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I. COUNCIL MEETINGS

A. Adoption of Robert's Rules of Order

The Council adopts *Robert's Rules of Order* as the general procedures for conducting its meetings unless otherwise specified in this manual. In the event of a conflict between this manual and *Robert's Rules of Order*, the provisions of this manual shall control. When necessary to resolve issues that may arise over process, the Mayor will refer to the City Attorney who will act as the Parliamentarian. Upon such advice, the Mayor will make the final decision.

B. Regular Meetings

The City Council shall hold regular meetings on the second Monday of each month unless the Mayor determines a particular meeting shall not be held, at or after 7:00 PM. Regular meetings shall be held at City Hall, 4035 Walnut Circle, Oakwood, Georgia, or at another place as determined by the Mayor. If by reason of natural disaster or other emergency, it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emergency at such other place as is designated by the Mayor or by three members of the City Council.

C. Special Meetings

Special meetings may be called at any time by the Mayor or by three members of the City Council. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings.

D. Meetings to be Public

All regular and special meetings of the City Council shall be open and public and held in accordance with the provisions of the Georgia Open Meetings Act; provided, however, the City Council may hold closed sessions from which the public may be excluded as allowed by law by voting to go into executive session. Such vote shall be a roll call vote.

E. Attendance

Councilmembers are expected to attend all meetings of the City Council.

F. Telephonic Meetings

A city council member may attend telephonically and vote on the condition that the council member was able to hear and participate in any meeting on any specific agenda item. The city clerk shall confirm the council member was able to hear and participate before recording the council member's vote on any agenda item. The telephonic attendance shall count toward the quorum for the meeting. Any one

council member shall be able to attend telephonically only once per calendar year and may do so only as the result of an illness or being out of the county.

G. Quorum

The Council consists of five members plus the Mayor. Three members of the Council shall constitute a quorum and shall be sufficient to transact business. If less than three Councilmembers appear at a regular meeting, the members attending may adjourn from time to time. In the alternative, the City Manager may adjourn the meeting to a stated day and hour.

II. AGENDA

A. Preparation of Draft Agenda

A draft agenda shall be prepared for each regular meeting containing the time of commencement of the meeting, the specific items of business to be transacted and the order thereof. The Mayor shall meet with the City Manager, the City Attorney and additional staff as deemed appropriate to establish those items appearing on the agenda. Whenever feasible, each item on the agenda shall contain a staff recommendation and the specific action requested to be taken by the Council. Regular meeting agendas shall be prepared and posted in accordance with the Georgia Open Meetings Act.

B. Placement of Items on Agenda

Councilmembers wishing to have items placed on a future draft agenda shall contact the Mayor and/or the City Manager. In the alternative, any Councilmember may make a request during "Mayor's/Councilmembers' Reports" to add an item to a subsequent meeting draft agenda. The purpose of the City Council discussion on such a request will only be to determine whether it will be placed on a subsequent agenda for deliberation and action. A concurrence of one other Councilmember will be sufficient to place the item on a subsequent agenda. Notwithstanding the above, items may be removed from the Consent Agenda as set forth herein.

C. Order of Business

At the time set for each regular meeting, the Mayor shall call the meeting to order and the business of the Council shall be taken up for consideration and disposition in the order set forth in Section D below except that with consent of a majority of the Councilmembers present, items may be taken up out of order.

D. Agenda Contents

The agenda shall contain the title headings and shall be conducted in the order and manner as set forth in Exhibit "A" attached hereto.

