



# Special Committee - Rules of Order City Council

Regular Meeting

<http://www.cityofmelrose.org>

~ Minutes ~

Kristin Foote  
781-979-4100

---

Wednesday, November 11, 2020

6:00 PM

Remote

---

## I. Call to Order

The Rules of Order Advisory Committee is called to order by Chair MacMaster.

Attendee Name	Title	Status	Arrived
Shawn M. MacMaster	Chair	Present	
Jack Eccles	Vice Chair	Present	
Jeff McNaught	Voting	Present	
Mark Garipay	Voting	Present	
Robb Stewart	Voting	Present	6:16 PM
Jen Grigoraitis	President, ex officio	Absent	

### **Remote Meeting Information**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Rules of Order Special Committee will be conducted via remote participation to the greatest extent possible. We will post and audio or video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting.

## II. Public Comment

**Motion To:** open public comment

COMMENTS - Current Meeting:

Motion: Open Public Comment

By: Councilor Eccles, Second: Councilor Garipay - motion carried.

No one comes forward.

Motion: Close Public Comment

By: Councilor McNaught, Second: Councilor Garipay - motion carried.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Jack Eccles, Vice Chair
<b>SECONDER:</b>	Mark Garipay, Voting
<b>AYES:</b>	MacMaster, Eccles, McNaught, Garipay, Stewart

### III. Scope of Work

This special committee formed under the authorization of President Grigoraitis in accordance with Rule 53 of the City Council Rules of Order. The five members were appointed and charged with reviewing these rules as adopted in January of 2020. Notes for the record that said rules have not been amended since 2017 and it is unclear when, if ever, the rules have ever been reviewed in their entirety by a previous council or committee.

### IV. Process and Procedures

Chair MacMaster explains that Rule 50 states the governance of City Council meetings shall follow Roberts Rules of Order (newly revised) which waives standard parliamentary procedure in accordance with Roberts' Rule 49:21. This provides grounds for, and offers an explanation of, why meetings of the special committee may operate differently than a standing committee of the City Council. The rule essentially recognizes that the formality required by the full council or a standing committee would unduly hinder business of a small committee charged with temporary tasks.

Under 49:21, he continues, each rule will be read; preliminary thoughts provided and then the floor will be opened for comment. Unless it becomes necessary, there is no need to be recognized by the Chair to speak and informal discussion is permitted when no motion is pending. Decorous behavior, as befits the office, is assumed. There is no limit on the number of times a member may speak however the Chair reserves the right to facilitate the discussion as needed. Additionally a motion need not be seconded under the rule above in order to be entertained.

### V. Review of the Rules

Chair MacMaster asks that offers of new rules be held until the existing ones are reviewed; he will attempt to revise identified rules based on member discussion. Reads the current version of each rule and clarifies to members the version will again be reviewed to ensure it captures the essence of committee discussion. Additionally, he will entertain a motion to recommend any rule changes or new rules provided by this body. Offers his thoughts/input for each rule. Committee members dissect, edit and opine on various rule components.

At a later date, revisions and new rules by the special committee will be referred to the Legal and Legislative standing committee who will then make recommendations to the full council. The committee reviews rules 1-Rule 13.

*PROCEDURAL NOTE:* Councilor McNaught offers praise for the Veteran's Day event taking place earlier at the Knoll memorial complex. A new Vietnam veteran era reflection area was added (Veteran's Day advisory board - Colonel Driscoll & Lt. Colonel Burke instrumental) of a flag draped as pavers located on the south side overlooking Ell pond.

### **Rules of Order of the Melrose City Council**

#### **RULES OF ORDER OF THE MELROSE CITY COUNCIL**

##### **As Adopted JANUARY 2020**

**Rule 1** Regular Meetings of the City Council shall be held on the first and third Mondays of each month at 7:45 p.m., except (1) during July and August when there shall be one meeting each month on the third Monday; (2) when an election is to be held the following day the meeting shall be held on the following Monday; and (3) when said Monday falls on a holiday, the meeting shall be held on the Tuesday following such holiday.

