

ORDINANCE NUMBER 0-2020-01

CITY COUNCIL RULES AND PROCEDURES

AN ORDINANCE REPEALING AND REPLACING ORDINANCE O-0199; ESTABLISHING THE RULES AND PROCEDURES TO BE USED BY THE WARD CITY COUNCIL; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES;

WHEREAS, A.C.A. § 14-43-501 requires City Councils to organize itself annually during the month of January; and,

WHEREAS, Rules and Procedure for the Ward City Council are hereby established as Attachment "A" of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS THAT;

**SECTION 1:** The Rules and Procedures contained in Attachment "A" thereto, are hereby adopted by a majority vote and shall be controlling from the date on which this Ordinance shall take effect.

**SECTION 2: SEVERABILITY:** If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions thereof which are valid, and that such valid portions shall be and remain in full force and effect.

**SECTION 3: EMERGENCY:** Pursuant to A.C.A. § 14-43-501 et al., the members of this governing body shall assemble and organize annually; therefore, this governing body has done so to ensure the City of Ward has a well-organized City Council in order to protect the property and lives of the citizens of our city. Therefore, an emergency is hereby declared to exist and this Ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately upon its passage and approval.

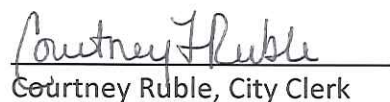
PASSED AND ADOPTED THIS 17<sup>th</sup> DAY OF February, 2020

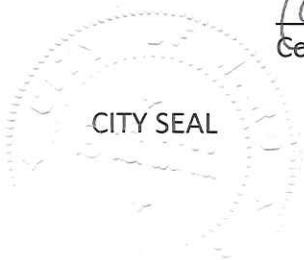
YEAS: 6 NAYS: 0

APPROVED:

  
Charles Gastineau, Mayor

ATTEST:

  
Courtney Ruble, City Clerk





**CHARLES GASTINEAU**  
MAYOR

**COURTNEY RUBLE**  
CITY CLERK

**ORDINANCE O-2020-01, ATTACHEMENT 1**  
**RULES OR ORDER AND PROCEDURES OF THE WARD CITY COUNCIL**

**1. City Council Meetings:**

- a. **Regular:** The City Council shall meet in regular session on the 3<sup>rd</sup> Monday of each month at 6:30 pm in the City Council/Court Room unless otherwise announced.
- b. **Special:** Special Meetings may be called by three or more members of the City Council or by the Mayor. The press, according to the Freedom of Information Act (FOIA), must be notified of Special Meeting, including specific item(s) to be considered, at least 2-hours prior to the meeting. Council members shall be notified by telephone and email at least 2-hours prior to the meeting. No additional agenda item can be added to the agenda within 2-hours prior to the meeting or during the meeting.
- c. **Executive:** An Executive Session may be requested by any member of the Council or the Mayor. A majority vote of the Council is required to convene an Executive Session. Executive Sessions may only be called for the purpose of considering personnel action or to discuss security of the city's water and wastewater system. Executive Sessions will be conducted in the Mayor's Office unless otherwise agreed upon by a majority vote of the council members.
- d. **Quorum:** Each Council meeting requires a Quorum to conduct City business. A.C.A. 14-43-501(b). The Mayor may be counted to establish a Quorum.
- e. **Voting:** Each Council member present must be afforded the opportunity to vote on any business requiring a vote. The Mayor may cast a vote if needed to pass

an Ordinance, Resolution, or other action. The Mayor may not vote to pass the Emergency Clause. Passage of an Ordinance or Resolution requires a Roll-Call vote in which each Council member is called upon to vocalize their vote individually as called by the City Clerk. An affirmative Yes or Yea, No or Nay, or by announcing they abstain<sup>1</sup> from voting, is required. To ensure fairness, the order of vote will rotate among the members to ensure the same members do not vote first or last each time. Other measures and/or action requiring a vote, may be done so by voice-vote only. The Mayor or any Council member may request a Roll-Call vote for any measure/action being voted upon.

