

## CITY COUNCIL PROCEDURES

### SECTION 1. MEETINGS

Three types of meetings are recognized:

A. Regular Meetings will be held on the second and fourth Tuesday of each month. Meetings will be held at Town Hall in the Council Chambers commencing at 7:30 p.m., unless otherwise posted.

B. Special Meetings are subject to call by the Mayor, City Manager, or three members of the City Council with written notice to the City Secretary. These meetings will be held at Town Hall unless otherwise posted, at a stated time.

*(Note: Section 2.10 of the Charter states that Special Meetings “may be called by the Mayor or four (4) Council members.” As long as this provision is LESS restrictive than the Charter, it is not in conflict. For example, this provision may not be amended to require five (5) members to call a Special meeting.)*

C. Work Session Meetings are subject to call by the Mayor, City Manager, or three members of the City Council with written notice to the City Secretary. The time, place, and purpose will be stated in each instance. Ordinarily, no official Council action will be taken at a work session meeting.

### SECTIONS 2. AGENDAS

The following procedures relate to the agenda for meetings of the Council.

A. The Mayor, working with the City Manager, will determine what items of business should come before the Council. If, at a meeting of the Council, a member of the Council (i.e., the Mayor and each Council member) or the public inquires about a subject for which notice has not been given as required by law, only the following may be provided unless otherwise allowed by law: (1) a statement of specific factual information given in response to the inquiry, or (2) a recitation of existing policy in response to the inquiry. Unless otherwise allowed by law, any deliberation of or decision about the subject of such inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

B. Any Council member may ask the Mayor to place an item on the agenda for discussion.

C. An item will be placed on the agenda at the request of two or more Council members. The Council members requesting the agenda item may present or participate in the presentation of the item at the meeting. Any Town staff assistance should be requested through the City Manager’s Office. Such agenda items must reach the City Secretary’s office at Town Hall by 1:00 p.m., Tuesday, of the week preceding the meeting for which the request is made.

D. Any member of the Town staff wishing to have an item placed on the agenda shall submit that item to the City Manager's Office for approval. The City Manager may establish procedures for submission of routine items without his approval.

E. The agenda packets for all Regular Meetings will be delivered electronically by Town staff to members of the Council no later than the Thursday preceding the meetings.

F. The City Secretary's office is responsible for seeing that notices for all meetings of the Council comply with the Open Meetings Law.

### SECTION 3. COUNCIL MEETING PROCEDURES

The Council will use the following procedures as a general guide for parliamentary procedure, and may consult Robert's Rules of Order as a guide in instances not addressed by these procedures.

A. The Mayor shall be the presiding officer at all meetings. The Mayor Pro- Tempore shall preside at meetings in the absence of the Mayor, and the Deputy Mayor Pro- Tempore shall preside at meetings in the absence of the Mayor and Mayor Pro-Tempore.

B. The Mayor shall have a voice in all matters before the Council and may vote on all matters.

C. When an item is presented to the Council, the Mayor (or presiding officer) shall recognize the appropriate individual to present presenter(s) and the item order of presentation. During City Council discussion of an item, the Mayor shall recognize members of the Council who desire to ask questions or speak on an item. When two or more members are presenting desire to speak on an item, the Mayor shall choose which member is to speak first. Each member of the Council, including the Mayor, will be given an opportunity to ask questions following presentation of an agenda item. Each member will be given an initial 10 minutes for questions until all members have had an opportunity to ask questions. Then, members shall be given the opportunity to ask additional questions in the same manner until no member has additional questions. During discussion of an item, each member will be given an initial 10 minutes to speak until all members have had an opportunity to ask questions. Following the initial round of discussion, the Mayor (or presiding officer) shall recognize a member desiring to make a motion. If a motion is made and seconded, the discussion of the motion shall follow the procedure outlined above. If no motion is made, the discussion will continue in the same manner outlined above. There shall be no limit on the number of times the Mayor or a member may speak. The procedure described herein is intended to give each member a timely opportunity to speak and to avoid one member monopolizing the floor for an extended period of time before others have an opportunity to speak.

D. The Mayor (or presiding officer) shall preserve order and shall require Council members engaged in debate to limit discussion to the question under consideration.

E. The Mayor (or presiding officer) will give all members of the Council a full

opportunity to speak on an item.

F. Should a conflict arise between Council members, the Mayor (or presiding officer) shall serve as the mediator. If the Mayor or presiding officer is a part of the conflict, the Council shall determine the procedure to conclude the matter.

~~G. The Mayor shall be recognized as head of the Town government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative duties. If the Mayor is absent, the Mayor Pro Tempore, and in the absence of the Mayor Pro Tempore the Deputy Mayor Pro Tempore, shall be so recognized.~~

~~H.G.~~ Members of the Council shall confine their remarks to the item under consideration and shall avoid references to personality, integrity, or motives of any other members of the Council or Town staff ~~members~~.

~~H.H.~~ Any Council member may ask the Mayor (or presiding officer) to enforce the procedures established by the Council. Should the Mayor (or presiding officer) fail to do so, a majority of the Council may direct him/her to enforce the procedures.