#### **QUORUM**

**Rule 2** A majority of the Council shall constitute a quorum, but a less number may adjourn from day to day.

#### **PRESIDENT**

**Rule 3** The President shall take the chair at the hour to which the Council stands adjourned, call the members to order and, on the appearance of a quorum; proceed to business.

**Rule 4** In the absence of the President, the senior member in length of service shall call the Council to order and preside until a President pro tempore is chosen, which shall be by ballot unless a roll call is requested by not less than three members, and a plurality of votes shall elect. In case two or more members have the same seniority, lots shall be drawn before the meeting to determine who shall call the Council to order.

**Rule 5** The President shall preserve decorum and order; may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal by the Council. The President shall declare all votes and may vote in all cases.

**Rule 6** The President may call any member to the chair, but such substitution shall not continue longer than one meeting. The President may express an opinion on any subject under debate; but in such case he/she must leave the chair, appointing some other member to preside, and shall not resume the chair while the question is pending; provided the same is taken before adjournment. The President may state facts and give an opinion on questions of order *without* leaving the chair.

**Rule 7** It shall be the duty of the President or his/her designee to examine and

approve the records of each meeting. It shall, likewise, be the duty of the President or the President pro tempore to sign all legislative matters which have been passed at any meeting.

**CITY CLERK AND ASSISTANT CITY CLERK**

**Rule 8** The City Clerk or Assistant City Clerk shall keep a record of the proceedings of the City Council which shall, at the meeting of said Council be subject to correction. The City Clerk shall note upon legislative papers the action taken by the Council relating to said papers and shall, for the time being, have charge of such papers. The City Clerk shall perform such duties in connection with the transaction of business during the sessions of the City Council as the President may deem best for expediting the business of said Council.

Whenever a petition is filed as provided by *Section 22 of Chapter 166* of the General Laws seeking a permit for an original location for wires, poles, piers, abutments or conduits to be used for the transmission of electricity, the City Clerk shall forthwith, upon receipt of such petition, send notice, in the manner required by said Section, of a public hearing to be held thereon at the next meeting of the City Council occurring *not less than seven (7) days* following such receipt. The City Clerk shall also send notice of such hearing to the Inspector of Wires.

The City Clerk shall prepare a calendar containing all reports of committees to be presented at any regular or special meeting of the Council, which calendar shall include a statement of any orders with respect to which notice of a motion to reconsider may have been filed, of all orders which have been laid upon the table or postponed to a day certain, of all hearings which may have been ordered, and of all matters of unfinished business; and such calendar shall be mailed or delivered to each member of the Council at least forty-eight (48) hours prior to said meeting.

After receipt by the City Clerk of all communications and papers referred to in *Rule 32*, he/she shall prepare a calendar of new business for such meeting, which shall be distributed to the members of the Council as seasonably as may be before the hour at which such meeting is called.

Agendas for all committee meetings and Orders of the Day for full Council meetings shall be posted forty-eight (48) hours before that meeting is called to order excluding Saturdays, Sundays and holidays. Notice of emergency meetings must be posted as soon as reasonably possible prior to the meeting. Notices must be posted in a manner that is accessible to disabled persons to the extent required by federal and state law. In addition, the IT Department shall post all agendas on the city website. All agendas shall be posted in the same location as meeting notices.

Any member who wishes to remove an Order from committee for consideration

by the full Council shall notify the City Clerk on or before the deadline specified in *Rule 32*, and the City Clerk shall place the Order on the Orders of the Day for the next regularly scheduled Council meeting. Should five or more members object to the taking of an Order from committee that appears on the Orders of the Day of the full Council, the Order shall be referred back to committee.

Shall a committee fail to issue a report on an Order within forty-five (45) days after the Order is referred to that committee, the Clerk of Committees shall notify the City Clerk of said order and the City Clerk shall place said Order on the Orders of the Day for the next regularly scheduled Council meeting.

