

# CITY OF PORT ORFORD

## COUNCIL RULES

### 1.0 MEETINGS; GENERAL:

- 1.1* Meeting times: The council regular meeting shall be held on the first and third Thursdays of each month at 3:30 and 6:00 p.m. respectively, in the council chambers. A City Council workshop session may be held in the small conference room 30-60 minutes before each Council meeting. The public is invited to attend the workshop sessions as well as the regular Council meetings immediately following the workshops. In the event a specified employee holiday falls on that Thursday, the council will meet on the first Friday following. The council may, at a regular or special meeting, designate a different day, time, and/or place for an upcoming regular meeting.
- 1.1.1 Council members and city staff whose presence at meetings is required shall be at the meeting place five (5) minutes prior to the scheduled start of the meeting so that the meeting can begin promptly.
- 1.2* Mayors Absence: In the event the Mayor is absent the Council President shall preside over the council meeting with full voting powers. In the event the Mayor and Council President are both absent the council shall move by motion and vote to elect another council member to be acting president, retaining full voting powers.
- 1.3* Council Absence: In the event that a council member knows he or she will not be able to attend a scheduled meeting, he or she will so notify either the Mayor or the City Administrator as soon as practicable.
- 1.4* Work Sessions: Work sessions shall be held in accordance with applicable state law. Such sessions shall be called by the Mayor, City Administrator or at the request of at least three council members in writing<sup>1</sup>.
- 1.5* Special Meetings: A special meeting may be called by the Mayor or at the request of at least three council members, in writing, to the City Administrator.
- 1.5.1 No special meeting shall be held without at least 24 hours notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours notice.
- 1.6* Executive Sessions: Executive Sessions may be held during regular, or special sessions, so long as applicable statutes are met.
- 1.7* Public Hearings: Public Hearings shall be held in conjunction with regular scheduled council meetings whenever possible.
- 1.7.1 Hearings Officer: The presiding officer shall designate a Hearing Officer to conduct the public hearing when appropriate.

### 2.0 MEETINGS GUIDELINES

- 2.1 Quorums: A quorum shall consist of four (4) of the six (6) council members. If a quorum is not present at the time the meeting is called to order, the City Recorder shall immediately inform the absent members, except for those known to be unavoidably detained, that their presence is required to enable the Council to proceed. If the absent members do not appear after said notice, the meeting shall be adjourned.
- 2.2 Roberts Rules of Order: Robert's Rules of Order Revised shall be used as a general guide for conduct of Council meetings. The Council has an obligation to be clear and simple in its procedures and the consideration of issues before it. It should avoid invoking the finer points of Parliamentary procedure which may serve only to obscure the issues and to arouse the suspicion of the audience.
- 2.3 Agenda: The City Recorder shall, upon consultation with the City Administrator, prepare an agenda of the business to be conducted at regular Council meetings for the approval of the Mayor. No item shall be added to the agenda after Noon on the Monday preceding the meeting. The agenda shall be prepared in accordance with paragraph 2.3.1. The Council shall consider only those items on the agenda. In order for the Council to consider any item not on the agenda, the Council must first vote to consider that item. If the item receives less than a majority of the votes of the council members present, it will not be considered at that meeting. Council members and the Mayor shall endeavor to have subjects they wish considered submitted to the City Recorder in time to be placed on the agenda.
- 2.3.1 Order of Business: The order of business at regular council meetings shall be determined by the Mayor and City Administrator per the following items including but not limited to:

Call to Order / Flag Salute

Additions to the Agenda

Presentations to the Council/Citizens

Citizen's Concerns (Sign-up Required)—Citizens may comment on or provide information on agenda items or approved material submitted in advance for Council consideration.

Departmental Reports

- a) Administrative
- b) Finance
- c) Public Works
- d) Police Department
- e) Planning Commission
- f) Mayors Report
- g) Liaison Reports
  - 1) Port
  - 2) School District
  - 3) Fire Board
  - 4) Chamber of Commerce
  - 5) Watershed
  - 6) Parks/TLT
  - 7) Curry County
  - 8) Others as appropriate
- h) Other Committee Reports, if applicable

Old Business

New Business  
Consent Calendar  
Continuing Action Items

Considerations

- a) Citizen Considerations—Citizens may bring up any matters of concern for future consideration by the Council.
  - b) Staff Considerations
  - c) Councilor Considerations
  - d) Mayor Considerations
- Future Meetings Date / Time  
Adjourn

2.3.2 Consent Calendar items: Items on the consent calendar shall be removed from the consent calendar and placed under Continuing Action Items, Old Business, or New Business as appropriate upon the request of the Mayor, or at least one Councilor.

