

RESOLUTION

COUNCIL RULES OF PROCEDURE AND ORDER

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Douglas that the following rules of the City Council shall govern all proceedings of the City Council therein described in this document. The City of Douglas Charter clearly states: **Sec. 2-28. - Parliamentary procedure--** The proceedings of the city commission **shall be generally governed by Robert's Rules of Order**, Newly Revised, so far as applicable and not inconsistent with the special rules of the city commission, the charter and this Code. This document is being created in accordance with the Charter Section 2-28 “not inconsistent with the special rules of the city commission” and this document will serve as special rules created by the City Commission to ensure orderly and professional execution of all City Commission meetings.

BE IT FURTHER RESOLVED, that violation of these rules shall not be construed as a penal offense, excepting that breach of the peace or willful failure to comply with the lawful orders of the Council or its presiding officer shall be punishable as misdemeanors under applicable law.

DUTIES

A. DUTIES OF MAYOR

City of Douglas Charter - Sec. 2-29. - Presiding officer.

- (a) The mayor shall preside at all commission meetings, preserve order and decorum, and shall appoint all committees, unless the commission shall otherwise direct in which case they shall be appointed by ballot.
- (b) In the absence of the mayor, the mayor pro tem shall preside; and in the absence of both, a chairman shall be appointed by the board of commissioners and he shall be vested with all the powers of the mayor or mayor pro tem during their absence.

The Mayor shall preside at the meetings of the Council and 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 and announce the decision of the Council on all subjects.

B. DUTIES OF COUNCILMEMBERS

Promptly at the hour set by law on the date of each regular meeting, the members of the Council shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition.

C. MOTIONS TO BE STATED BY MAYOR

When a motion is made, it may be stated by the Mayor before debate.

D. DECORUM BY COUNCILMEMBERS

While the Council is in session, the members must preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking, nor refuse to obey the orders of the Council, or the presiding officer.

E. VOTING DISQUALIFICATION/CONFLICT OF INTEREST

No member of the Council who is disqualified shall vote upon the matter on which he is disqualified. Any member shall openly state or have the presiding officer announce the fact and nature of such disqualification in open meeting, and shall not be subject to further inquiry. Where no disqualifying conflict of interest appears, the matter of disqualification may, at the request of the member affected, be decided by the other members of the Council, by motion, and such decision shall determine such member's right and obligation to vote. Any member having a "remote interest" in any matter as provided in Government Code shall divulge the same before voting. The member of the Council with the conflict of interest may leave the chambers to prevent the appearance of influencing the outcome of the vote by their mere presence and/or body language.

Open Mind

No member of the Council shall pledge or promise to vote in any particular manner.

F. REQUESTS FOR TECHNICAL ASSISTANCE AND/OR REPORTS

A **majority vote** of the Council shall be required to direct staff to provide technical assistance, develop a report, initiate staff research, or respond to

requests for information or service generated by an individual Councilmember that requires more than one hour of personnel time. The report **MUST** be provided to all members of the Council to ensure transparency.

II. MEETINGS

A. CALL TO ORDER - PRESIDING OFFICER

The Mayor, or in the Mayor's absence, the Mayor Pro Tem, shall take the chair precisely at the hour appointed by the meeting and shall immediately call the Council to order. Upon the arrival of the Mayor, the Mayor Pro Tem shall immediately relinquish the chair at the conclusion of the business presently before the Council. In the absence of the two officers specified in this section, the Councilmember present with the longest period of Council service shall preside.

B. QUORUM CALL

During the course of the meeting, should the Chair note a Council quorum is lacking, the Chair shall call this fact to the attention of the City Clerk. The City Clerk or City Manager shall issue a quorum call. If a quorum has not been restored within ten minutes of a quorum call, the meeting shall be deemed automatically adjourned.