Whenever any order, ordinance or resolution adopted by the Council at any meeting has not been returned by the Mayor within ten (10) days and is thereby in force, as provided by *Section 3.7* of the City Charter, there shall be included in said calendar of new business for the first meeting of the Council next following the expiration of such ten (10) day period a statement as to such order, ordinance or resolution setting forth that the same has become law by limitation.

Following each meeting of the Council the City Clerk shall prepare a bulletin containing a statement of all orders referred to committees, standing or special; said bulletin to be in such form that all matters so referred shall be listed separately under the heading of the respective committees and containing, likewise, a statement of all matters laid upon the table or postponed to a day certain and of any hearings ordered to be held at any subsequent meeting.

Whenever a notice is filed by any member as a motion to reconsider a vote passed by the Council at any meeting, such bulletin for said meeting shall include a statement to that effect with respect to such vote. There shall also be noted upon said bulletin the action taken by the Council on all matters considered at such meeting. Bulletins shall be delivered to the members within forty-eight (48) hours after adjournment of the meeting to which they pertain.

**Rule 9** The Assistant City Clerk, in the absence of the City Clerk, shall perform the duties of the City Clerk.

**Rule 10** When a member speaks he/she shall address the presiding officer and shall confine his/her remarks to the question under debate. Every member while speaking shall at all times avoid personalities; no member in debate shall directly or indirectly impute to another member or to any other members any conduct or motive unworthy or unbecoming a member. No member shall speak or vote out of his/her place without leave of the presiding officer.

**Rule 11** No member shall be interrupted while speaking except by their consent or by a point of order; nor shall there be any conversation among the members while a question is being stated, while a member is speaking or a paper is being

read.

**Rule 12** If a member repeatedly violates any of the rules of the Council or disrupts the orderly procedure of the Council, the presiding officer, after warning the member of such violations, shall call the member to order, and a member so called to order shall lose the right to speak on the pending subject matter but shall not be prevented from voting. A member so called to order shall remain silent until the Council begins consideration of another subject matter or unless the presiding officer returns to the member his/her rights to the floor. No debate shall be permitted on any point of order, except on appeal and on such appeal no member shall be allowed to speak more than once.

**Rule 13** During debates, if objection is made thereto, no member shall speak twice to the same question without leave of the Council, nor more than once if any other member, who has not previously spoken, desires to speak. No member shall occupy more than **five** minutes in total while speaking on any question where debate is unlimited. A person designated by the presiding officer shall keep strict accounting of the time occupied by any member and shall inform the presiding officer when a member's time has expired. Without leave of the Council, any member must thereupon stop speaking until the Council begins consideration of another subject matter.

**Rule 14** No member shall vote on any question or serve on any committee where his/her private interest is immediately distinct from that of the public.

**Rule 15** Every member, except the President, present when a question is put shall vote, unless excused by vote of the Council or excluded by personal interests. No member shall leave without permission of the presiding officer if his/her presence is necessary to make a quorum.

**Rule 16** The reading of any paper, if objected to, shall be decided by the Council.

**Rule 17** No member shall stand up, to the inconvenience of others, while a member is speaking; or pass unnecessarily between the presiding officer and the member speaking; or stand in the area in front of the chair; or stand at the City Clerk's desk while a roll call is in progress.

**Rule 18** The members of the Council shall not leave their places on adjournment until the presiding officer shall have declared the Council adjourned.

**Rule 19** Every member shall take notice of the day and hour to which the Council may stand adjourned.

**Rule 20** The President shall, annually, at the first meeting in January, appoint members to Standing Committees of the City Council, and the President shall be

a member ex- officio of all committees and, when required, may be counted in the making of a quorum at committee meetings. The President shall be entitled to vote as a member of the Appropriations Committee or when he/she is required to make a quorum. All members of the Melrose City Council shall be considered as members of each of the Council's Standing Committees. The President shall name those members of each committee, to include its Chairperson; who are authorized to vote on matters while pending in committee; all other members of each committee are not authorized to vote on such matters while pending in committee. A quorum of the committee shall be determined on the basis of the voting members only. The following Standing Committees are hereby established:

### **COMMITTEES**

Appropriations (11 members) to include the annual Budget and all supplementary budgets, redevelopment authority, federal or state grants and zoning.

