

**CITY OF WALDPORT**

**COUNCIL**

**RULES**

**REVISED 01/08/15**

# **WALDPOR CITY COUNCIL**

## **COUNCIL RULES**

### **1. AUTHORITY**

**1.1 WALDPOR CITY CHARTER:** The Waldport City Charter provides that the Council may determine its own rules of procedures for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time they are amended or new rules are adopted in the manner provided by these rules. When applicable, these rules apply to any committee of the Council.

### **2. GENERAL RULES**

**2.1 MEETINGS TO BE PUBLIC:** All official meetings of the Council shall be open to the public with exception of the executive session for certain limited topics, as defined in Section 3.5. The Journal of Proceedings shall be maintained by the City Recorder and shall be open to public inspection.

**2.2 QUORUM:** Four members of council shall be in attendance to constitute a quorum. If a quorum is not present, those in attendance will be named and they shall adjourn.

**2.3 ORDINANCES:** No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which subject shall be clearly stated in the title.

**2.4 RULES OF FLOOR:** Any member desiring to speak shall be recognized by the Chair and shall confine their remarks to one subject under consideration or to be considered.

2.5 RULES OF ORDER: Whenever the rulings of the Chair are challenged by a councilor, Robert's Rules of Order, newly revised, shall govern the proceedings of the Council, unless such rules are in conflict with these rules.

2.6 CITY MANAGER (CM): Unless excused, the CM or designee shall attend all meetings of the Council. The CM shall keep the Council fully advised as to the financial condition and needs of the City. The CM may make recommendations to the Council and may take part in discussion on all matters concerning the welfare of the City; provided, however, that the CM shall not, unless requested by a councilor, participate in deliberations on any motion.

2.7 CITY ATTORNEY: The City Attorney shall, at the request of the Council and/or CM, attend meetings of the Council. The Council may, at any time during a regular or special meeting of the Council, call upon the City Attorney for an oral or written opinion to decide any question of the law.

2.8 OFFICERS AND EMPLOYEES: Department Heads of the City shall attend council or committee meetings when requested by a councilor or a member of the committee.

2.9 COUNCIL MEMBER ABSENCE: When the Mayor or a Councilor must be absent from the City for more than 30 days, or from a regular meeting, s/he shall notify either the Mayor or another Councilor or the City Manager of the intended absence. The notification shall then be announced at the beginning of the meeting.

### 3. TYPES OF MEETINGS

3.1 REGULAR COUNCIL MEETING: The Council's regular meeting shall be scheduled by resolution of the Council. The time of these meetings will be 2:00 p.m. When the Council meeting falls on a holiday, the regular meeting date shall be set at the meeting prior to that date. The meeting place shall be the commonly used Council Chambers and all regular and special meetings shall be public.

3.2 SPECIAL MEETINGS: Special meetings may be called by two or more members of the Council. The CM shall prepare a notice of special sessions, stating time, place and subject. It shall also be the duty of the CM to make diligent effort to notify each member of the Council in person, by telephone or otherwise, of such special session. Notice of such special session shall be properly publicized by news media as specified by the law. Only matters set forth in the notice of the meeting shall be discussed at such meeting.

3.3 ADJOURNED SESSIONS: Any session of the Council may be continued or adjourned, but for no period longer than until the next regularly or special scheduled meeting thereafter.

3.4 WORKSHOPS: The Council may meet informally in workshop session (open to the public) at the call of any two or more members of the Council.

3.5 EXECUTIVE SESSIONS: Executive Sessions shall be held in accordance with the provisions of Oregon State Public Meeting Laws.

3.6 ATTENDANCE OF MEDIA AT COUNCIL MEETINGS: Other than during executive sessions, meetings of the City Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

#### 4. CHAIR AND DUTIES

4.1 CHAIR: The Mayor, if present, shall preside as the Chair at all meetings of the Council. In the absence of the Mayor, the Council President shall preside. In the absence of both the Mayor and Council President, the Council shall select a temporary presiding officer.

4.2 CALL TO ORDER: The meeting of the Council shall be called to order by the Mayor, or in his/her absence, by the Council President. In the absence of both the Mayor and Council President the meeting shall be called to order by the CM or designee for the selection of the temporary chair. Roll call shall then be called by the CM or designee, who shall enter in the minutes of the meeting the names of the members present.

4.3 PRESERVATION OF ORDER: The Mayor or other presiding officer shall call the meeting to order; announce the order of business as provided in the agenda; state motions, put them to a vote and announce the result of the vote; prevent irrelevant or frivolous debate or discussion; maintain order and decorum; and otherwise enforce the Council's rules and appropriate parliamentary procedures.

4.4 POINTS OF ORDER: The Chair shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chair be sustained?"

4.5 QUESTIONS TO BE STATED: The Chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member, in the manner provided in Section 6.5 of these rules.

4.6 PRESIDING OFFICER - POWERS: The presiding officer may move, second, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members.

4.7 VOTING: All official actions of the Council shall be taken by public vote and the vote of each member shall be recorded, pursuant to ORS 192.650(1)(c) -- Public Meetings Law. Secret ballots are prohibited.

## 5. ORDER OF BUSINESS AND AGENDA

5.1 Order of Business: The business of all regular meetings of the Council will be determined by the City Council and shall be transacted in the following order, unless the

Council by a majority vote of the members present, suspends the rules and changes the order:

Roll Call

Minutes

Citizen Comments and Concerns

Public Hearings (Including any related Ordinances or Resolutions)

Discussion/Action Items

Council Comments and Concerns

Staff Reports

Consent Calendar

Good of the Order

Adjournment

5.2 The order of business of each regular meeting shall be as contained in the agenda prepared by the CM. The agenda shall be a listing by topic of subjects to be considered by the Council and shall be made available to the members of the Council by the Friday preceding the regular council meeting and at least 24 hours in advance of a special meeting. Items to be placed in the agenda must be in the office of the CM by 1:00 p.m. on the Thursday (7 days) preceding the meeting. Discussion/Action agenda items shall be accompanied by a cover sheet with the title of the agenda item, a summary of the item, any staff recommendations and the action that is requested of the Council for the item.

