

Cheney City Council Rules of Procedure

Adopted by: Resolution _____

These rules shall be considered the Rules of Procedure for the City of Cheney City Council operating under the Mayor/Council form of government. For decisions on points of order, the City shall consult the most recent edition of Roberts Rules of Order.

1. GENERAL RULES

1.1 Meetings to Be Public: All meetings of the Council shall be open to the public with the exception of executive sessions as set forth in Chapter 42.30 RCW.

1.2 Respect and Decorum: It is the duty of the Mayor and Council members to preserve order and decorum and a member shall neither, by conversation or otherwise, disrupt or disparage proceedings of the Council, or any Council member or person appearing before the Council.

Any person making disruptive, disparaging or impertinent remarks or unreasonably disturbing the business of the Council, either while addressing the Council or attending its proceedings, will be asked to leave the meeting. Continued disruptions may result in a recess or adjournment.

1.3 Quorum: Four Council members shall constitute a quorum for the transaction of business. If a quorum is not present, those in attendance may adjourn to the next regular meeting.

1.4 Attendance, Excused Absences: A Council member shall forfeit his/her office by failing to attend three (3) consecutive regular meetings of the Council without being excused by the Council. See RCW 35A.12.060.

If attendance is not possible, members of the Council should contact the Mayor prior to the meeting and state the reason for the inability to attend the meeting. If the member is unable to contact the Mayor, the member should contact the City Clerk, who shall convey the message to the Mayor. The Mayor shall inform the Council of the member's absence, state the reason and inquire if there is a motion to excuse the member.

The Council minutes will reflect that the absence is excused or unexcused.

1.5 Attendance of City Staff: The City Administrator, City Attorney, and City Clerk shall attend all meetings of the City Council unless excused by the Mayor. The City

Administrator may report and make recommendations to the City Council and when requested shall participate in Council discussions. The City Attorney, upon request, from the Mayor or Council, shall give an opinion on legal questions. The City Clerk shall keep the minutes of the Council, record all Council votes and actions and perform such other duties as necessary for the orderly conduct of the meeting. Directors of City Departments shall attend City Council meetings at the request of the Mayor or City Administrator.

- 1.6 Attendance of Media at Council Meetings:** All meetings of the Council shall be open to the public, allowing recording by radio, television and photographic equipment; provided that if such recording interferes with the orderly conduct of the meetings the Mayor may make such orders as necessary.

2. TYPES OF MEETINGS

- 2.1 Regular Council Meetings:** The Council shall meet regularly on the second and fourth Tuesdays of each month beginning at 6:00 p.m. When a Council meeting falls on a holiday, the Council may determine an alternate day for the meeting. The location of the meetings shall be the City of Cheney City Hall unless specified otherwise by a majority vote of the Council. In the event of a public health emergency or other emergency situation, City Council Meetings may be held on a virtual platform, providing for the continuity of government while allowing public participation.

- 2.2 Special Meetings:** Special meetings may be called by the Mayor or by a majority of the members of the City Council by delivering written notice personally, by mail, by fax, or by electronic mail to each member of the governing body. The City Clerk shall prepare a notice of the special meeting stating the time, place and business to be transacted. The City Clerk shall notify each member of the Council, either by telephone, fax, e-mail or otherwise of the special meeting. The City Clerk shall give at least 24 hours notice of the special meeting to each local newspaper of general circulation and to each local radio and/or television station which has filed with the Clerk a written request to be notified of special meetings. The notice shall also be posted on the City's website. No subjects other than those specified in the notice shall be considered. See RCW 42.30.080.

Special meetings may be called without the notice required in this section, to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage.

- 2.3 Adjourned Sessions:** Any meeting of the Council may be adjourned to a time and place, but no adjournment shall be for a longer period than until the next regular meeting.

2.4 Study Sessions And Workshops: The Council may meet in study sessions and workshops (open to the public), at the request of the Mayor, or three (3) members of the Council. The purpose of the study session is to review and discuss programs or projects and information from City Staff or others. Final action on matters presented at Study Sessions and Workshops shall be taken at Regular or Special Council meetings.

2.5 Executive Sessions: Executive sessions may be held during a regular or special meeting. Before convening in executive session the Mayor shall publicly announce the purpose for excluding the public from the meeting place and the time when the executive session will be concluded. If the Council intends to adjourn after an executive session (without taking action in an open meeting), that fact will be announced. The time limit for executive sessions may be extended by announcement of the Mayor or designee.

Council members, Mayor and all participants must keep confidential all oral and written information provided during executive sessions to protect the best interests of the City.

3. CHAIR, DUTIES AND MAYOR PRO TEM

3.1 Chair: The Mayor shall preside as Chair at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of the Mayor and Mayor Pro Tem the Council shall elect a Chair.

