

**CITY COUNCIL RULES OF PROCEDURE
CITY OF MONMOUTH, OREGON**

PREAMBLE:

These rules and regulations are promulgated pursuant the Charter of the City of Monmouth, Chapter IV, Section 4.04.

SECTION I. RULES OF JOURNAL:

The Council shall determine its own rules, order of business, conduct of public meetings, and shall provide for keeping a journal of its proceedings. This journal shall include minutes of each and every open public meeting of the Council and shall be a public record.

SECTION II. MEETINGS:

Regular Meetings shall be held at least once a month on the first Tuesday of the month in the Council Chambers. A regular meeting may be held on the third Tuesday of the month as needed. Regular meetings will normally convene at 7:00 pm and adjourn promptly by or before 10:00 p.m. Other meetings may be scheduled if properly noticed. If a regular meeting day falls on a recognized holiday, the meeting shall typically be held on the next Thursday following that holiday.

Work Sessions will be scheduled by minute action as needed, with at least three days advance public notice. Work sessions will be typically held on the third Tuesday of the month as needed, but may be scheduled at a different time. No final action shall be taken during a work session.

Special Meetings may be called by minute action of the Council or upon request of the Mayor or City Manager on at least three days notice to each member of the Council. Simultaneous notice to the media shall be required for all special meetings.

Executive Sessions may only be held for the purposes allowed by ORS 192.660, Oregon Public Meetings Law. No final action shall be taken during an executive session.

Briefing Sessions to brief Council Members on the items included on the Council agenda may be scheduled upon proper legal notice. No formal action shall be taken during a briefing session.

Notice of Meetings will include the time, place and agenda and will be provided to the media and posted in a public place at least three working days in advance of a scheduled meeting. In case of an emergency, notice will be as long as is reasonable under the circumstances. Excepting executive sessions, authorized to be closed pursuant to ORS 192.660, all meetings shall be public.

SECTION III. AGENDA:

The City Department Managers shall submit requests for items for consideration on the agenda to the City Manager not less than eight working days preceding a regularly scheduled meeting. All reports, communications, ordinances, resolutions, contract documents, and other matters to be submitted to the Council shall be delivered to the City Manager prior to 12:00 p.m. six working days prior to the Council meeting at which they are to be submitted. The City Manager shall list the matters according to the order of business and furnish each member of the Council, the City Attorney, the media, and department heads with a copy of the agenda prior to the Council meeting, as early as possible.

No item shall be submitted to the Council, except through the City Manager; however, any member of the public, member of the Council, or the City Manager may submit emergency items to the Council during the Council meeting at the time provided in the order of business. Excepting emergency actions necessary in furtherance of the public health, safety, or general welfare, no Council action shall be taken on any item not included on the published agenda.

SECTION IV. CALL TO ORDER -- PRESIDING OFFICER:

The Mayor, or in the Mayor's absence the President of the Council, shall call the Council to order at the scheduled meeting time. In the absence of the Mayor or President of the Council, the City Recorder shall call the Council to order. A temporary presiding officer shall then be elected by the members of the Council present. When the Mayor or President of the Council arrives, the temporary presiding officer shall relinquish the chair when the business immediately before the Council is finished.

The Mayor shall be the presiding officer of the Council. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council. The Mayor shall state every question coming before the Council, announce the decision of the Council on all subjects, and decide all questions of order. Any decision or ruling of the Mayor may be appealed to the Council as a whole by request of any member. The Mayor shall call for roll call to see if the chair shall be upheld; if the roll call loses, the Mayor is reversed.

SECTION V. ROLL CALL:

Before proceeding with the business of the Council, the City Recorder shall call the roll of the members, and the names of those present shall be entered in the minutes.

SECTION VI. QUORUM:

A quorum shall consist of a majority of the members of Council; however, excepting those actions where the minimum number of affirmative votes is specifically set forth in ORS or by City Charter, no action of the Council shall be valid or binding unless adopted by the affirmative vote of three or more members of the Council.

SECTION VII. ORDER OF BUSINESS (regular meetings):

The Mayor on the Mayor's own initiative, or the Council by majority vote, may consider items out of sequence from the printed agenda.

The consent calendar matters are routine and may be adopted by one motion. There will be no discussion of separate items, unless members of the City Council, staff, or the public requests that a specific item be discussed or removed from the consent calendar for individual consideration.

Procedures for public hearings are discussed in Section XIV.

Procedures for submitting petitions are discussed in Section XV.

If the City Council wishes to adjourn to a later time, the Council must pass a motion specifying the date and time to which the regular meeting is being adjourned. A motion to adjourn shall always be in order except during roll call. When a motion is made and seconded to adjourn, any member of the Council may state why it is improper for the Council to adjourn. That statement, however, shall not be debatable and shall not take more than two minutes.