5.3 CONSENT CALENDAR: The Consent Calendar may contain items which are of a routine and non-controversial nature which may include, but are not limited to the following: communications, memos and reports for information of council, agreement petitions, minutes of commissions and boards, applications, approval of accounts which may be accepted by consent of the Council by a single vote without reading, unless a member of the Council should request such reading and such request shall be granted. Minutes of the preceding meeting, and bills tendered for payment shall not be read in

detail at each meeting prior to approval. Any item of the consent agenda may be removed and considered separately as an agenda item at the request of any council member.

5.4 FINANCIAL REPORT: Financial reports will be presented by the CM and will specifically include, but not be limited to include: all bills for routine outside contract services; i.e. attorney, engineering, insuring and accounting, and, in addition, any current special contractual services. Financial reports will be included in the Consent Calendar.

5.5 CITIZEN'S OR COUNCIL CONCERNS: Items brought to the Council under "citizen's or council concerns" will not become agenda or discussion items when presented. Unless the Council by vote deems an emergency to exist, items shall be referred to the appropriate committee or placed on the next agenda.

## 6. ORDINANCES, RESOLUTIONS, AND MOTIONS

6.1 FORM: Ordinances and resolutions shall be presented to the Council only in typewritten form.

6.2 FUNDING: All ordinances and resolutions authorizing any expenditure of money shall include the exact source of the funds to be expended.

6.3 ORDINANCES/RESOLUTIONS INTRODUCTION: All proposed ordinances and resolutions shall be prepared by the CM or City Attorney. All ordinances prepared by the CM will be reviewed by the Attorney.

6.4 RECORDING OF VOTES: The ayes and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the Council. When any vote is called, each council member shall respond "yes" or "no" or "abstain". Any

council member who responds "abstain" shall state their reason for abstention, being limited to a possible conflict of interest and the abstention shall be accepted or rejected by the Council.

6.5 RESOLUTION: Any reading may be by title only or any council member present may request reading in full.

6.6 REQUESTS FOR LEGAL OPINIONS: Any member of the City Council may request a legal opinion, relating to City business from the City Attorney. These requests should be made after exhausting other sources; i.e. Committee Heads, Department Heads and should be made if possible through the CM and at the regularly scheduled Council meeting.

## 7. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

### 7.1 STANDING COMMITTEES:

A. Committees and their membership will be reviewed and membership established by the Council at the first meeting of odd-numbered years. Members of the Council will indicate committee preference in order of priority.

B. Chairs of committees will be determined by the committees at their first meeting.

C. If during the two (2) year term of the committee, the committee as a whole determines a restructuring is necessary, the issue will be determined internally, and if consensus cannot be reached, the issue may be referred to full council for resolution.

## 7.2 CITIZENS COMMITTEES, BOARDS AND COMMISSIONS:

A. The Council may create committees, boards and commissions to assist City government with such duties as the Council shall specify.

B. Depending on its function, members of any board shall be:

1. Only residents of Waldport, or
2. A majority of residents of Waldport.

Selection will be determined by the Council. Any committee, board or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council.

7.3 REMOVAL OF MEMBERS OF BOARDS AND COMMISSIONS: The Council may remove any member of any board or commission which it has created by a vote of a majority of the Council present and voting.

## 8. CITIZEN'S RIGHTS

8.1 MANNER OF ADDRESSING THE COUNCIL - TIME LIMITS: Each person addressing the Council shall step up to the microphone, or designated area of the meeting room, will give his/her name and general area of residence in an audible tone of voice for the record. Unless further time is granted by the presiding officer with concurrence of the Council, comments should be limited to five minutes. All remarks shall be addressed from the podium to the Council as a body. Questions should be asked of the Council members through the presiding officer. The Council may then

determine the disposition of the issue, (placed on present agenda if an emergency exists, workshop, other agendas, or do not consider).

**8.2 PERSONAL AND SLANDEROUS REMARKS:** Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Council, may be requested to leave the meeting and may forthwith, by the presiding officer, be barred from further audience before the Council during that council meeting.

**8.3 READING OF PROTESTS:** Interested persons, or their authorized representatives may address the Council for the reading of protests, petitions or communications relating to any matter over which the Council has control, when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

**8.4 CITIZEN COMPLAINTS OF CM:** Citizen complaints concerning the CM must be submitted in writing, signed, to the Mayor. The Council shall be fully informed of the complaint.

**8.5 CITIZEN COMPLAINTS AGAINST DEPARTMENT HEADS:** Citizen complaints concerning department heads of the City must be submitted in writing, signed, to the CM. The Council shall be fully informed of the complaint, and any action taken.

**8.6 CITIZEN COMPLAINTS AGAINST CITY EMPLOYEES:** Complaints will be submitted in writing, signed, to the CM and handled in accordance with the established personnel policy.

**8.7 WRITTEN COMMUNICATION:** In lieu of attendance at public meetings, interested parties, or their authorized representatives may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at the time by direct mail or by addressing the CM and copies will be distributed to the Council members.

## 9. SUSPENSIONS AND AMENDMENT OF THESE RULES

9.1 SUSPENSION OF THESE RULES: Any provision of these rules not governed by the Waldport City Charter may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.

9.2 AMENDMENTS OF THESE RULES: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at the prior council meeting.