- Call to Order - the City Clerk or his/her designee shall record the names of those Councilmembers present and absent in the minutes.
- Closed Session(s) - The City Council may meet in closed session as authorized under the Georgia Open Meetings Act
- Work Session(s) Reports - Work sessions are items for in-depth discussion and possible direction to staff. No action shall be taken at work session but shall be reported on the agenda of the following regular meeting.
- Presentations and Appointments – May include recognitions and proclamations.
- Public Comments on Agenda Items - Public comment will be allowed on all agenda items at the designated time for Citizen’s Input. Citizens wishing to speak are requested to fill out a speaker card identifying the agenda item about which they wish to address the Council and submit the card to the City Clerk. Each speaker may address the Council for up to three minutes regarding each action item that is a part of an agenda, except public hearings. The Mayor shall have the authority to limit public comments on an agenda item to less than three minutes based on the number of speakers wishing to address the council on a particular item. Speakers will be called in the order cards are submitted unless otherwise determined by the Mayor. The City Attorney will monitor the time for public comments and inform the speakers when the time limitation has been reached.
- Staff Briefings - This time is reserved for City staff to brief the Council on departmental issues of interest. No action will be taken on these matters except to place a particular item on a future agenda for consideration by the Council.
- Mayor's/Councilmembers' Reports - The Mayor and Councilmembers may, from time to time, give reports regarding matters of general interest to the Council, brief one another on committees or boards on which Councilmembers serve and seek direction on items that they may be required to act upon as the City's representative, to share pertinent information, or to request future agenda items as permitted under section II.B above. Council may take action as appropriate and as permitted by law.
- City Manager’s/City Attorney's Reports - The City Manager and City Attorney may, from time to time, give reports regarding matters of general interest to the Council. Council may take action as appropriate and as permitted by law.
- Consent Items - Items that are routine in nature or have been previously reviewed by the Council and require little or no further discussion by the Council, public, or applicant, are considered as Consent Items. The Council may act on these items in one motion as shown on the agenda. Consent items

may be removed to “New Business” by request of any council member prior to approval of the agenda.

- **Public Comments on Non-Agenda Matters**
Any person desiring to address the Council on matters not listed on the agenda which are within the subject matter jurisdiction of the City may do so under Public Comments on Non-Agenda Matters. Those wishing to speak are requested to fill out a speaker card and submit the card to the City Clerk. Each speaker may address the Council for up to three minutes at each Council meeting. The Mayor shall have the authority to limit public comments on non-agenda matters to less than three minutes based on the number of speakers wishing to address the Council. Speakers will be called in the order cards are submitted unless otherwise determined by the Mayor. The City Clerk will monitor the time for public comments and inform the speakers when the time limitation has been reached. The Council may not take immediate action on items presented under Public Comments on Non-agenda Matters but can refer the matter to staff or request its placement on a future meeting agenda

III. PRESIDING OFFICER

A. Mayor to Preside

The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and Mayor Pro Tem, the City Manager shall call the Council to order, whereupon a temporary Presiding Officer shall be elected by the Councilmembers present to serve until the arrival of the Mayor or until adjournment.

B. Powers and Duties of Presiding Officer

1. Questions to be stated

The Presiding Officer, or such member of the City staff as he/she may designate, may verbally restate each question immediately prior to calling for the vote. Following the vote, the Presiding Officer, in his/her discretion, may publicly explain the effect of a vote for the audience, or he/she may direct a member of the City staff to do so, before proceeding to the next item of business.

2. Maintaining Order and Decorum

The Presiding Officer shall be responsible for the maintenance of order and decorum at all meetings. Any decision or ruling of the Presiding Officer may be appealed by request of any Councilmember. The Presiding Officer shall call for a roll call to see if the Chair shall be upheld. If the roll call loses, the Presiding Officer is reversed.

3. Signing of Documents

The Presiding Officer shall sign all ordinances, resolutions, contracts, and other documents necessitating his/her signature, which were adopted in his/her

presence, unless he/she is unavailable, in which case an alternate Presiding Officer may sign such documents. Council resolutions may designate other signators.

IV. ADDRESSING THE COUNCIL

A. Written Correspondence

The City Manager or his/her designee is authorized to receive and open all mail addressed to the City Council. He/she shall give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action may be disposed of between Council meetings. Any communication requiring Council action shall be placed upon the agenda. All correspondence requiring a response shall be answered or acknowledged as soon as practicable.

