on the Routine Agenda as new or non-recurring and shall be accompanied by a memorandum summarizing the results of the staff and legal review. All matters to be considered on the Routine Agenda shall be listed separately on the Routine Agenda by title and voted upon individually. Any Council member may move to have all items on the Routine Agenda considered and voted upon in one action, and passage of the motion for such action shall require a majority of the vote of the Council present and voting; in that event, any Council member may register a dissenting or abstaining vote on one or more of the items on the approved Routine Agenda by announcing to the Clerk of the Council at the time the vote is taken on the Routine Agenda that he or she wishes his or her vote to be so recorded on a specific item or items on the Routine Agenda notwithstanding the collective vote.

The Study Agenda.

The Study Agenda shall consist of all matters for initial consideration by the Council prior to or during staff and legal review, study, and preparation of drafts of legislation or other Council action. Requests for placement on the Study Agenda should be submitted to the President of the Council as provided in Section 2-25 of this Ordinance. During the Study Agenda, any item may be advanced to the Action Agenda for the next regular, special, or recessed meeting by the President or any two Council members.

SECTION 2-23. Responsibility and Authority of Council President and Mayor Finalizing of Agenda.

The Council President shall be responsible for determining the initial order of each part of the Agenda for each meeting. All matters to be placed on the Agenda by any member of the City

Council shall be authorized by the President of the Council as provided herein. The Council President shall be required to place all matters presented by a Council member as prescribed herein on the Agenda at the earliest possible opportunity for Council action, All matters to be placed on the Agenda by any member of the Executive Branch of government shall be authorized by the Mayor as prescribed herein. All items placed on the Agenda shall appear by title and initiating author. The Council President and Mayor shall finalize the Agenda for submission to the Clerk of the Council no later than 1:00 p.m. on the Thursday immediately prior to the next regular Council meeting, at the earliest possible time prior to a recessed meeting, and prior to the issuance of the call for a special meeting.

SECTION 2-24. Responsibility of Clerk of the Council.

The Clerk of the Council shall be responsible for posting the Agenda at a public place at City Hall, preparing and assembling the Agenda package and providing the Agenda package to the Council, the Mayor and other appropriate persons as soon as practical after receipt of the Agenda.

SECTION 2-25. Request for Legislative Action.

Any member of the City Council desiring to place any matter on the Study Agenda shall provide a draft of his or her request for legislation, report or other action to the Council President no later than 1:00 p.m. on Thursday prior to the next regular Council meeting or at a time designated by the President prior to any special or recessed meeting. The Council shall take no official action on any matter requested to be placed on the Study Agenda by an individual Council member until such time as a staff and legal review has been completed by the Executive Branch or until after such matter has appeared on the Study Agenda and has been advanced in accordance with Section 2-22(d) or Section 2-27 hereof Staff and legal review shall be completed as quickly as practical. Nothing in this section is intended to prevent any member of the Council from informally seeking the assistance of the Executive Branch, through the Mayor, in the preparation of draft legislation for the Council member. All items initiated by a Council member shall appear on the Agenda by title and initiating author.

SECTION 2-26. Agenda Item Report or Summary.

An Agenda Item Report or Summary shall be prepared by the Mayor and/or Council President for any item appearing on the Agenda under the Action Agenda and Routine Agenda, and normally should be prepared for the Study Agenda.

SECTION 2-27. Suspension of the Rules.

Upon motion duly adopted by the City Council by a two-thirds majority of members present and voting, matters not appearing on the Agenda in the manner provided herein may be considered by the Council at any regular or recessed meeting and procedural rules set forth herein may be temporarily suspended.

SECTION 2-28. Special Meetings.

Special meetings may be called at any time by the Mayor or by a majority of the members of the Council provided such meetings are called in the manner specified by state law and provided all related terms of this Ordinance are followed.

SECTION 2-29. Staff Meeting.

An Agenda Staff Meeting shall be convened by the Mayor or his delegate each Wednesday, or as soon thereafter as practical, for the purpose of reviewing actions taken by the Council on Agenda items in the preceding meeting of the Council, for initiating legal and staff reviews and for disseminating staff assignments relative to Council action; provided, however, that the failure or inability to conduct such meeting shall not affect the validity of the Agenda or any action taken pursuant thereto.

SECTION 2-30. Citizen Input.

Should citizens appear at the Council meeting and desire to address the Council on any issue which is before the Council, such citizens may be given authorization to speak upon motion by any member of the Council to suspend the rules and upon passage of such motion by a majority of the members present and voting. Such citizen input shall be limited to five (5) minutes per citizen so authorized to speak, unless otherwise designated by the Council, and questions and answers from the Council shall not count against the citizen's time.

SECTION 2-31. Publication.

The Clerk of the Council is responsible for, authorized and directed to publish promptly all ordinances and notices required hereunder or by law, to post notices of Council meetings and hearings required by law, and to serve notices of meetings and hearings as directed hereunder and by further action of the Council.

SECTION 2-32. Conflicting Ordinances.

Where in conflict, this ordinance shall supersede any Rules of Order adopted by the Council for the conduct of its meetings. The previous Agenda Ordinance is hereby repealed.

SECTION TWO.

This ordinance shall be published and become effective as provided by law. The above and foregoing Ordinance, after having been first reduced to writing, and no Council member having called for a reading, was proposed in a motion by Council Member _____ and seconded by Council Member _____, and was brought to a vote as follows:

Council Member Mims	_____
Council Member Bryan	_____
Council Member Beard	_____
Council Member Davis	_____
Council Member Palmer	_____
Council Member Gaston	_____
Council Member Jones	_____

Having received a majority of affirmative votes, the President thereupon declared that this Ordinance had been duly adopted, this the _____ day of July, 2021.

President of the City Council

ATTEST:

Missy Shelton, Clerk of the Council

APPROVED BY:

Todd Jordan, Mayor

DATE:
