

RULES AND PROCEDURES OF COUNCIL MEETINGS

OF THE

TOWN OF WINSLOW

ESTABLISHED

FIRST READING 6/8/70

SECOND READING 7/15/70

APPROVED AS AMENDED: 7/15/70

Amended 6/10/96; Res. 21-1996

Amended 9/11/06; Res. 11-2006

Amended 6/7/07; Ord. 7-2007

Amended 2/8/10; Ord. 6-2009

Amended 2/13/12; Ord. 1-2012

REGULAR MEETINGS

AGENDA:

1) All reports, communications, or ordinances, orders, resolutions, contract documents or other matters to be submitted to the Council shall be at least three (3) business days prior to each Council meeting, be delivered to the Town Clerk where upon the Town Clerk shall immediately arrange a list of such matters according to the Order of Business and furnish each Councilor, the Town Attorney and the Town Manager with a copy of the same prior to the meeting and as far in advance of the meeting as time for preparation will permit. Matters of an urgent nature can be presented to the Council if they arise after the 3 business day deadline.

ROLL CALL:

2) Before proceeding with the business of the Council, the Town Clerk, or deputy town clerk shall call the roll of its members, and the names of those present shall be entered into the minutes.

ORDER OF BUSINESS:

3) All meetings of the Council shall be open to the public. Promptly at the hour set on the day of each regular meeting, the members of the Council, the Town Clerk, and Town Manager, shall take regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the following order:

1. Roll Call
2. Pledge of allegiance
3. Approval of minutes of previous meeting.
4. Appointments.
5. Communications.
6. Report of Committees and Commission
7. Unfinished business
8. New business
9. Discussion Items
10. Adjournment

READING OF MINUTES:

4) Unless a reading of the minutes of the Council meeting is requested by a Councilor, such minutes may be approved without a reading if the Clerk has previously furnished each member with a synopsis thereof.

RULES OF DEBATE: COUNCIL CHAIR MAY DEBATE AND VOTE, etc.:

5) The Chair or such other Councilor as may be presiding, may move, second, and debate from the chair, subject only to such limitations of debate, as are the rules imposed on all members, and shall not be deprived of any of the rights and privileges of a Councilor by reason of acting as Council Chair.

GETTING THE FLOOR: IMPROPER REFERENCES TO BE AVOIDED:

6) Every Councilor desiring to speak shall address the Chair, and upon recognition by the Council Chair, shall only address the question under debate, avoiding all personalities and indecorous language.

INTERRUPTIONS:

7) A Councilor, once recognized, shall not be interrupted when speaking, unless it is to be called to order. The Councilor shall cease speaking until the question of order be determined, and, if in order, the Councilor shall be permitted to proceed.

PRIVILEGE OF OPENING AND CLOSING:

8) The Councilor moving the adoption of an ordinance, order or resolution shall have the privilege of opening and closing the debate.

REMARKS OF COUNCILOR: WHEN ENTERED IN MINUTES:

9) A Councilor may request, through the Council Chair, the privilege of having an abstract of the councilor's statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

SYNOPSIS OF DEBATE: WHEN ENTERED IN MINUTES:

10) The Clerk may be directed by the Council Chair, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly to the Council.

MOTION TO RECONSIDER:

11) When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion for reconsideration is decided, that vote shall not be reconsidered. No motion to reconsider a vote passed at a previous meeting shall be in order for consideration at the next stated meeting unless an item to that effect is contained on the agenda for such stated meeting or unless a majority of the members consent to such recognition.

A petition once presented to and finally acted upon by the Town Council shall not again be received by the Town Clerk for presentation to the Council in the same or substantially the same form for a period of one year next succeeding the Council's final action on the original petition.

PROCEDURE FOR ADDRESSING THE COUNCIL:

12) Any person wishing to verbally address the Council on any matter before it may do so, provided permission is first obtained from the Council Chair. Any person wishing to address the Council in writing on any matter before it may do so by providing the Town Clerk with the writing or other document prior to the meeting. The Clerk will then make copies for all Councilors and will provide a copy to any member of the public requesting one. If the written submission is lengthy, the Clerk may require the submitting party to pay a reasonable copying fee.

MANNER OF ADDRESSING COUNCIL: TIME LIMIT:

13) Each person addressing the Council shall stand and give the person's name and address in an audible tone of voice for the record and shall limit remarks to the time allotted by the Council Chair,. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a Councilor, without the permission of the Council Chair. No question shall be asked a Councilor except through the Council Chair.