Written correspondence pertaining to an item on the agenda and submitted to the City Clerk's Office by 12:00 p.m. the Monday one week before the Council meeting will be distributed to the Council prior to the Council meeting. Written correspondence received after the Monday deadline and before noon the day of the meeting will be distributed to Councilmembers at the Council meeting. All written correspondence pertaining to matters on the agenda and received prior to 12:00 p.m. on the day of the meeting will be available for public review.

B. Right to Address Council

Subject to the provisions of Paragraphs C, D and E hereof, members of the public shall have the right to address the Council as set forth in the agenda.

C. Public Hearings

Interested persons or their authorized representatives may address the Council, while a matter is open to public hearing, in regard to remarks or questions relevant to the matter under consideration.

D. Manner of Addressing Council

Any person desiring to address the Council shall stand and wait to be recognized by the Presiding Officer. After being recognized, he/she shall approach a podium, state his/her name and address for the record, and proceed to address the Council. All remarks and questions shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council member or a member of the City staff without first obtaining permission of the Presiding Officer.

E. Time Limitation

Every person addressing the Council shall limit his/her address to such reasonable time as is granted by the Presiding Officer, which, in most cases, will be three minutes. When any group of persons wishes to address the Council on the same

subject matter, it shall be proper for the Presiding Officer to request that a spokesman be chosen to represent the group, as to avoid unnecessary repetition. The Presiding Officer may allow up to ten minutes for a spokesperson,

V. DEBATE AND DECORUM

A. Getting the Floor

Councilmembers wishing to speak during Council meetings shall raise their hand or otherwise indicate to the Mayor their desire to speak and gain recognition by the Presiding Officer. Councilmembers shall confine himself/herself to the question under debate.

B. Questions to Staff

Every Councilmember desiring to question the City staff shall, after recognition by the Presiding Officer, address his/her questions to the presenter of an agenda item, the City Manager or to the City Attorney. The City Manager or City Attorney shall be entitled either to answer the inquiry himself/herself, or to designate a member of his/her staff for that purpose.

C. Interruptions

A Councilmember, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Councilmember, or unless the speaker chooses to yield to a question by another Councilmember. If a Councilmember, while speaking, is called to order, he/she shall cease speaking until the question of order is determined; if determined to be in order, he/she may proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

D. Points of Order

The Presiding Officer shall determine all points of order subject to the right of any Councilmember to appeal to the Council. He/she may request an opinion of the City Attorney in making such determination. The Presiding Officer's decision shall conclusively determine such question of order.

E. Point of Personal Privilege

The right of a Councilmember to address the Council of a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are questioned, or when the welfare of the Council is concerned. A Councilmember raising a point of personal privilege may interrupt another Council member who has the floor subject only to the power of the Presiding Officer to call him/her out of order.

F. Decorum and Order - Council and City Staff

While the Council is in session, the Councilmembers and City staff shall preserve order and decorum. A member 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 directives of the Presiding Officer.

G. Decorum and Order, Audience

Public members attending Council meetings shall observe the same rules of order and decorum applicable to the Council and staff. No person shall use loud, profane, threatening, or personally abusive language, or engage in any other disorderly conduct so as to disrupt, disturb or otherwise impede the orderly conduct of any Council meeting. Persons who violate this rule may be barred from attendance for the remainder of the Council meeting, provided that the Mayor has notified the person to conduct himself/herself in a manner consistent with this rule, and warned the person that he/she will be removed if he/she continues to disrupt the Council meeting. If after notification and warning the person persists in disrupting the meeting, the Mayor shall order the person to leave the Council meeting and may recess the meeting if necessary. If the person does not remove himself/herself, the Mayor may request the Sergeant at Arms or any law enforcement officer who is on duty at the meeting to remove that person from the Council Chamber.