C. COUNCIL MEETING SCHEDULE

Regular meetings of the City Council shall be held on the 2nd and 4th Monday's of each month; the schedule to be established annually by Council resolution taking into consideration holidays and election dates. The Council meetings shall commence at 7:00 p.m. with the work session beginning at 6:00 p.m.

D. ADJOURNMENT

1. No Council meeting shall continue past 10:00 p.m. unless a majority of the Council votes to extend the meeting to discuss specified items; and any motion to extend the meeting beyond 10:00 p.m. shall include a list of specific agenda items to be covered and shall specify in which order these items shall be handled.
2. If a Council meeting is continued past 10:00 p.m., it shall end at 11:00 p.m.

3. Any items not completed at a regularly scheduled Council meeting shall be continued to the next regular business meeting.

III. AGENDA

A. DECLARATION OF POLICY

No ordinance, resolution, or item of business shall be introduced, discussed or acted upon before the Council at its meeting without before that it's having been published on the agenda of the meeting and posted in accordance with the deadline for the agenda. Only a majority vote of the Council may add an agenda item after the agenda item deadline.

During the approval of the Council's Agenda, the Mayor will recognize any "motion" to amend the agenda. Any member of the Council is entitled to make such "motion." All members are entitled to be informed in detail of the agenda item in order to be prepared to discuss the agenda item.

B. PROCEDURE FOR BRINGING MATTERS BEFORE CITY COUNCIL

Staff may place items on the agenda by the established deadline of 2nd Friday before the scheduled Monday meeting (unless otherwise directed by the City Manager). Other than staff, matters may be placed on the agenda by any Councilmember, the City Manager, or the City Clerk by the established deadline. After the established deadline of 12:00pm (noon) on Wednesday before regularly scheduled Monday meeting, the majority of the Council must agree to place the item on the agenda. An agenda item maybe added and/or removed by a majority of the Council during the agenda item "Approval of the Order of the Agenda." Any relevant statements, reports, an/or evidence that the person offering the agenda items plans to present or discuss at the meeting should be included with the proposed agenda item, to avoid surprise to other members and allow them an opportunity to prepare for the discussion.

C. AGENDA SEQUENCE AND ORDER OF BUSINESS

Work Session

- a. Starts at 6:00 p.m.
- b. Discussion of Work Session Agenda Items to be considered to take forward into the Regular Meeting
- c. Consent Agenda
 - ❖ Requires a unanimous consent of Council or quorum
 1. Approval of the minutes;
 2. Appointment to committees
 3. Purchase of approved budgeted items
 4. Purchase of non-budgeted items (after discussion)
 5. Policy (after discussion)
 6. Amendments to policy (after discussion)
 7. Waivers to policy (after discussion)
 8. Resolutions
 9. Proclamations
 10. Contracts (after discussion)
 11. Any work session agenda item that receives a unanimous consent of the Council

Regular Meeting

- a. Call to Order (Regular Meeting at 7:00 p.m.)
- b. Invocation
- c. Pledge of Allegiance
- d. Order of Agenda
- e. Items placed directly on the agenda
- f. Consent Agenda Items
- g. Work Sessions Items Brought Forward
- h. Staff Comments
- i. Executive Session (If Necessary)
- j. Adjourn

IV. CONDUCT OF MEETING

A. COMMENTS FROM THE PUBLIC.

On respect for the Council, City Manager, Staff, and citizens the Mayor is responsible for orderly and productive public comment. The Mayor will require the Council, City Manager, Staff, and citizens to refrain from disrupting or

impeding the meeting, and the Mayor will have the authority to take the floor away from individuals who act disruptively, or interrupts the speaker recognized by the Chair. As the presiding officer, the Mayor may establish a time limit for each speaker ranging from 3-5 minutes to include members of the Council. If a group representative of 5 or more, the Mayor may allow the representative of the group to speak for 5 to 10 minutes.

Regular Meeting

Comments from the public are not allowed during the Regular Meeting.