3.2 Call to Order: The meetings of the Council shall be called to order by the Mayor.

3.3 Points of Order: The Mayor with the assistance of the City Attorney shall determine all points of order, subject to the right of any member to appeal to the Council.

3.4 Questions to Be Stated: The Mayor shall require all questions submitted for a vote to be stated, allow discussion, call the question and announce the result.

3.5 Selection of Mayor [Pro Tem]; Nominations: The Mayor Pro Tem will be selected by the Council members. The term for Mayor Pro Tem shall be two (2) years from the date of election. Council members may each nominate one person for Mayor Pro Tem. Nominations require a second. Each Council member shall be given the opportunity to submit a nomination for Mayor Pro Tem. After all nominations are made, the Mayor will call for a vote on the nominations in the order they were made. Voting will be either by voice or a recorded vote as determined by the Mayor. As soon as one nominee receives a majority of four (4) votes of the Council, that Council member will declared the Mayor Pro Tem. No votes will be taken on the remaining nominees.

3.6 Substitution for Chair: The Mayor may call upon the Mayor Pro Tem or any other

member to temporarily chair the meeting.

- 3.7 Presiding Officer - Powers:** The Mayor may move, second, discuss, debate, vote (subject to limitations imposed by RCW 35A.12.100), and shall not be deprived of any of the rights and privileges of a Council member by reason of acting as the Chair.

4. COUNCIL ORDER OF BUSINESS AND AGENDA

- 4.1 Order of Business:** The order of business for all regular meetings is set forth on Attachment A.

5. VOTING AND MOTIONS

- 5.1 Voting:** Votes during Council meetings shall be conducted as follows:

- a. Individual recorded votes on Ordinances.
- b. By voice except at the request of the Mayor or any Council member a roll call vote shall be recorded by the City Clerk.

- 5.2 Mayor:** The Mayor shall only vote where there is a tie vote between Council members with respect to matters other than the passage of Ordinances, grants or revocation of franchise or license, or any resolution for the payment of money.

- 5.3 Motions:** No motion shall be considered or debated until duly seconded. If desired by any Council member, the motion shall be read by the City Clerk before it is debated and, by the consent of the Council, may be withdrawn at any time before action is taken on the motion.

- 5.4 Disqualification:** Any Council member who is disqualified from participating and voting on a matter shall be excused from the Council dais and shall not participate in further discussions. The Council member shall state the reason for the disqualification. See Chapter 42.23 RCW (Code of Ethics for Municipal Officers).

- 5.5 Motions to Reconsider:** A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding regular meeting.

6. RESOLUTIONS AND ORDINANCES

- 6.1 Review by City Attorney:** All Resolutions and Ordinances shall be reviewed by the City Attorney.

- 6.2 Procedure:** No Ordinance or Resolution shall be prepared for presentation to the

City Council unless requested by the Mayor or three (3) Council members.

Ordinances shall generally require two readings. The first reading will announce its title and may include Staff presentation and Council discussion. Unless determined otherwise by the City Council, an ordinance will automatically advance to a second reading. The second reading will occur at a subsequent meeting and will involve a Staff presentation, Motion, Second, Public Comment, Council Discussion and Vote. The City Council in its discretion through a motion may waive the first reading and advance an ordinance for second reading and final approval. The record should indicate the reason for waiving the first reading. Due to the timing necessary to implement wage adjustments based on changes to a labor contract or other salary adjustments for non-represented employees, salary ordinances may necessitate both readings and passage during the meeting for which the ordinance is presented

A Resolution may be approved on a first reading.

- 6.3 Format of Ordinances And Resolutions:** Resolutions and Ordinances shall be in a format determined by the City Clerk including the numerical identification. Prior to the City Council considering a Ordinance or Resolution, the City Clerk shall read its title into the record. Resolutions shall be signed by the City Clerk and Ordinances shall be signed by the Mayor and attested to by the City Clerk. The City Attorney shall sign all Ordinances to approve the form.

7. PUBLIC HEARING PROCEDURES

- 7.1 Sign-in:** Prior to the start of a public hearing the Chair may require that all persons wishing to speak sign their name, address and indicate whether they wish to speak as a proponent, opponent or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, etc.).

- 7.2 Timing; Representation:** The City Council will take public testimony during a public hearing, the public comment period and prior to passage of Resolutions and Ordinances. Persons appearing before the Council should limit their comments to two (2) minutes. Where an organization is appearing before the City Council, it should designate a representative to speak on behalf of its members. The Mayor reserves the right to extend the time limit on public comments during a public hearing based on the topic under consideration.

- 7.3 The Public Hearing Process:** The Chair introduces the agenda item, opens the public hearing and announces the following Rules of Order:

1. All comments by proponents, opponents or other members of the public shall be made from the podium; any individuals making

comments shall first give their name and address.

2. No comments shall be made from any other location. Anyone making "out of order" comments shall be subject to removal from the meeting.
3. There shall be no demonstrations (i.e. applause) during or at the conclusion of anyone's presentation.