2.3.3 The Council shall, by consensus or majority vote, approve Mayor appointments and removals of all officers of the City, members of all committees, commissions, and boards.

2.4 Citizen Concerns: Citizens desiring to have an issue placed on the agenda for discussion by the council shall, prior to Noon of the Monday preceding the council meeting, submit a letter explaining the issue to the Mayor and City Administrator. The issue shall be placed on the agenda if appropriate. It is expected that the petitioning party shall appear at the Council meeting to address the Council. The petitioning party shall confine their remarks to a five (5) minute presentation. (Additional time may be granted should the Mayor or members of the Council wish to question the petitioner.) Citizens shall also have the opportunity to address the Council under “Citizens Considerations” at the end of the meeting without going through the agenda process. Items brought up under Citizens Considerations may be considered by the Council at a future meeting.

2.4.1 Documents prepared by citizen groups working under the auspices of the City Council shall be submitted to the Council for approval only. There shall be no editing or changes made to the document, except correction of typographical errors, during the open Council meeting. Each document shall be submitted to a Council vote. If the vote to approve fails, then the document shall be returned to the originating organization for correction or amendment. Each of the council members who voted in the negative for editing changes may submit in writing to the originating group their comments for consideration and inclusion into the amended document. These written comments shall be submitted to the originating organization within ten (10) days after the Council vote.

2.4.2 Issues raised by a citizen during the Citizen Considerations period of the agenda, but not communicated to the Mayor and City Administrator by Noon of the Monday preceding the council meeting shall only be discussed by the Council if the Council first votes to consider said item.

2.4.3 Citizens are encouraged to provide comments, and to communicate their views to the City Council. Comments and suggestions may be submitted in writing or given at public meetings. Written comments may be read into the record of a public meeting, however, City Councilors, the Mayor, and City staff shall not be required to

read submitted statements into the record. Citizens may read their own statements, or enlist the aid of another Citizen to read a letter to the Council.

- 2.5 Speaking by Council Members: Council members wishing to speak shall first receive recognition by the chair and shall confine his or her remarks to the topic under debate. Each council member shall be allowed an initial three (3) minutes to state his or her position on each agenda item. The presiding officer shall be required to ask the councilors to state their positions if they desire to do so. All councilors shall be given equal opportunity to speak.

When each councilor has been given the opportunity to state his or her views, the presiding officer shall once again offer each councilor a chance to comment on the views previously presented. Here again, the maximum comment period shall be limited to no more than three (3) minutes. The Mayor or presiding officer shall have, and be required to exercise authority to limit the speaker's time to three (3) minutes. However, the Council may extend any speaker's time limit by majority vote.

- 2.6 Speaking by Members of the Audience at a Public Hearing:

2.6.1 Members of the audience wishing to speak at the public comment period at a public hearing shall raise their hand and wait to be recognized by the chair. After recognition, that person shall come to the microphone provided, state his or her name and place of residence for the record, and limit his or her remarks to the issue under consideration. All remarks and questions shall be addressed to the presiding officer and not to any individual council member, staff member or other person. The chair may then designate a staff member or council member to answer the question, if appropriate. Public comment shall be limited to 5 minutes unless extended by the chair.

2.6.2 No member of the audience shall be allowed to speak at a Public Hearing more than once on any subject until other members of the audience choosing to speak have so spoken. In any event no member of the audience shall speak more than twice on the same issue at any one hearing.

2.6.3 After a public hearing has been closed, no member of the audience shall address the Council without first securing permission from the chair.

- 2.7 Speaking by Members of the Audience at City Council meetings:

2.7.1 The Oregon Public Meetings law is a public attendance law, not a public participation law. Members of the public must be allowed to attend meetings, but public comment is not a requirement under the law. The City of Port Orford wishes to receive appropriate public input at its meetings, and therefore, has promulgated these rules to maintain an orderly public comment process.

2.7.2 No person, be it a council member, city staff, or member of the audience, shall enter into any discussion unless first recognized by the chair.

- 2.7.3 Those members of the audience addressing the council at the beginning of a meeting under citizen concerns shall be limited to five (5) minutes. Public comment at this portion of the meeting shall be related to agenda items to be considered at the meeting. No member of the audience shall be allowed to speak at a City Council meeting more than once on any subject until other members of the audience choosing to speak have so spoken. In any event no member of the audience shall speak more than twice on the same issue at any one meeting.
- 2.7.4 After a motion has been made and seconded no member of the audience shall address the council without first securing permission from the chair.
- 2.7.5 Public comment under the “Citizen Considerations” portion of the meeting may be on any subject of concern to the speaker. Any Council action on the item of concern will be at a future meeting.

