

2010-2011

# City Council Procedural Rules & Decorum Guidelines



**Adopted:**

January 4, 2010

# 2010-2011 City Council Procedural Rules and Decorum Guidelines

## **I. Purpose**

This document establishes the procedural rules and decorum guidelines for the 2010-2011 City Council of the City of Dover, NH. The purpose of these rules is to allow for the orderly conduct of City business that is convenient for the public, fair to all Council Members and, above all else, essential for open, transparent and effective local governance.

## **II. Use of Robert's Rules for Deliberations**

- A. Robert's Rules of Order, Newly Revised, 10th edition shall govern all Council deliberations except where modified or otherwise exempted herein.
- B. The presiding officer shall decide all questions of order, subject to appeal by a Council Member.
  - i. The presiding officer may choose to submit a question of order to the Council, in which case a simple majority vote shall prevail.
  - ii. Any ruling of the presiding officer may be appealed by request of any member.
    - a. The presiding officer shall call for a roll call vote to determine if the ruling shall be upheld.
    - b. If the said vote passes or results in a tie vote, the presiding officer's ruling shall stand. If said vote fails, the decision or ruling of the presiding officer is reversed.

## **III. Presiding Officer**

- A. As established by provisions of the Dover City Charter, the Mayor shall serve as the presiding officer of all Council deliberations and shall have all the same powers and privileges as other Council Members. Should the Mayor be absent, incapacitated or in abstention during part or all of a Council meeting, the Deputy Mayor shall serve as presiding officer.
  - i. In case of absence of the Mayor and Deputy Mayor, the City Clerk shall call the City Council meeting to order and call the roll of the members. If a quorum is found to be present, the Council shall choose one of its members to act as the presiding officer until the Mayor or Deputy Mayor arrives.
  - ii. In case of absence of the Deputy Mayor, the Mayor shall select a member of the Council, on a rotating basis, to act as Deputy Mayor until the Deputy Mayor arrives.

## **IV. Council Meetings**

- A. Type and Frequency
  - i. Regular Meetings – are for the purpose of deliberating and voting upon City business. Agendas will generally follow the order of business

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established in Section VII-B below and shall include on the agenda an opportunity for citizen comment related to the matter(s) included on the agenda and/or pertaining to the business of the City Council.

- a. Regular Meetings are to be scheduled on the second and fourth Wednesday of each month, except on designated holidays.
- ii. Special Meetings – are for the purpose of deliberating and voting upon City business at times other than during a Regular Meeting. Such meetings are "special" because the Mayor, upon request of the City Manager, or five (5) Council Members by written request submitted to the Mayor, can call them on a minimum of 24 hours notice. Agendas will generally follow the order of business established in Section VII-C below limited to one or more items requiring Council action and shall include on the agenda an opportunity for citizen comment specifically related to the matter(s) included on the agenda.
  - a. Special Meetings may be scheduled for any day provided sufficient notice is afforded in accordance with provisions of State law.
- iii. Workshop Meetings – are for the purpose of the Council receiving information about City business in an informal setting during which no formal action can be taken. Workshops shall be scheduled upon the request of the Council or the City Manager. The workshop agenda format is intended to encourage in-depth presentations by City Boards, Commissions, Committees and/or staff (including consultants engaged for purposes of advising the Council), and detailed questioning and brainstorming by Council Members. The Council may discuss the material freely without following formal rules of parliamentary procedure, subject to the direction of the presiding officer. Although formal action may not be taken during Workshop Meetings, the presiding officer may poll Council Members during the meeting to determine the general consensus of the Council in order to bring matters back for consideration at future meetings. Agendas will generally follow the order of business established in Section VII-D below limited to one or more items for Council review and discussion and shall include on the agenda, prior to the end of the meeting, an opportunity for citizen comment related to the matter(s) included on the agenda. The Decorum Guidelines still apply to the behavior of the Council and public during Workshop Meetings.
  - a. Workshop Meetings typically are to be scheduled on the first Wednesday of each month and may be scheduled more frequently should a need arise.
- iv. Non-Public Meetings – are held to discuss only certain items specified in State law during which the public cannot attend. Non-Public Meetings shall be properly noticed and State law pertaining to the appropriateness and necessity of holding such meetings shall be strictly adhered to in all cases.