H. Enforcement of Decorum

The Chief of Police, or such member of the Police Department as he/she may designate, shall be Sergeant-at-Arms at the City Council meetings and he/she shall attend meetings when requested by the Presiding Officer, City Manager, or City Council. He/she shall be available to respond to all meetings immediately upon call. He/she shall carry out all orders given by the Presiding Officer of Council for the purpose of maintaining order and decorum at the Council meetings. Any Councilmember may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the Councilmembers present shall require him/her to do so.

I. Failure to Observe Rules of Order

Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.

VI. MOTIONS

A. Presentation of Motions

A motion is the formal statement of a proposal or question to the Council for consideration and action. Each Councilmember has a right to present a motion.

B. Second Required

A motion by any Councilmember shall not be considered by the Council and voted on unless it receives a second.

C. Precedence of Motions

When a main motion is before the Council, no motion shall be entertained except the following which shall have precedence, one over the other, in the following order:

1. Adjourn
2. Recess
3. Postpone temporarily or definitely (table)
4. Previous question (call the question)
5. Limit or extend debate
6. Refer to committee or staff
7. Amend
8. Postpone indefinitely

The above order of precedence is subject to the following restrictions:

1. A motion shall not be repeated without intervening business or discussion.
2. A motion shall not be in order when the previous question has been ordered.
3. A motion shall not be in order while a vote is being taken.

D. Particular Motions, Purpose and Criteria

The purpose and salient criteria of the above-listed motions are as follows:

Motion to Adjourn

Purpose:	To terminate a meeting.
Debatable or Amendable:	No, except a motion to adjourn to another time to which the meeting is to be adjourned.

Motion to Recess

Purpose:	To permit an interlude in the meeting and to set a definite time for continuing the meeting.
Debatable or Amendable:	Yes, but restricted as to time or duration of recess.

Motion to Postpone Temporarily

Purpose:	To set aside, on a temporary basis, a pending main motion provided that it may be taken up again for consideration during the current meeting or at the next regular meeting. It is also referred to as a motion to lie on the table.
Debatable or Amendable:	It is debatable but not amendable.

Motion for Previous Question (Call the Question)

Purpose: To prevent or stop discussion on the pending question or questions and to bring such question or questions to vote immediately. If the motion fails, discussion shall continue. If the motion passes, a vote shall be taken on the pending motion or motions.

Debatable or Amendable: No.

Motion to Limit or Extend Debate

Purpose: To limit or determine the time that will be devoted to discussion of a pending motion or to extend or remove limitations already imposed on its discussion.

Not debatable; amendments are restricted to the period of time of the proposed limit or extension.

Motion to Refer to Committee or Staff

Purpose: To refer the question before the Council to a committee or to the City staff for the purpose of investigating or studying the proposal and to make a report back to the Council. If the motion fails, discussion or vote on the question resumes.

Debatable or Amendable: Yes.

Motion to Amend

Purpose: To modify or change a motion that is being considered by the Council so that it will express more satisfactorily the will of the members. If the motion fails, discussion or vote on the main motion resumes. If the motion passes, then the main motion should be voted on as amended.

Debatable or Amendable: It is debatable unless applied to an undebatable main motion. It is amendable.

Motion to Postpone Indefinitely

Purpose: To prevent further discussion and voting on the main motion. If the motion fails, discussion and voting on the main motion resumes. If it passes, the subject of main motion shall not be brought up again for the remainder of the meeting or the next regular meeting.

Debatable or Amendable: It is debatable but not amendable.

Main Motion

Purpose: The primary proposal or question before the Council for discussion and decision.

Debatable or Amendable: Yes

VII. VOTING

A. Voting Procedure

When any motion is in order for the question, a vote thereon shall be taken and entered in full upon the record by the City Clerk. Motions may be passed by a simple majority of the members present at a properly quorumed meeting (three votes required if only three members present) unless otherwise required by the City Charter, City ordinance or state law.