Finance (11 members) to include accounts and surety bonds, election matters, print and supplies.

Health, Education and Welfare (11 members) to include public schools, public library and veteran's services.

Legal and Legislative Matters (11 members) to include rules, legislative matters and claims.

Protection and License (11 members) to include the Police and Fire Departments and licenses.

Public Service (11 members) to include Public grounds and buildings.

Public Works (11 members) to include Public Works Department, public transportation, all municipal parking areas and lighting of streets and municipal parking areas, and electric, cable and telephone wires.

**Rule 21** The member first named on any committee shall be its Chairperson and, in the case of his/her resignation, absence or disability, the other members, in the order in which they are named, shall call meetings of the committee and act as Chairperson; and if, for any reason, any committee shall not have assembled within three (3) weeks from the reference to it of any matters, except for the Summer season, the member second in order may call meetings of the committee. It shall be the duty of the Committee on Finance to approve all purchases for the City Council.

- **Rule 21A** Committee Chairs serve at the pleasure of the President, who may at any time remove a Chair and designate a new Chair. Neither the removal of a Chair, nor the appointment of a new Chair shall be subject to the approval of the Council.
- **Rule 21B.** A committee Chair shall take the chair at the scheduled time and shall convene the meeting within thirty (30) minutes thereof. If a quorum is not present within thirty (30) minutes of the time originally scheduled then the Chair shall not commence such meeting and it shall be rescheduled to a later date.
- **Rules 21C.** Whenever one (1) or more committee meetings are

scheduled to commence the same evening as the full Council or other committee meeting(s), each meeting shall commence within thirty (30) minutes of the meeting's respective scheduled meeting time. Where the earlier opened meeting(s) has not adjourned prior to the time by which another meeting must commence, the earlier committee(s) may recess so as to allow the other scheduled committee meeting(s) to open for the purpose of public comment. After public comment the members may vote to recess and reconvene any meeting that was earlier opened and recessed, but not adjourned.

#### **CLERK OF COMMITTEES**

**Rule 22** The Clerk of Committees shall keep proper records of committee meetings in written format, which shall be an official record. Audio/visual records may also be kept. A copy of the written record shall be available to all members of the Council or members of the public. He/She shall prepare all reports of committees for presentation to the City Council subject to the approval of the Chairperson. The Clerk of Committees shall, following the final action of the Committee on Appropriations and the making of its report on the annual budget, or any supplementary budget, prepare a statement with respect to the appropriations recommended for each department when such appropriations include any sums for increase in salaries for employees of such departments, stating in detail the amount of such increases allowed in such appropriations and the period of the budget year allowed by said appropriations.

**Rule 23** Each standing committee shall, in all cases of original reference on a petition or request for legislation, insure that the parties so requesting have proper notice of hearings and ample opportunity to be heard before final action is taken.

**Rule 24** Reports on all matters referred to committees shall be made as early as practicable and shall be signed by the Chairperson, unless otherwise ordered by the committee. Any member may call for the degree of progress reached with respect to any matter referred to a committee. Whenever any committee reports to the City Council and any member dissents from the report, the name of such dissenting member shall be printed on the calendar followed by the word "dissents"; provided a statement is filed, as a minority report, by such dissenting member or members, containing the reasons there for, with the Clerk of Committees, which statement shall accompany the report of the committee and shall be read by the President.

**Rule 25** All committees shall be appointed by the President, unless otherwise provided. Special committees of the Council shall consist of three members, unless otherwise ordered.