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- a. Non-Public meetings are typically scheduled as necessary, before or after other Council meetings.
  - v. Executive Sessions - are held solely for purposes of receiving legal counsel and/or for collective bargaining matters relating to strategy or negotiations during which the public cannot attend.
    - a. Executive Sessions are typically scheduled as necessary, before or after other Council meetings.
- B. Schedule
  - i. Regular and Workshop Meetings - typically will be scheduled for Wednesday evenings to begin at 7:00 p.m.. Earlier start times may occur depending on the anticipated length of time necessary to complete an agenda.
    - a. Regular Meetings will typically be held on the 2nd and 4th Wednesday of each month.
    - b. Workshop meetings will typically be held on the 1st Wednesday of each month.
  - ii. Non-Public Meetings and Executive Sessions - typically will be scheduled to begin prior to starting a Regular or Workshop meeting on Wednesday evenings.
  - iii. On occasion, Council meetings may be scheduled to start or continue on other than Wednesday evenings as particular needs may arise.
  - iv. All Council meetings shall conclude by 10:30 p.m. unless Council Members take appropriate action to extend the meeting beyond the deadline. Items on the agenda not completed shall be continued to another date and time certain but no later than the date of the next Regular Meeting.
  - v. Cancellation or Postponement - The City Clerk will notify Council Members by both e-mail and telephone upon determination of a meeting cancellation or postponement.
    - a. The Mayor, Deputy Mayor and City Manager shall confer and determine if insufficient business or other non-urgent matter warrants postponement or cancellation of a scheduled Council meeting.
    - b. The Mayor and City Manager shall determine if inclement weather or other emergency warrants postponement or cancellation of a scheduled Council meeting.
- C. Location – Council meetings typically will be held in the Council Chambers at City Hall unless specified on the meeting notice as being held elsewhere.
- D. Notice – All Council meetings shall be noticed in accordance with State law by the City Clerk with a posting of the agenda accessible to the public from the City web site, a copy placed on the meeting bulletin board located on the first floor of City Hall and e-mailed to Council Members. Meeting notices will be posted by noon on the Friday preceding the meeting date, unless circumstances require otherwise.

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- E. Quorum – In accordance with the City Charter, a quorum shall consist of a majority (greater than 50%) present of all members of the 2010-2011 Council.
  - i. During a meeting, any Council Member may leave the meeting room only after providing notice of pressing business and provided there is no loss of quorum as determined by the presiding officer.
- F. Council Seating - Council members shall be seated in the meeting room as directed by the Mayor.

### **V. Procedures for Conduct of Meetings**

- A. Role of Council Members - All Council Members have a responsibility to adhere to the highest ideals of civility and decorum while participating in all meetings conducted on behalf of the community. In doing so, Council Members are expected to abide by the Decorum Guidelines included as an addendum to these procedural rules and shall, at all times, honor the public trust and dignity bestowed upon them as elected community leaders.
- B. Role of Presiding officer – the presiding officer shall be responsible for ensuring all meetings are conducted in accordance with the requirements of these procedural rules ensuring, at all times, the orderly conduct of City business that comes before the Council. The presiding officer shall have the cooperation and support of fellow Council Members in maintaining order and civility throughout Council meetings.
- C. Orderly Conduct of Meetings - Council Members, members of the general public, the City Manager and staff shall address all questions or remarks to the presiding officer; confine their remarks to the merits of pending questions; and shall not engage in personal attacks or accusations not related to official duties.
  - i. Personal attacks, personal accusations, irrelevant or unduly repetitious communications or other disruptive behaviors that actually disrupt, disturb or impede the orderly conduct of the business of the Council may, at the discretion of the Presiding Officer, incur a warning, recess of the meeting, or other appropriate actions, to allow the Council to resume the orderly conduct of city business.
- D. Public Hearings – To receive citizen input and feedback on certain specific matters that have been placed on the meeting agenda for consideration and action by the City Council, Public Hearings will be scheduled and held as required by law and/or whenever referred by simple majority vote of Council Members present. Upon being referred by Council vote, Public Hearings will be noticed for and held during a subsequent Regular and/or Special Meeting. At the request of the presiding officer, Ordinances or Resolutions scheduled on an agenda for public hearing will be briefly introduced with appropriate explanations by staff. Citizens will then have the opportunity to address the Council speaking to the specific item(s) subject to public hearing.
  - i. All speakers shall be residents of the City of Dover, property owners in the City of Dover, and/or designated representatives of recognized civic organizations or businesses located in the City of Dover;