The affirmative vote of a majority of the total membership of the Council (three votes) shall be necessary to adopt any ordinance or resolution and for the Council to approve or settle a claim against the City unless otherwise required by the City Charter, City ordinance, or state law.

B. Change of Vote

A member may change his/her vote only if he/she makes a timely request to do so immediately following the announcement of the vote by Presiding Officer and prior to the time the next item in the order of business is taken up.

C. Failure to Vote

Every member should vote unless disqualified for legal cause. Self-disqualification, without legal cause, which results in a tie vote, shall be voided as thwarting Council action. A Councilmember who abstains shall in effect consent that a majority of the quorum may act for him/her. Tie votes shall be lost motions and the question remains before the Council. Similarly, votes requiring some passing action such as approval/disapproval of site plans shall remain a question before the Council if the vote results in a lost motion.

D. Conflict of Interest

Any Councilmember who has a financial interest or other conflict of interest in any matter coming before the City Council shall state the nature of the disqualification and disqualify himself/herself from discussing or voting on that matter in accordance with the City Code. Unless the matter in which the Council member has a conflict of interest is on the consent calendar, the Councilmember shall leave the Council Chamber before any discussion on the matter commences and shall remain outside of the Council Chamber until the matter is concluded. A Councilmember stating such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

E. Reconsideration and Rescission of a Prior Action

A motion to set aside a vote (in essence to reconsider) or a motion to rescind (repeal, cancel, nullify) shall be permitted only as follows:

Any member who voted with the majority may move to reconsider or rescind any action at the same or next following meeting, providing no legal rights have intervened to create an estoppel. The seconder shall not be required to have voted with the majority. If the motion carries, the item shall be listed on the agenda, or placed on the agenda at the next available meeting or such other meeting as designated by the Council and in accordance with any requirements by law. After a motion to reconsider or to rescind any action has once been acted on, no other motion to reconsider or to rescind the same action shall be made without unanimous vote of the Council. This paragraph shall not affect any procedures presently provided for by ordinance.

F. Lost Motions

A lost motion is one that fails to receive the necessary number of votes to carry. Tie votes result in a lost motion. Any item resulting in a lost motion may be acted on at any subsequent Council meeting unless the action is otherwise prohibited by law. This procedure shall not apply to the appeal of a staff decision or board or commission decision to the City Council. If there are not sufficient votes to grant an appeal, the decision of staff or the board or commission shall become final.

VIII. MINUTES

A. Preparation of Minutes

The City Clerk shall have exclusive responsibility for preparation of the minutes. Any directions for alterations in the minutes shall be made only by action of the City Council. Corrections or typographical or clerical errors are not considered alterations.

B. Minutes of Hearings

Whenever the Council acts in a quasi-judicial proceeding, the minutes shall contain a summary of the evidence.

C. Reading of Minutes

Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, such minutes may be approved without reading as part of the Consent Agenda.

IX. ORDINANCES, RESOLUTIONS AND CONTRACTS

A. Preparation of Ordinances, Resolutions, and Contracts

1. Ordinances

All ordinances shall be reviewed and approved by the City Attorney and shall be presented to the Council only when ordered by the Council or City Manager, or prepared by the City Attorney on his/her own initiative.

2. Resolutions

All resolutions shall be reviewed and approved by the City Attorney. In matters of urgency, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution.

3. Contracts

All contracts shall be approved as to form by the City Attorney and shall be presented to Council unless the Council has delegated that authority to the Mayor, City Manager or other staff, or to the City Attorney.

B. Prior Approval by Administrative Staff

All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form by the City Attorney and shall have been examined and approved for administration by the City Manager or his/her authorized representative, where there are substantive matters of administration involved.