**Rule 26** All committees of the Council shall be notified of their meetings by the Clerk of Committees. They shall not sit during sessions of the Council without

special leave.

### **COMMITTEE OF THE WHOLE**

**Rule 27** When the Council determines to go into a committee of the whole, the chairperson shall be appointed by the President.

**Rule 28** The Rules of the Council shall be observed in a committee of the whole, so far as they may be applicable, except the rules limiting debate. A motion to rise, report progress, and ask leave to sit again shall always be first in order and be decided without debate.

### **ORDER OF BUSINESS**

**Rule 29** At every meeting of the Council the order of business shall be as follows:

1. Reading of the minutes -Each Member shall be provided with a copy of the minutes of the full Council twenty-four (24) hours in advance of any vote regarding those minutes. Minutes of each meeting of the full Council shall be given to the IT Department to be posted on the city website within twenty-four (24) hours after the minutes are accepted by the full Council.
2. Public Comment
3. Public Hearings
4. Communication from the Mayor and other city officials
5. Presentation of Legislative Matters
6. New Business
7. Consideration of the orders of the day in which unfinished business of the preceding meeting shall take precedence.

The above order may be changed by a two-thirds (2/3) vote of the members present and, upon motion to change the order of business, no debate shall be allowed.

- **Rule 29A** Each meeting of the City Council or any standing committee of the City Council thereof, shall allow up to **ten (10) minutes** for public comment prior to the reading of "COMMUNICATIONS FROM THE MAYOR AND OTHER CITY OFFICIALS." The members of the public shall limit their remarks to matters on the agenda for the meeting at which they speak and shall be out of order if said speaker addresses other issues not on the agenda. This rule may be suspended by unanimous consent of the members.

**Rule 30** All papers shall be presented by the President or a member in his/her place; and shall be read by the President, Clerk or such other person as the President may request. They shall be acted upon in the order in which they are presented unless the Council shall otherwise direct.

**Rule 31** All appointments made by the Mayor, subject to the confirmation of the City Council, shall, when received by the Council be referred without debate to the proper standing committee and said committee shall report its recommendations thereon within forty-five (45) days or at the next regular meeting.

**PROCEEDINGS WITH RESPECT TO LEGISLATIVE MATTERS**

**Rule 32** Except by unanimous consent, all legislative matters, communications from the Mayor or heads of departments and all papers of whatever description which may require action by the City Council, must be in the hands of the Clerk **no later than noon on Wednesday prior** to each regular meeting. Reports of committees must be filed with the Clerk at the same time. Whenever any bill, order, petition, memorial or remonstrance is introduced by a member of the Council, the name of such member shall be designated thereon and, if the same is referred to any committee, the name of such member shall, in the event of a favorable report, or, if such report is unfavorable and is not adopted by the Council, appear upon any order based thereon which may be enacted by said Council.

**Rule 32A** No order containing a Resolution shall be accepted by the City Clerk and placed upon the agenda for a meeting of the City Council unless a copy of the text of the Resolution is filed with the Order, and the honoree(s), if any, confirm their attendance at the time the resolution is introduced.

**Rule 33** Ordinances of the city and amendments thereto shall be established only by a two-thirds (2/3) vote of all the members of the City Council, to be taken by the yeas and nays. In the case of all other legislative matters, except as otherwise provided in the General Laws, or in the Revised Charter and Ordinances of the City of Melrose, the affirmative vote of a majority of all members of the Council shall be necessary for passage at each debatable legislative stage.

**Rule 34** Subject to the provisions of *Section 2-9(b)* of the City Charter, every legislative matter shall be read once when it is introduced and shall then be referred to its appropriate committee, unless, where appropriate, immediate consideration is asked for, in which event it shall be at once considered, provided no councilor objects; and no motion shall be applied to any such matter when originally introduced until immediate consideration has been granted. It shall be the duty of the President to ask if there is objection before immediate consideration is given any matter.