### **3.0 ORDER AND DECORUM:**

- 3.1 Order by the Chair: The presiding officer (usually the Mayor) will have complete control of the meeting. Any attempt to override a decision of the presiding officer must be supported by a majority vote of the council members.
- 3.2 Council Etiquette: No council member will *ever* chastise, denigrate, or criticize anyone during an open council meeting. If attempts to deal with these problems in a private two-way conversation fail, then the council member may petition the Mayor to convene a full council executive session to deal with the problem. In no case shall a council member deal with any city employee personnel problems except through the City Administrator. The chain of command must be observed.
- 3.3 Sergeant-At-Arms: The Sergeant-At-Arms shall be a Police Officer
  - 3.3.1 It shall be the duty of the Sergeant-At-Arms to assist the chair, as to maintain order and decorum at all meetings.
  - 3.3.2 Any of the following shall be sufficient cause to remove any person from the council chambers for the duration of the meeting, if such conduct, in the opinion of the Sergeant at arms rises to the level of Disorderly Conduct.
    - A. The use of unreasonably loud, offensive or disruptive language.
    - B. The making of loud or disruptive noise.
    - C. The willful damage of furnishing or of the interior of the council chamber.
    - D. The refusal to obey any of the rules of conduct provided within this article, the limitations on occupancy and seating capacity.
    - E. The engaging of violent or distracting actions.
- 3.4 Meeting Disruptions: Unreasonably loud noise, or disruptive language or conduct, is hereby defined as that which obstructs the work or the conduct of business of the council.
  - 3.4.1 Before the Sergeant-At-Arms removes any person from the meeting room for conduct described in paragraph 3.3.2, that person shall be given a warning by the chair to cease his or her conduct.

3.4.2 If the meeting is disrupted by members of the audience, the chair or a majority of the council members present may order that the council chambers be cleared.

3.5. Media: The taking of photographs, motion picture filming, and video recording in the council chambers shall be allowed except when the taking of such photographs, motion pictures or video recordings is disruptive to the business of the council.

3.5.1 No unofficial flags, posters, placards or signs, shall be allowed within the council chambers. This restriction does not apply to armbands, emblems, badges or other articles worn on personal clothing of individuals, provided that such a size and nature do not interfere with vision, hearing or seating of other members of the audience.

#### **4.0 VOTING:**

4.1 Duty to Vote: All council members present, when a question is called shall be entitled to vote unless otherwise disqualified by a conflict of interest as provided by Oregon Law. Unless an abstention is declared, it shall be considered a negative vote.

4.2 Method of Voting: Those council members voting for the question will so signify by roll call. The vote on every question shall be entered into the record. It shall not be in order for council members to explain their vote.

4.2.1 When not otherwise provided by City Charter, the concurrence of a majority of the members of the Council present shall be necessary to decide any question. In the event of a tie vote, the Mayor will have the deciding vote.

#### **5.0 PUBLIC RECORDS/EMAIL POLICY:**

5.1.1 Public Record Defined. A public record includes any document, book, paper, photograph, file, sound recording, machine readable electronic record or other material, regardless of physical form or characteristics, made, received, filed or recorded in connection with the transaction of public business, whether or not confidential or restricted in use.

5.1.2 Electronic Records. All communications on electronic office equipment have the same public records character as they would have had they been sent on paper. Any electronic communications that may be exempt from disclosure under state public records law should be clearly marked as confidential and exempt from disclosure. Electronic records in any way relating to the business of the city created on electronic equipment not owned or provided by the city may also be subject review and disclosure under Oregon Public Records law.

5.1.3 Public Records. Public records created or received by Council members, including electronic mail messages, will be retained in accordance with Oregon Public Records Law and the rules of the Secretary of State and State Archivist.

- 5.1.4 Electronic Communications between Councilors. City Councilors will be provided a City email account specifically for City business. While Councilors can communicate amongst themselves via email, those emails may not include a quorum and may not be forwarded to others in a manner which creates a quorum. All emails must be copied to the City Administrator for retention purposes.
- 5.1.5 Information to the City Council. Council agendas, Council packets, and minutes of previous Council meetings will be posted to the City website. An email message will be sent to each Councilor when information is posted to the website. Other information to the Council will be sent out via email. Councilors may request printed copies of individual correspondence if desired.

---

<sup>1</sup> For the purpose of these rules, electronic mail (email) may be used to make a request in writing.