C. Enactment of Ordinances

1. Introduction

Ordinances shall be introduced for first reading by motion. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular meeting held at least five days after alteration. Corrections or typographical or clerical errors are not considered alterations.

2. Passage

Ordinances shall be considered for adoption on second reading. Ordinances may be passed by motion and a majority vote of the Council, except for those ordinances which require a larger number of the Council for their approval. Ordinances, except for urgency ordinances, shall not be passed within five days of their introduction.

3. Reading

After reading the caption, further reading is waived.

4. Urgency Ordinance

An urgency ordinance is an ordinance for the immediate preservation of the public peace, health or safety of the City. It may be passed immediately upon introduction either at a regular or special meeting. It must declare the facts constituting the urgency and it shall be passed by four affirmative votes.

5. Publication

The City Clerk shall cause each ordinance to be published as required by City Charter and state law.

6. Effective Date

Ordinances take effect in accordance with Section 2.17 of the Oakwood City Charter of 2007.

D. Adoption of Resolutions

Resolutions may be adopted by motion on the date they are first presented to the Council. It is not required that resolutions be read, either in full or by title only. Resolutions may be adopted as amended by the Council on the date they are first presented unless the Council by majority vote directs the City Clerk to place an amended resolution on a subsequent meeting agenda for adoption.

X. PUBLIC HEARINGS

A. Application and Definition

The following procedural rules shall apply to all hearings before the City Council. As used herein, the word hearing shall include all public hearings required by State law or City ordinance, and proceedings for the revocation, suspension or reinstatement of permits, licenses, and franchises.

B. Rights of Interested Persons

On the date and at the time and place designated in the notice, the Council shall afford any interested person or his/her authorized representative, or both, the opportunity to present documentary evidence, and/or to present statements, arguments or contentions orally and/or in writing, subject to the rules on addressing the Council and rules hereinafter stated.

C. General Procedure

The Council procedure for the conduct of public hearings is generally as follows:

1. For quasi-judicial hearings, Councilmembers shall disclose any ex parte communications or information obtained outside the Council Chamber, such as field trips, views of the premises and discussions with individuals.
2. The Mayor opens the public hearing and designates the City Attorney to conduct the public hearing.
3. Staff presents its report.
4. Council members may ask questions of staff.
5. The applicant or appellant has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony.
6. Members of the public are provided with the opportunity to present their comments, testimony or argument. (First those in favor of the application and then those in opposition to the application). The City Attorney may limit repetitive remarks.
7. The applicant or appellant is given an opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, the appellant is given the opportunity for closing comments.
8. The public hearing is closed.
9. The City Attorney moves on to the next item for public hearing, if any.

10. The City Council considers and deliberates on the issue.
11. If the Council raises new issues through deliberation and seeks to take additional public testimony (questions of the public, applicant or appellant), the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
12. The Council deliberates and takes action.
13. The Mayor announces the final decision of the Council.

D. Presentation of Evidence

1. Oral Evidence

All oral statements which are relevant to the subject matter of the hearing may be considered by the Council. Oral evidence may be taken on oath or affirmation at the request of any interested party or his/her authorized representative.

2. Exhibits and Documents

Exhibits and documents used by the City staff and any persons participating in the hearing may be considered as evidence.

3. Communications and Petitions

All communications and petitions may be considered as evidence by the Council.

4. Staff Reports

Whenever practicable, a written staff report shall be prepared and summarized aloud as part of the staff presentation. Said report shall be considered as evidence.

5. Large Maps and Displays

Large size maps and displays presented for use at the hearing shall, whenever practicable, be displayed in full view of the participants and the audience. Said maps or displays, or authentic reductions thereof, may be considered as evidence.

6. Admissible Evidence

The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions.