**Rule 34A** All matters involving the appropriation of moneys in the treasury not otherwise appropriated, the transfer of moneys from one account of the city to another, or otherwise affecting municipal finances, shall be referred to the committee on Finance. The committee shall make its recommendation thereon not later than three (3) weeks from the date of such reference. The provisions of this section shall not apply in the case of matters referred to the Committee on Appropriations.

**Rule 35** Upon the report of a committee recommending the passing of any ordinance, order, or resolution, it shall be read a second time and shall then be in order for a final action unless there is objection on the part of not less than five

(5) Councilors. It shall be the duty of the President to ask if there is objection before consideration. If not less than five (5) Councilors object, it shall be placed in the orders of the day for the next meeting. Appointments of city officials by the Mayor are not included in connection with the aforesaid.

**Rule 36** All matters pertaining to amendments to the Rules of Order of the City Council, Ordinances and legal affairs shall be referred to the committee on Legal and Legislative Matters. When amendments are recommended to the Council, the City Clerk shall forward copies of any proposed changes to all members, and no amendment shall be in order for final passage until each member shall have received such copy.

**Rule 37** When any order has been finally rejected by the Council, no measure embodying substantially the same subject shall be introduced by any committee or member within six (6) months of its previous rejection.

**Rule 37A** Any order not finally acted upon by the Council or the appropriate committee within one year of said order being filed, shall be considered null and void and shall be removed from the files of the Clerk of Committees. Any order considered null and void by operation of this rule shall not be subject to any refiling restriction of *Rule 37*.

**Rule 37B** During a City Council meeting, standing committee thereof, or a public hearing, a speaker may speak no more than **ten(10)** minutes unless he obtains the consent of the City Council or standing committee thereof, nor may he/she speak more than twice on the same issue.

**Rule 38** Unless otherwise ordered, votes shall be taken orally. If the vote is doubted, the members voting shall rise in their places until counted. A vote shall be taken by yeas and nays when five members of the Council so request.

**Rule 39** The President shall consider a motion to adjourn as always in order, except on immediate repetition. When a question is under debate he/she shall receive no motion except:

- 1.To adjourn
- 2.To lay on table
- 3.The previous question
- 4.To close debate
- 5.To postpone to a day certain
- 6.To amend
- 7.To postpone indefinitely

which several motions shall have precedence in the order arranged.

**Rule 40** On the following motions the debate shall be limited to the time specified in each case:

To adjourn-no debate;

Yeas and Nays- no debate;

Lay on Table- no debate;

The previous question, to close debate at a specified time, indefinite postponement, postponement to a day certain, to suspend the rules, to reconsider; ten minutes (10) (no member to occupy more than three (3) minutes.)

Whenever, at any meeting, a question is laid on the table, it shall remain there until the close of the next regular meeting, if not taken up earlier; but, if it is not taken from the table at such next meeting, or earlier, the clerk shall place the same in the files of the Council and shall make a record thereof in the journal of such meeting and upon any paper relating to such question.

**Rule 41** Any motion shall be in writing if the President so directs, or any member of the Council so requests.

**Rule 42** A question containing two or more propositions capable of division shall be divided whenever any member so requests.

**Rule 43** No motion or proposition of a subject different from that under consideration shall be admitted under the color of any amendment.

**Rule 43** Any member may with the unanimous consent of the Council move the consideration of any report of committee out of the order said report appears on the calendar.

**Rule 44** When a vote has been taken, except those enumerated in Rule 45, it shall be in order for any member voting on the prevailing side to move a reconsideration thereof at the same meeting at which such vote was taken, or to file with the City Clerk notice of a motion to reconsider such vote within twenty-four (24) hours from the taking of the same, but, when a motion to reconsider has been decided, that vote shall not be reconsidered and, unless two-thirds (2/3) of the members of the Council are present, a motion to reconsider shall be laid upon the table until the next meeting of the Council. A notice of a motion to reconsider filed with the City Clerk shall be regarded in the same manner as if a motion to reconsider had been made while the Council was in regular session and, except as hereinbefore provided, shall be called up by the member filing such notice, or by some other member of the Council, at the next regular meeting, or at any intervening special meeting provided the same is included in the call thereof. Whenever notice of a motion to reconsider has been filed, as aforesaid, the City Clerk shall notify all the members of the Council. No notice of a motion to reconsider may be withdrawn except by a majority vote of all the members of the City Council. No notice of a motion to reconsider may be filed with respect to any ordinance, order, resolution, or vote acted upon at the final meeting of the term to which the members of any Council may have been elected.