SILENCE CONSTITUTES AFFIRMATIVE VOTE:

14) If a Councilor does not vote and remains silent, this will be recorded as an affirmative vote.

DECORUM:

15) While the Council is in session, Councilors must preserve order and decorum, and a Councilor 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 Chair, except as otherwise herein provided.

Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith, by the Council Chair, barred from further audience before the Council, unless permission to continue be granted by the majority vote of the Council.

SPECIAL COMMITTEES:

16) All special committees shall be appointed by the Chair, unless otherwise directed by the Council.

COUNCILORS MAY FILE PROTESTS AGAINST COUNCIL ACTION:

17) Any Councilor shall have the right to have the reasons for the Councilor's dissent from, or protest against, any action of the Council entered in the minutes.

CLAIMS AGAINST THE TOWN:

18) No account or other demand against the Town shall be allowed until the same has been considered and reported upon by the Council.

INTRODUCTIONS OF ORDINANCES, ORDERS, RESOLUTIONS

19)

- a). Ordinances, orders, resolutions and other matters or subjects requiring action by the Council must be introduced and sponsored by a Councilor, except that the Town Manager may present the ordinances, orders, or resolutions and other matters or subjects to the Council and any Councilor may assume sponsorship thereof by moving that such ordinances, orders, resolutions, matters or subjects be adopted; otherwise, they shall not be considered.
- b. All ordinances shall be prepared or reviewed by the Town Attorney.

REPORTS OF COMMITTEES:

20) Committees shall make their reports in writing, and shall return the petition, resolution, account, or other paper submitted for consideration.

REPORTS, ORDERS AND RESOLUTIONS TO BE FILED WITH CLERK:

21) All reports, orders and resolutions shall be filed with the Clerk and shall be entered in the minutes.

ADJOURNMENT:

22) A motion to adjourn shall always be in order and decided without debate.

DUTIES OF THE CHAIR:

23) The Chair shall preserve decorum and order, may speak to points of order in preference to other Councilors, and shall decide all questions of order subject to an appeal to the Council by motion regularly seconded, and no other business shall be in order until the question on appeal is decided.

- a). Declare votes; cause return of votes: The Chair shall declare all votes, but if any Councilor doubts a vote, the Chair shall cause a return of the Councilors voting in the affirmative and in the negative without debate.
- b). Debate; rules of: When a question is under debate, the Chair shall receive no motion but to adjourn, or for the previous question, or to lay on the table, or to postpone to a day certain or to refer to a committee or some administrative official, or to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged.
- c). Motion to adjourn; lay on table: The Chair shall consider a motion to adjourn as always in order, except on immediate repetition; and that motion and the motion to lay on the table or to take from the table, shall be decided without debate.

d). Motion for previous question: Upon the motion for the previous question being made and seconded, the Chair shall put the question in the following form: "Shall the main question be moved?" And all debate upon the main question shall be suspended until the motion for the previous question shall be decided. After the adoption of said motion for the previous question by a majority vote, the sense of the Council shall be forthwith taken upon all pending amendments, and then upon the main question.

NOT TO BE DEBATED OR AMENDED:

24) No debate shall be allowed on a motion for the previous question. Neither is it amendable. All questions of order arising incidentally thereon must be decided without discussion whether appeal be had from the Chair or not.

MEMBER EXCUSED FROM VOTING: WHEN:

25) A Councilor shall vote on every question presented, unless the Councilor has a conflict of interest. Any question of whether a conflict of interest exists will be decided by majority vote of the Councilors present, excluding the Councilor affected.

MOTION TO BE REDUCED TO WRITING: WHEN:

26) Every motion shall be reduced to writing, if the Chair shall so direct.

DIVISION OF QUESTION:

27) Any Councilor may require the division of a question when the sense will admit it.

MOTION FOR REFERRAL:

28) A motion for referral to a committee or administrative official, until it is decided, shall preclude all amendments of the main question.

PRIORITY OF BUSINESS:

29) All questions relating to priority of business to be acted upon shall be decided without debate.

SUSPENSION OF RULES; AMENDMENT OR REPEAL:

30) The rules shall not be dispensed with or suspended unless 2/3 of the Councilors present consent thereto. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.

PARLIAMENTARY PROCEEDINGS:

31) In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, "ROBERT'S RULES OF ORDER" shall be taken as authority to decide the course of proceedings.