Work Session

Comments from the public are allowed during the Work Session provided the citizen completes the request form to appear before the Council during the Work Session before the established deadline of noon on the day of the meeting. Public comments during the Work Session are limited to 3 minutes per speaker except that speakers representing a group of 5 or more individuals may speak for up to 5 minutes.

TIME LIMIT FOR PUBLIC SPEAKERS AT PUBLIC HEARINGS / PUBLIC DISCUSSIONS.

Each speaker shall be limited to three minutes with the exception that one representative for a group of 5 or more citizens shall be allowed five to ten minutes during the public hearing on this matter.

SPEAKER PROTOCOL.

Each person addressing the Council shall first give his name, address, and telephone number in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body and not to any member thereof. No one other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer. No question shall be asked by a Councilmember WITHOUT obtaining the floor. As the presiding officer, the Mayor may establish a time limit for members of 3 minutes per council member for members of the Council to ask questions of the speaker.

COUNCIL SPEAKING PROTOCOL

City of Douglas Charter Sec. 2-36. - Interruptions not permitted.

No interruptions shall be permitted while a member is speaking on such matters as may be before the board of commissioners.

RESPECTING THE ORDER OF THE PROTOCOL

The Councilmember must yield the floor back to the presiding officer at the conclusion of the established limit. As the presiding officer, the Mayor may extend the establish time limit

ENFORCEMENT OF DECORUM

Any law enforcement officers on duty or whose services are commanded by the presiding officer shall be Sergeant-at-Arms of the Council meetings. He/she, or they, shall carry out all orders and instructions given by the presiding officer of the purpose of maintaining order and decorum at the Council meetings. The law enforcement officer must make a determination to place any person who violates the order and decorum of the meeting under arrest and cause him to be prosecuted under the provisions of applicable law.

ROBERTS RULES OF ORDER

City of Douglas Charter Sec. 2-28. - Parliamentary procedure

The proceedings of the city commission shall be generally governed by Robert's Rules of Order, Newly Revised, so far as applicable and not inconsistent with the special rules of the city commission, the charter and this Code.

Voting on a Motion:

The method of vote on any motion depends on the situation and policy. Currently, the Council votes “by voice.”

RULES OF DEBATE

1. Allow motions that are in order. (Presiding Officer)
2. Have members obtain the floor properly. (Presiding Officer)

3. Speak clearly and concisely. (Entire Council)
 4. Obey the rules of debate. (Entire Council)
 5. Most importantly, *BE COURTEOUS*. (Entire Council)
- a) Presiding Officer May Debate. The presiding officer may debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Council by reason of his acting as the presiding officer.
 - b) Getting the Floor - Improper References are to be avoided. Every member desiring to speak shall address the Chair, and upon recognition by the presiding officer, shall confine himself to the question under debate.
 - c) Interruptions. A member, once recognized, shall not be interrupted when speaking **unless it is to call him to order**, or as herein otherwise provided. If a member, while speaking, be called to order, **he shall cease speaking until the question of order is determined**, and, if in order, he shall be permitted to proceed. As the presiding officer, the Mayor may interrupt the speaker if the speaker continues after their established time limit.
 - d) Privilege of Closing Debate. The Councilmember moving the adoption of an ordinance or resolution shall have the privilege of closing the debate. When **a motion to call a question** is passed, the Councilmember moving adoption of an ordinance, resolution or other action shall have three minutes to conclude the debate.
 - e) Calling Witnesses to include City Manager, Department Directors, etc.: The councilmember will be respectful to all witnesses. Each member must be informed of any witnesses called by a councilmember prior to witness giving testimony. If a witness is called without prior notice to the Council, the Council must reach a consensus of the Council before the witness begins to speak. As the presiding officer, the Mayor may end the questioning if the Councilmember or witness are disrupting the meeting.
 - f) Calling the question (**to end discussion and vote immediately**)
 - i. This is a method to close debate on a motion. It is usually made at a time when the debate has been long and repetitious. A member rises and says: "I move to call the question."
 - ii. A motion to call the question (that is, to vote immediately on the motion being debated) cannot interrupt another

speaker, is not debatable, is not amendable, and, if seconded, requires a two-thirds majority vote (i.e., at least 5 affirmative votes out of 7 total votes). This requirement is important in protecting the democratic process.