**Rule 45** No vote on any of the following motions shall be reconsidered:

- to adjourn
- to lay on table
- to take from the table
- the previous question
- to reconsider.

#### **APPEAL**

**Rule 46** No appeal from any decision of the President shall be entertained unless it is duly seconded, and no other business shall be in order until the question on the appeal has been decided. The question shall be put as follows: "Shall the decision of the Chair stand as the judgment of the Council?" and it shall be deemed to be decided in the affirmative unless a majority of the votes are given to the contrary.

#### **USE OF COUNCIL CHAMBER**

**Rule 47** The use of the Council Chamber, or the Council committee room, shall not be granted to any person or organization without the permission of the President. Said request shall be in writing and the Clerk of Committees shall keep a suitable calendar noting the permitted uses thereon.

#### **CAUCUS FOR NOMINATION OF PRESIDENT**

**Rule 48** The City Council shall, on the first Monday in December of each year, nominate a President for the ensuing year, and the formal election of the President shall take place at the first meeting in January next following. Notice of the holding of the caucus herein provided shall be sent to each member qualified to vote therein not less than four (4) days before the date thereof. Such caucus shall be held in the Council Chamber; shall be called to order by the City Clerk, and shall be conducted in accordance with the rules of the Council pertaining to the conduct of regular meetings. Nominations, as aforesaid, shall be made by a viva voce vote, each member present answering to his/her name when called by the City Clerk or other proper officer, stating the name of the person for whom he votes, or that he declines to vote. The vote of the majority of all the members of the Council shall be necessary to so nominate a President. Notice of the caucus shall be posted and the caucus shall be held in public session.

#### **SUSPENSION, AMENDMENT OR REPEAL**

**Rule 49** These rules may be suspended by an affirmative vote of two-thirds (2/3) of the members of the Council present; they may be amended or repealed by a vote of a majority of all the members of the Council, but the motion for such purpose shall not be made and acted upon at the same meeting. All motions for amendments to these rules shall be in writing and copies thereof shall be sent to each member by the City Clerk before final action thereon.

**Rule 50** The Council shall be governed by *Robert's Rules of Order*, in all questions of parliamentary procedure not provided for by special rules of order.

**Rule 51** In order to promote fair and open discussion, once a public hearing is called to order, the presiding officer shall recognize members of the public who may speak in the order of recognition. Public hearings shall no longer be divided into time periods for proponents and opponents to speak.

**Rule 52** In the event the City Council must elect a person to complete the term of a Councilor in accordance with *Section 2-11 (c)* of the City Charter, the procedure for filling such vacancy shall be as follows:

- 1. Notice shall be given by immediate publication once in a newspaper of local circulation and for not less than two (2) weeks on the City's website homepage that the vacancy exists and that a placement is being sought.
- 2. Individuals interested in filling the vacancy (hereinafter "Applicants") shall be requested to contact the Clerk of Committees. By the close of business of the 14th day following publication in a newspaper of local circulation, applicants shall submit a letter of introduction and current resume when contacting the Clerk of Committees.
- 3. Applicants who have complied with paragraph 2 above shall be invited to a meeting of the full Council or of the Appropriations Committee, at which time all applicants will be given an opportunity to address the Council.
- 4. After all applicants have been given an opportunity to address the Council, an election shall be conducted.
- 5. In order to be eligible for election an Applicant must have his/her name placed in nomination and must receive a second.
- 6. The voting shall be public with each member of the City Council stating the name of the Applicant for whom he or she is voting.
- 7. The first Applicant to receive six (6) votes shall be elected pursuant to *Section 2-11(c)* of the City Charter.
- 8. If there is more than one Applicant and no Applicant receives six (6) votes on the first ballot, the two (2) individuals who receive the most votes shall move to a second ballot. The other applicants shall be eliminated. In the event that there is a tie for either of the top two spots, any individual in such a tie shall move on to a second ballot.
- 9. In the event that no Applicant receives six (6) votes after at least five (5) ballots, the Council may place the order on the table and continue with the process at the next regularly scheduled meeting of the City Council.