I. All personal communication devices should be placed in a silent mode during any City Council meetings. Personal communication devices shall not be used for communicating or conducting Town-related business during any City Council meetings. Town-provided iPads may be used to access agenda items but shall not be used to access social media or research items being discussed during the meeting. If an emergency arises, the Mayor or Council member shall excuse themselves from the dais or meeting room to engage in that communication.

#### SECTION 4. CODE OF CONDUCT FOR MAYOR AND COUNCIL MEMBERS

J. During Council meetings, Members of the Council shall preserve order and decorum, shall not interrupt or delay proceedings, and shall not refuse to obey the orders of the Mayor (or presiding officer) or the rules of the Council. Members of the Council shall demonstrate respect and courtesy to each other, Town staff ~~members~~, and citizens appearing before the Council. Members of the Council shall refrain from rude and derogatory remarks.

K. The Mayor and Council members should comply with the Town's Code of Ethics (included in Chapter 2, Article III, Division 2 of the Town's Code of Ordinances and attached hereto as Appendix A) and with all conflict of interest laws.

L. In accordance with the Town's Code of Ethics and with applicable law, the Mayor and Council members shall abstain from participating in or voting on items in which they have a conflict of interest as set forth in the Code of Ethics or applicable law. If the Mayor or a Council member has such a conflict of interest, he or she shall file a "Conflict of Interest Affidavit" with the City Secretary's office. Upon introduction of the agenda item in which the Mayor or Council member has a conflict of interest, the Mayor or Council

member should announce that he or she has a conflict of interest, and must refrain from participation in or voting on the agenda item, ~~but~~and shall ~~not~~ be required to leave the meeting room.

M. The Mayor and Council members are encouraged to conduct themselves above reproach. In the event that the Mayor or a Council member determines that it is necessary to abstain from participating in a matter to avoid a perceived conflict of interest or to avoid the appearance of impropriety, as soon as the Mayor or Council member makes such a determination, the Mayor or Council member shall declare the nature of the matter causing the abstention, abstain from participation in the matter and leave the meeting room.

N. The Mayor shall be recognized as head of the Town government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative duties. If the Mayor is absent, the Mayor Pro-Tempore, and in the absence of the Mayor and Mayor Pro-Tempore the Deputy Mayor Pro-Tempore, shall be so recognized.

## SECTION 5. CITIZEN PARTICIPATION AT MEETINGS

A. The Council is, in certain instances (e.g., changes in zoning), required to hold public hearings. If an item is identified on the agenda of a Council meeting as a public hearing, persons attending the Council meeting will be given the opportunity to speak regarding the item after being recognized by the Mayor (or presiding officer). The Mayor (or presiding officer) may set time limits on persons who speak at a public hearing.

B. Except as set forth in paragraph A of this Section, as a general rule, persons attending a meeting of the Council may not participate in the discussions of the Council.

## SECTION 6. COUNCIL AND STAFF RELATIONS

A. Members of the Council should attempt to ask questions to the City Manager about the Council agenda packet issued for a Council meeting prior to the meeting. This will allow the Town staff time to respond to the Council member's questions and, if necessary, to provide additional information to all members of the Council.

B. The City Manager shall designate the appropriate Town staff member to address each agenda item and shall see that each presentation informs the Council on the issues which require Council action. The presentations should be professional and timely, and should list options available for resolving any issue.

C. The City Manager is directly responsible for providing information to all members of the Council concerning any inquiries by a specific member of the Council. Should the City Manager find his or his staff's time being dominated by a single member, he should inform the Mayor of the concern.

D. If the Mayor or a Council member seeks a written legal opinion from the City Attorney, the City Attorney's legal opinion shall be provided to all members of the Council.

~~D.E.~~ Any conflicts between the staff and the Council, the Mayor will ~~be addressed by the Mayor and~~ speak with the City Manager ~~regarding the conflict but will not address the conflict directly with any staff member.~~ The City Manager will then address the matter with the appropriate staff member(s).

~~E.F.~~ The City Manager is responsible for the professional and ethical behavior of ~~himself~~ themselves and ~~his~~ their staff. He is also responsible for seeing that his staff remains educated and informed on the issues facing municipal government.

~~F.G.~~ All members of the Council and Town staff members shall show respect and courtesy to each other and citizens at all times.

~~G.H.~~ The City Manager is responsible for seeing that all newly ~~(first time)~~ elected members of the Council are provided with a thorough orientation on Town staff procedures, municipal facilities, and other information of interest to municipal officials. All members of the Council are invited to attend the orientation.

## SECTION 7. COUNCIL AND MEDIA RELATIONS

A. Agenda packets shall be provided upon request to all interested news media in advance of the Council meetings.

B. Responses to media inquiries concerning Town matters will be made as determined by the Mayor (or Mayor Pro-Tempore in the absence of the Mayor, or in the absence of the Mayor and the Mayor Pro-Tempore, the Deputy Mayor Pro-Tempore) and the City Manager.