E. Continuances

Any hearing being held, noticed or ordered to be held by the Council may, by motion, be continued at the request of staff, an applicant or an appellant or by majority vote of the Council to any subsequent regular meeting of the Council provided that if the hearing is continued to a time less than 24 hours after the time specified in the order on notice of hearing, a copy of the order or notice of continuance shall be posted outside the Council Chamber forthwith following the

meeting at which the order of continuance was made. A request for continuance by an applicant or appellant may only be made in accordance with the City Code.

F. Decision

The Council shall consider all evidence properly presented in accordance with the rules stated herein and, unless otherwise provided by law, said decision or determination shall be made by motion, resolution or ordinance, as appropriate. Action may be taken thereon at a subsequent meeting of the Council. Any Council member who failed to hear portions of the hearing and who did not familiarize himself/herself with the hearing or conduct thereof so as to be able to publicly state that he/she was familiar with the issues and evidence presented at the hearing shall disqualify himself/herself from discussing or voting on such matter.

G. Record of Hearing

A verbatim electronic recording shall be made of the oral evidence presented at the hearing. Said recording, together with all documents, maps, exhibits and displays admitted into evidence shall be retained by the City Clerk for a period of one year from the date of the close of the hearing. In lieu of retaining said recording, the City Clerk may prepare a typewritten transcript thereof which shall be retained for the same period of time.

XI. DECISION MAKING

- A. Council members are expected to read staff reports and supporting information in their agenda packets and get necessary clarification on issues prior to the meetings.
- B. Work sessions are held to help educate the Council and for staff to receive comments and direction to bring items back on a later agenda for possible action.
- C. In order to reach the best possible solutions, information is shared freely between Council members during Council meetings.
- D. Council members treat each other, the public and staff with respect at all times.
- E. There is a respect for differing opinions.
- F. The Council will deal with issues and not personalities.
- G. The Council, overall, strives for consensus.
- H. There are individual interests and areas of expertise of Council members – allowing the Council to rely on one another for information and positive action.

XII. COUNCIL GOALS

- A. Council Goals are set every two years by the City Council and reviewed annually.
- B. Staff will prepare an update on City issues, trends and demographics to assist the City Council with preparations for their goal setting process.
- C. The Mayor shall determine the process and facilitator he/she wishes to use for the annual review for the goal setting. The goal setting session shall be held in conjunction with the Annual Retreat so as to allow for development of work plans and allocation of resources through the budget process. Goals shall be established for two fiscal years starting on January 1 and ending on December 31.
- D. The purpose of the goal setting process is to establish a limited number of high priority consensus goals that the City will focus on for the next year.
- E. Staff will develop draft work plans for each goal for approval by the City Council.
- F. The City Manager and City Attorney are active participants in the goal setting process. Other staff may also participate in goal setting at the direction of the City Council.
- G. Staff will take steps to distribute Council goals to staff and the public.
- H. The City Council will review progress on the goals quarterly.

XIII. COMMUNICATIONS

- A. The City Manager handles all correspondence for the Council. Copies of appropriate correspondence are disseminated to the entire City Council.
- B. All written informational material requested by an individual Councilmember shall be distributed by staff to all Councilmembers with a notation indicating which Councilmember requested the information.
- C. Mail that is addressed to the Mayor and City Council shall be included in each Councilmember's monthly packet. Any communication requiring Council action shall be placed on the agenda. All correspondence requiring a response shall be answered or acknowledged as soon as practicable.
- D. Correspondence directed to the City Council and/or the City Manager relating to Council business is available to the public.

XIV. COUNCIL/STAFF RELATIONS

- A. City staff shall acknowledge the Council as the policy makers and the City Council shall acknowledge staff as administering the Council's policies.
- B. The City Manager and the City Attorney are the only officials directly appointed by the City Council. All department heads (except for the City Attorney are supervised by the City Manager.
- C. Council relies on staff for technical work and reports.
- D. Staff handles all labor negotiations.
- E. Council shall not attempt to coerce or influence staff in the making of appointments, the awarding of contracts, the selection of consultants, the processing of development applications or the granting of licenses or permits. The Council shall not attempt to change or interfere with the operating policies and practices of any City department.
- F. A Council member shall not direct staff to initiate any action or prepare any report that is significant in nature or initiates any project or study without the approval of a majority of the City Council.
- G. Councilmembers should confer with the City Manager on issues of concern. The City Manager shall provide written notice to the City Council on all matters of major impact to the City.
- H. Staff provides support to Councilmembers serving on regional agencies, boards or commissions or on any league affiliated committee or body.