**Rule 53** - Whenever the President, or a member of the City Council appointed by the President or Mayor to serve on a committee, commission, Council or other working group, attends a meeting of such committee, commission, Council or other working group, that member shall report back to the full City Council at the next regular meeting of the Council as to the actions taken on all matters on the agenda of said committee, commission, Council or other

working group.

**RULE 54** -In the event of a vacancy in the position of City Clerk or Clerk of Committees, the President of the Council shall appoint a nominating committee of three Councilors. The nominating committee will cause any such vacancy to be posted, will review applicant resumes, and conduct interviews. Thereafter, the nominating committee shall recommend three (3) candidates for consideration by the full City Council.

**❖ Amendments to the Rules of Order**

Rule 1	Order No. 2018-27	passed October 2, 2017
Rule 8	Order No. 2003-119	passed July 21, 2003
Rule 8	Order No. 2003-120	passed August 19, 2003
Rule 8	Order No. 2011-07	passed November 8, 2010
Rule 20	Order No. 2004-134	passed February 2, 2004
Rule 20	Order No. 2005-116	passed January 18, 2005
Rule 20	Order No. 2006-165	passed February 21, 2006
Rule 20	Order No. 2012-132	passed May 7, 2012
Rule 21B	Order No. 2003-163	passed June 9, 2003
Rule 21B	Order No. 2012-208	passed June 18, 2012
Rule 21C	Order No. 2012-208	passed June 18, 2012
Rule 22	Order No. 2003-163	passed June 9, 2003
Rule 29	Order No. 2003-121	passed August 19, 2003
Rule 29	Order No. 2011-07	passed November 8, 2010
Rule 29	Order No. 2018-120	passed April 2, 2018
Rule 29A	Order No. 1999-007	
Rule 29a	Order No. 2009-047	passed October 20, 2008
Rule 32	Order No. 2011-07	passed November 8, 2010
Rule 32A	Order No. 2015-94	passed Feb. 17, 2015
Rule 34	Order No. 2012-214	passed August 20, 2012
Rule 34A	Order No. 2012-214	passed August 20, 2012
Rule 36	Order No. 2012-214	passed August 20, 2012
Rule 37A	Order No. 2003-163	passed June 9, 2003
Rule 37A	Order No. 2006-203	passed May 1, 2006
Rule 37A	Order No. 2012-74	passed February 6, 2012
Rule 39	Order No. 1999-008	
Rule 48	Order No. 2003-163	passed June 9, 2003
Rule 51	Order No. 2008-115	passed February 11, 2008
Revised	Order No. 2010-85	passed March 15, 2010
Rule 52	Order No. 2011-75	passed January 18, 2011
	Order No. 2016-80	passed February 1, 2016

Order No. 2017-131

passed May 1, 2017

## VI. Future Planning

Action items: Next meeting TBD

## VII. Adjournment

**Motion To:** to adjourn

COMMENTS - Current Meeting:

Motion: Adjourn

By: Councilor McNaught, Second: Councilor Stewart - motion carried.

Meeting adjourned at 7:18 p.m.

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff McNaught, Voting
<b>SECONDER:</b>	Robb Stewart, Voting
<b>AYES:</b>	MacMaster, Eccles, McNaught, Garipay, Stewart