- iii. A motion to call the question has precedence over all other motions except the motion to table. If the motion to call the question passes, the Councilmember moving adoption of the motion shall have three minutes to conclude the debate after which the chair immediately proceeds to call a vote on the motion that was being debated. If the motion is defeated, discussion on the motion before the meeting continues as if there had been no interruption.

The motion to call the question is the only proper method of securing an immediate vote.

DEBATE LIMITED

Each matter coming before the Council shall be limited to twenty minutes from the time the matter is first taken up, at the end of which period of debate the debate terminates and the matter shall be voted upon or tabled by Council. Unless, a motion to extend consideration which, it passed, shall commence a new twenty-minute period for consideration.

In the interest of expediting the business of the City, failure by the presiding officer or any Councilmember to call attention to the expiration of the time allowed for consideration of a matter, by point of order or otherwise, shall constitute unanimous consent to the continuation of debate of the matter beyond the allowed time; provided, however, that the presiding officer or any Councilmember may at any time thereafter call attention to the expiration of the time allowed, in which case the Council shall proceed to the vote.

Work Session and Regular Meeting:

Each member of the Council must be given the opportunity to speak at least two or three minutes on each item that is before the Council. At the conclusion of the three minutes, the Council member must yield the floor back to the presiding officer. If a Council member has spoken and another Council member during their three minutes time to speak addresses another Council member, the Council member that was addressed must be given the opportunity to respond at least once.

Presiding Officer:

As the Presiding Officer, the Chair will be given the opportunity to participate in the debate continuously and throughout the debate. The Presiding Office at their discretion may allow a back and forth between members of the Council if the Presiding Officer deems the robust debate as necessary for the good of the City. After all member that wish to participate in the debate have spoken at least once, the Presiding officer may close the debate. At the discretion of the Presiding Officer, the Presiding Officer sets the order of the Council member three-minute debate time. The order of the debate is solely at the discretion of the Presiding officer. The Presiding officer is authorized to vote and make motions.

Nonparticipating Council Member:

If the Presiding Officer calls upon a member of the Council to debate or speak for three minutes and the Council member does not speak, the Presiding Officer will move to the next Council member. If the initial nonparticipating member decides to participate later in the debate, the non-participating member is restricted to a two-minute debate time or forfeit their opportunity to debate.

City of Douglas Charter Section 2.18. - Inquiries and investigations.

The city commission may make inquiries and investigations into the affairs of the city and the conduct of any department, office, or agency thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the city commission shall be punished as provided by ordinance.

- Inquiries and investigations by the Council requires a majority vote. No individual councilmember is authorized to launch an investigation without the majority vote of the Council.

V. SUNSET SUNSHINE LAW

BE IT FURTHER RESOLVED, that Resolution and all resolutions amendatory thereof are hereby rescinded and that this resolution shall sunset on December 31, 2024. With a majority vote, this resolution will be the governing document for the City of Douglas meetings in accordance with the City Charter.

OFFERED, READ, AND ADOPTED this 27th day of July, 2020

CITY OF DOUGLAS, GEORGIA

Tony L. Paulk, Mayor

Cindy McNeill, Mayor Pro Tem

Edwin Taylor, Commissioner Ward 1

Kentaiwon Durham, Commissioner Ward 2

Olivia Pearson, Commissioner Ward 3

Mike Gowen, Commissioner Ward 4

Bob Moore, Commissioner Ward 6

ATTEST:

Wynetta J. Bolder, City Clerk