XV. CITY BOARDS, COMMISSIONS AND COMMITTEES

- A. All appointments to City boards, commissions and advisory committees shall be made in accordance with the City Charter. All applicants for City boards, commissions, or advisory committees shall complete and file a standard application form with the City Clerk at least five days before consideration by the Mayor.
- B. Councilmembers have the right to attend meetings of boards, commissions, and advisory committees but are cautioned about becoming involved in the meeting's discussion or business.

XVI. CONFIDENTIAL INFORMATION

- A. Council members shall keep all written materials and verbal information provided to them on matters that are confidential under State law in complete confidence to ensure that the City's position is not compromised. No mention of information in these materials should be made to anyone other than Councilmembers, the City Attorney or the City Manager.

- B. Councilmembers shall avoid disclosing information, which is confidential or not generally known or readily available to the public, concerning the business or property of the City for the purpose of benefiting any private interest.
- C. If the City Council in closed session has provided direction to City staff on proposed terms and conditions for any type of negotiations whether it be related to property acquisition or disposal, a proposed or pending claim or litigation and/or employee negotiations, all contact with the other party should be by the designated City staff representative handling the negotiations or litigation. Unless otherwise authorized by the City Council, a Councilmember shall not have any contact or discussions with the other party or its representatives involved with the negotiations during this time nor communicate any discussion conducted in closed session. All public statements, information and press releases should be handled by the designated staff spokesperson.

XVII. STATIONERY USE AND RELATED GUIDELINES

- A. Official use of City letterhead shall be guided by the following criteria:
 - 1. City letterhead shall be used by the Mayor for official City business and communication of adopted City policies and positions.
 - 2. City letterhead shall be used by the Mayor Pro Tem and Councilmembers for official City correspondence and communications.
 - 3. Personal Stationery without City Logo shall be used by any member of the City Council to communicate individual positions, conduct personal correspondence or communicate positions that may be in opposition to established City Council positions or decisions. Personal stationery shall be printed at the expense of the individual Councilmember. It is the policy of the City Council that the use of City letterhead and/or title on personal matters is not permitted.
- B. The use of the City Seal, logo or other insignia on personal matters is not permitted.
- C. All business cards printed hereafter will contain only the person's name, title, City Hall address and telephone number, with home and/or business telephone numbers optional. Business names and/or addresses are prohibited.
- D. All documents using the City letterhead are public documents. All documents shall be provided to the City Manager for retention.
- E. Whenever a Councilmember other than the Mayor wishes to write a letter on City letterhead, he/she should inform the Council (in writing or verbally at an open meeting) what the letter is about and seek Council concurrence that the letter may be written on City letterhead.

- F. All Councilmembers are copied on correspondence signed by the Mayor or other Councilmembers.

XVIII. CONDUCT BY COUNCILMEMBERS

- A. Councilmembers shall avoid any action which could be construed by an objective person to create the appearance of: 1) using public office for personal gain including use of City stationery or other City resources to obtain or promote personal business or for campaign purposes; 2) giving preferential treatment to any person or group; or 3) impeding governmental responsiveness or efficiency.
- B. Councilmembers shall identify personal opinions and recommendations, avoiding any implication that personal opinions and recommendations are those of the Council unless such position has been duly voted.
- C. No elected official, officer, appointee or employee shall engage in any enterprise or activity which shall result in using time, facilities, equipment or supplies of the City for the private gain or advantage of him or another.