## **2. Meeting Order**

### **a. Regular:**

- i. Call to Order
- ii. Prayer
- iii. Pledge of Allegiance
- iv. Roll Call
- v. Approval of Prior Council Meeting Minutes
- vi. Approval of Department Reports
- vii. Special Reports (if provided)
- viii. Old Business
- ix. New Business
- x. Mayor's Report
- xi. Public Comment on Non-Agenda Items
- xii. Announcements
- xiii. Adjournment

### **b. Special:**

- i. Call to Order
- ii. Prayer
- iii. Pledge of Allegiance

---

<sup>1</sup> Any member abstaining must state their reasons for abstain. (i.e. conflict of interest, etc)

- iv. Roll Call
- v. Item(s) needed to be discussed
- vi. Announcements
- vii. Adjournment

3. **Agenda:** The City Clerk, in conjunction with the Mayor, is responsible for developing and distributing the agenda
  - a. All items, (i.e., reports, communications, ordinances, resolutions, contract documents, etc) or other matters requiring Council consideration or action should be delivered to the City Clerk prior to 4:30 pm on Friday at least fourteen (14) days before a regular Council meeting. Reports and the like delivered to the City Clerk after the deadline, will be distributed as soon as possible.
  - b. The City Clerk will then assemble all appropriate documents and provide same to each City Council member via electronic means and/or cause them to be hand-delivered at least seven (7) days before a regular scheduled council meeting. Reports and the like delivered to the City Clerk after the deadline, will be distributed as soon as possible.
  - c. All items which need to be presented to the Council after the deadline (paragraph 3a) has passed, must be approved by the Mayor. Amended agenda and items submitted should be distributed as noted above as soon as possible to include the day of the meeting.
4. **Committees:** As needed, Ad hoc committees will be established and appointed by the Mayor or by a majority of the City Council to study special problems and projects of the city. There are no Standing Committees.
5. **Seating:** Members shall occupy the respective seats as assigned by the City Clerk and approved by the Mayor.
6. **Conduct:** All members of the Governing Body to include the City Clerk, shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the Council, and shall refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive comments and statement as to motives and

personalities. Council Members shall confine their questions as to the particular matters before the Council and in debate shall confine their remarks to the issues before the Council.

7. **Conflict of Interest for Members and Officials:** Per Resolution R-2016-01, each City Council Member and Official must sign the City's Conflict of Interest Policy for Members and Officials upon commencement of employment, election, or appointment acknowledging they have read, understand, that they and are in compliance with the terms of the Policy.
8. **Vacancy of a City Council Member:**
  - a. Vacancies will be filled according to applicable State Law.
  - b. Members of the public who wish to apply, must live within the Ward where the vacancy occurred, be eligible to take office, fill out an Affidavit of Eligibility. Affidavits of Eligibility must be provided to the City Clerk not later than 10:00 am the day of the next regular scheduled Council meeting. The City Clerk, in turn, will compile a package of eligible candidates and provide same to each remaining Council Member upon their arrival at the meeting.
9. **Public Comments:** It is the policy of the Ward City Council to allow Public Comment during City Council Meetings as noted below. All speakers must address the Council at the microphone provided and must identify themselves for the record.
  - a. **Agenda Items:**
    - i. The Mayor will offer comments from the Public after the Council has discussed each Ordinance or Resolution and before the Council votes.
    - ii. Members of the public will have three (3) minutes in which to state their views. The Governing Body is not required to engage in conversation with the speaker.
  - b. **Non-Agenda Items:**
    - i. If a member of the public wishes to speak to the Council on any subject, they must sign up with the City Clerk before the start of the Council meeting.

- ii. Members of the public will have three (3) minutes in which to state their views. The Governing Body is not required to engage in conversation with the speaker.
- c. **Courtesy and Respect:** All members of the public, all city staff members and employees, and all elected officials shall afford the upmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to the integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor and must immediately cease speaking and return to their seat. Any outbursts, derogatory comments, and such by the public sitting in the audience may result in that individual(s) being asked to leave the Council proceeding. Failure to leave after being asked may be grounds for the Ward Police to intervene.

Adopted 2/17/2020 by Ordinance O-2020-01