SECTION VIII. PROCEDURES FOR DEBATE:

On those issues requiring debate, the presiding officer shall state the issue before the Council. Unless Council by consensus determines no report is necessary, staff shall have an opportunity to report on the issue and will respond to Council questions. Council members shall be allotted time to present their positions and concerns. Interested members of the community shall also have an opportunity to express their positions on any issue coming before the Council. Council may limit the amount of time allotted for discussion. A motion and second on the issue will be allowed after all interested parties have had an initial opportunity to express their views. Discussion can continue after the motion is made; however, after a motion is on the floor, except for questions from the Council, discussion shall be restricted to Council Members.

SECTION IX. RULES OF DEBATE:

Presiding Officer may debate and vote:

While the primary role of the presiding officer is to preserve order, facilitate deliberations, and enforce the rules of the Council, the Mayor or member of the Council who is presiding may debate from the chair, subject only to such limitations of debate as are imposed on all members. The presiding officer's authority to vote is limited to breaking a tie vote of the Council.

Getting the floor -- improper references to be avoided:

Every member desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine him or herself to the question under debate, avoiding all personalities and indecorous language.

Interruptions:

A member, once recognized, shall not be interrupted when speaking unless it is to call the member to order. If a member, while speaking, is called to order, the member shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.

Personal privilege:

The right of a Council Member to address the Council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are questioned, or where the welfare of the Council is concerned. A Council Member may interrupt another speaker if the Mayor recognizes the "privilege."

Privilege of closing debate:

Council Member moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

SECTION X. ADDRESSING THE COUNCIL:

Any person wishing to address the Council shall first secure permission of the presiding officer to do so. The Council may limit the length of time that a person is permitted to address the Council.

a) **Written communications:**

Interested parties or their authorized representatives may address the Council by written communications in regard to matters under discussion.

b) **Oral communications:**

During the proper time on the agenda, citizens attending a regular meeting may address the Council on any matter concerning the City's business, or any matter over which the Council has control. Each person addressing the Council shall read his or her name and permanent address into the public record. Oral presentations shall not be repetitious and shall be confined to three minutes maximum duration.

c) **After motion made:**

No person shall address the Council after a motion is made without first securing the permission of the Council to do so.

SECTION XI. DECORUM:

By Council Members:

While the Council is in session, the members must preserve order and decorum. A member shall neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking, or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.

By Persons:

Any person making slanderous or defamatory remarks while addressing the Council, or who causes or creates a disturbance that disrupts the order of business before the Council, and who fails, upon request of the presiding officer to cease such activity, shall be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council.

SECTION XII. ENFORCEMENT OF DECORUM:

The City Manager shall appoint sergeant at arms at the Council meetings. The City Manager or the City Manager's designee(s) shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant at arms to remove any person who causes or creates a disturbance that disrupts the order of business before the Council, and who fails, upon request of the presiding officer to cease such activity.

SECTION XIII. VOTING:

a.) Type of Vote:

Ordinances, resolutions and actions involving the expenditure of City funds shall be by roll call. Other items or actions may be by voice vote unless a roll call vote is requested by a member of the Council.

b.) Precedence of motions:

When a motion is before the Council, no motion shall be entertained except (1) to limit comment (2) to adjourn, (3) to fix hour of adjournment, (4) to lay on the table, (5) to call for the previous question, (6) to continue to a certain day, (7) to refer, (8) to amend, (9) to postpone indefinitely, or (10) to divide the question. These motions shall have precedence in the order indicated.

c.) Amendments:

No more than one amendment to an amendment is permitted. When an amendment is before the Council, the Council shall vote first on the amendment. After the amendment has passed or failed, the Council shall vote on the main motion.

d.) Motion to adjourn:

If the City Council wishes to adjourn to a later time, the Council must pass a motion specifying the date and time to which the regular meeting is being adjourned. A motion to adjourn shall always be in order except during roll call. When a motion is made and seconded to adjourn,

any member of the Council may state why it is improper for the Council to adjourn. That statement, however, shall not be debatable and shall not take more than two minutes.

e.) Motion to table:

The purpose of this motion is to temporarily bypass the subject. A motion to lay on the table is not debatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be "taken from the table" at any time prior to the end of the next regular meeting. A matter taken from the table cannot be acted upon if it does not appear on the published agenda.

f.) Motion to continue:

The purpose of this motion is to delay consideration of a subject until a future time. A motion to continue shall include the specific date when the subject shall again be considered.

g.) Motion for previous question:

The purpose of this motion is to close debate on the main motion. It is not debatable, and no further discussion shall be permitted until the motion is acted upon. If the motion fails, debate is reopened; if motion passes, then the Council shall vote on the main motion.

h.) Division of question:

If the question contains two or more divisible propositions, the Mayor may, or upon successful motion of the Council shall, divide the same.

i.) Withdrawal of motion:

When a motion is made and seconded, it shall be so stated by the Chair before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.

j.) Conflict of interest:

Council Members shall abide by the provisions of ORS 244.010. When a Council Member determines he or she has a conflict of interest, the member shall announce such conflict and refrain from discussing or voting upon the matter.

k.) Ex parte contacts:

Council Members shall abide by the provisions of ORS 227.180 regarding pre-hearing or ex parte contacts.

l.) Council Member required to vote:

Council Members are required to vote on all issues placed before them unless excused under provisions of subsection (j), above.

m.) Recording votes; tie votes:

The journal of the proceedings of the Council shall record each individual Council Member's vote on all ordinances, resolutions, and franchises. In the case of a tie in votes on any motion,

the Mayor shall cast the deciding vote.

n.) Motion to reconsider:

A motion to reconsider any action taken by the Council may be made only during the meeting the action was taken, or if the meeting is adjourned at the adjourned meeting, or at the next regularly scheduled meeting following the meeting when the action was taken. A motion to reconsider must be made by a member of the prevailing side, but may be seconded by any member. The motion may be made at any time. It shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council, except that no action shall be taken on any subject not included in the published agenda.

SECTION XIV. PROCEDURES FOR DEBATE DURING PUBLIC HEARING:

The following shall be the procedure during public hearings:

- 1.) Presiding officer asks members of the Council to state for the record any instance of ex parte contact that could be pertinent to the public hearing.
- 2.) Staff report, if any, by the appropriate staff members and relevant questions by Council Members limited to approximately five (5) minutes with the right of any other member to yield all or a portion of such member's time.
- 3.) Presiding officer opens the public hearing,
- 4.) Brief opening statement by the proponent initiator explaining and advocating the item (of approximately five [5] minutes, or such time as is stipulated by the presiding officer).
- 5.) Testimony by members of the public who support the item the time limit for such testimony to be determined by the Council as reasonably necessary to elicit testimony concerning the matter under consideration.
- 6.) Testimony by members of the public who oppose the item, the time limit for such testimony to be determined by the Council as reasonably necessary to elicit testimony concerning the matter under consideration.
- 7.) Written communications filed with the City Recorder read into the record.
- 8.) Presiding officer closes the public hearing.
- 9.) Discussion by Council Members: The order of recognition of Council Members desiring to speak shall be determined by the presiding officer. Each Council Member shall be allowed at least one opportunity to speak. The Council Member shall limit his or her comments to a reasonable period of time. Any comments of a member in excess of five minutes may be limited by a motion to limit comment and immediate majority vote of the members present.
- 10.) Brief closing statement by the proponent initiator (limited to approximately five (5) minutes).
- 11.) Motion and second.

SECTION XV. PETITIONS:

Any citizen may appear before the Council at any regular meeting and present a written petition. The petition shall be acted upon by the Council, in the regular course of business, within thirty days. Petitions, remonstrances, communications, and comments or suggestions from citizens present shall be heard by the Council. All such remarks shall be addressed to the Council as a whole, and not to any member thereof. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. No

question shall be asked of a Council Member except through the presiding officer. Absent an emergency, the Council shall neither deliberate toward a decision, nor vote on any matter not included on the printed agenda.

SECTION XVI. SPECIAL COMMITTEES:

When the Council determines that a board, commission, task force, or citizen committee is needed, the following procedure shall be used:

- 1.) The party proposing the creation of the board, commission, task force, or citizen committee will prepare the appropriate Council action (either an ordinance or a resolution) defining the purpose, duties and objectives of the committee and whether it is to be an ad hoc or continuing committee. If proposed as an ad hoc committee, the Council action shall specify when the committee's work is to begin and to conclude.
- 2.) That ordinance (or resolution) will be submitted to the City Manager for placement on an agenda for Council discussion.
- 3.) The Council shall approve, modify, or reject the ordinance (or resolution).
- 4.) Once a board, commission, task force, or citizens committee is approved, the City Recorder shall publish notice soliciting interested and qualified volunteers to file application for appointment.
- 5.) The Council shall review all applications and announce its selections and appointments at a regular meeting. Alternatively, the Council may choose to interview applicants.
- 6.) Terms of appointment to any board, commission, task force, or citizen committee shall not exceed five years. Council may by ordinance establish a limitation on the number of terms appointees may serve. All permanent boards and commissions including advisory and appeal boards shall be created by ordinance which ordinance shall set forth the policies and duties delegated to such boards and commissions. Temporary and ad hoc committees and task forces shall be created by resolution, and must include a Sunset Provision.

SECTION XVII. USES OF STAFF:

No Council Member shall request from the City Manager any staff project that entails over two hours of staff work without first seeking approval of the full City Council. This rule pertains only to an individual research request by an individual Council Member.

SECTION XVIII. SUSPENSION OF THE RULES:

These rules may be suspended or amended by majority vote of the Council Members.

SECTION XIX. RULES OF ORDER:

The rules of parliamentary practice, comprised in Robert's Rules of Order, latest edition, shall govern the Council in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Charter of the City of Monmouth.