The Chair may call upon City Staff to describe the matter under consideration.

The Chair calls upon proponents, opponents and all other individuals who wish to speak regarding the matter under consideration.

The Chair inquires as to whether any Council member has questions for the proponents, opponents, speakers or staff. If any Council member has questions, the appropriate individual will be recalled to the podium.

The Chair continues the public hearing to a time specific or closes the public hearing.

7.4 Quasi Judicial Hearings: In addition to the Rules of Order set forth in Section 7.3, the following rules should be observed during a quasi judicial public hearing.

1. The Chair shall announce the matter for consideration and ask Council members to indicate any ex parte oral or written communications with a party, conflicts of interest or any appearance of fairness issues. After all disclosures are made, the Chair will ask if any party to the quasi judicial matter desires to challenge or request a Council member abstain from the decision on the matter. The challenge shall be placed on the record.

8. DUTIES AND PRIVILEGES OF CITIZENS

8.1 Meeting Participation: Citizens are welcome at all Council meetings and are encouraged to attend and participate.

8.2 Subjects Not on The Current Agenda: Under agenda item "Citizens Comments" persons may address items they wish to discuss with the Mayor and Council. Presenters should state their name, address and subject of their comments. The Chair shall allow two (2) minutes per speaker, or other time period as the Chair deems necessary. Following such comments, if action is required or has been requested, the Chair may place the matter on the current agenda, a future agenda or refer the matter to staff or a Council Committee.

9. FILLING COUNCIL VACANCIES AND SELECTING MAYOR [PRO TEM]

- 9.1 Notice of Vacancy:** If a Council vacancy occurs, the Council will follow the procedures outlined in RCW 35A.12.050 to fill the vacancy with the most qualified person.
- 9.2 Application Procedure:** The Council will distribute and publish a notice of the vacancy, the procedure and deadline for applying for the position. The Council will establish the application form to be used in conjunction with an interview of each candidate.
- 9.3 Interview Process:** All qualified candidates will be interviewed by the Council during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing names. To promote fairness, applicants will be asked to remain outside the Council Chambers while other applicants are being interviewed. Applicants may be asked to answer questions submitted to them in advance of the interview and questions posed by each Council member during the interview process. The Council members will ask the same questions of each candidate. Each candidate will then be allowed two (2) minutes for closing comments.
- 9.4 Selection of Council member:** The Council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.

10. PREPARATION OF AGENDA

- 10.1 Staff Duties:** The City Clerk, under the direction of the Mayor, will prepare the agenda for each Council meeting.
- 10.2 Agenda Items:** An item to be considered by the City Council at a regular meeting may be placed on the agenda by the Mayor, Council member or the City Administrator.
- 10.3 Timing of Preparation:** The agenda will be put in final form by 1:00 p.m. Friday prior to the following Tuesday evening Council meeting. Agendas will be distributed to the City Council and City Staff by 5:00 p.m. Friday. Agenda materials will be available at City Hall and on the City website the Friday before the regular meeting. Nothing contained herein shall prevent the Mayor, Council members, or the City Administrator from adding a matter to the agenda during a regular Council meeting.

11. COUNCIL COMMITTEES

- 11.1 Standing Committees:** There shall be four (4) sub-committees of the Council.

A. Finance Committee. This committee shall consist of three (3) Council

members nominated by the Mayor and confirmed by the City Council. The Finance Committee has the responsibility to review and report its recommendations on the annual budget and such other matters that relate to the financial affairs of the City.

- B. Public Safety Committee. This committee shall consist of three (3) Council members nominated by the Mayor and confirmed by the City Council. The Public Safety Committee shall review, and make recommendations to the City Council on issues related to the public health, safety and welfare of the citizens of Cheney involving police and fire services as well as other public safety activities of the City.
- C. Public Works and Utilities Committee. This committee shall consist of three (3) Council members nominated by the Mayor and confirmed by the City Council. The Public Works Committee reviews matters which relate to public works, including but not limited to, the infrastructure and public improvements owned, controlled or operated by the City.
- D. General Government Committee. This committee shall consist of three (3) Council members nominated by the Mayor and confirmed by the City Council. The General Government Committee reviews matters which relate to general city operations or other matters impacting city policies or regulations to include those as part of the Cheney Municipal Code.
- E. Members of the standing committees shall be appointed for a one (1) year term at the second meeting in January of each year.

12. **SUSPENSION AND AMENDMENT OF RULES**

- 12.1 **Suspension of These Rules**: Any provision of these rules may be temporarily suspended by a vote of a majority of the Council.
- 12.2 **Amendment 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 a prior Council meeting.

Adopted this _____ day of _____, 2022.

City of Cheney

By: _____
Chris Grover, Mayor

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**CHENEY CITY COUNCIL
RULES OF PROCEDURE**

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