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- ii. All speakers shall address their comments to the presiding officer and the Council as a body and not to any individual member;
  - iii. Speakers shall first recite their name and address for the record;
  - iv. For each public hearing item, a speaker shall be provided a single opportunity for comment, limited to five (5) minutes;
  - v. Public Hearings are not intended to be utilized for a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager.
  - vi. The presiding officer shall preserve strict order and decorum for and by all speakers appearing before the Council.
- E. Citizen Forum – To encourage and allow ongoing input and feedback from citizens, Regular, Special and Workshop meetings shall include on the agenda an opportunity for citizens to address the Council. In addition to public hearings that may be scheduled for public comment on specific matters, the Citizen Forum will ensure citizens have the opportunity to speak to all other items on a meeting agenda and/or matters pertaining to the business of the Council.
  - i. Speakers shall be residents of the City of Dover, property owners in the City of Dover, and/or designated representatives of recognized civic organizations or businesses located in the City of Dover;
  - ii. Speakers shall address their comments to the presiding officer and the Council as a body and not to any individual member;
  - iii. Speakers shall first recite their name and address for the record;
  - iv. Each speaker shall be provided a single opportunity for comment, limited to five (5) minutes;
  - v. Citizen Forum is not intended to be utilized for a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager.
  - vi. The presiding officer shall preserve strict order and decorum for and by all speakers appearing before the Council.
- F. Background Information - The City Manager shall be responsible for providing the Council with necessary background information on all Resolutions and Ordinances, and all questions requiring an administrative response shall be directed to the City Manager who may, when necessary, defer to a Department Head or other staff member present.
  - i. In order to make the most efficient use of Council Member's time, ensure adequate information is available during deliberations and, focus Council meetings on consideration and debate of policy issues, Council Members are encouraged to direct questions to the City Manager as far in advance of a meeting as possible so that a thorough response may be researched and presented at the Council meeting. Any clarifications or technical questions that can be readily answered should be handled before the meeting.
- G. Motions – In conformance with the meeting agenda, any Council Member may bring a matter of business requiring a vote before the Council by making a motion. Before the matter can be considered or debated it must be seconded. Once the motion has been properly made and seconded, the presiding officer

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shall open the matter for full debate offering the first opportunity to speak to the moving Council Member.

- H. Debate – Discussions and deliberations at meetings of the Council are to secure the sound reasoning and mature judgment of Council Members on matters submitted to the Council for decision. This purpose is best served by an open exchange of thought and ideas through an orderly discussion and debate assuring every Council Member a reasonable and equal opportunity to be heard.
  - i. Council Members must raise their hand to be recognized by the presiding officer for a turn to speak.
  - ii. A Council Member who makes a motion will be recognized by the presiding officer to briefly speak first for the sole purpose of introducing that motion. Thereafter, every Council Member may be recognized and allowed to speak to the motion two times only. The introducing Council member may also address the motion two times, thereby allowing them the right to address his or her motion a total of three times (once when introducing the motion plus two more times).
    - a. Specific inquiries including points of order made to the presiding officer by a Council Member or responses to inquiries requested by the presiding officer shall be excluded from these limits, but all such inquiries and responses shall be specific to the question being debated.
  - iii. The introduction of a resolution by the moving Council Member shall be limited to three (3) minutes. All subsequent addresses made by any Council Member to a motion on the floor will be limited to five (5) minutes for each address. These limits on debate shall apply to all motions whether they are main, subsidiary, privileged, or incidental.
  - iv. Relevancy of Debate – During debate, a Council Member obtains the floor only for the purpose of discussing the pending question or to raise a point of order. All discussion by Council Members must be relevant to the motion before the Council.
  - v. Interruptions - Except for a call to order made by the presiding officer or point of order raised by another Council Member, a Council Member once recognized and having obtained the floor to speak, shall not be interrupted while speaking. A Council Member called to order while speaking shall cease speaking until the question or order is determined, and, if in order, said Council Member shall be permitted to proceed.
  - vi. Decorum - The nature and consequences of a motion or any other matter before the Council may be discussed vigorously but it shall not be permissible to attack the motives, character or personality of a Council Member either directly or by implication.
- I. Voting
  - i. Although every Council Member, in the absence of a conflict of interest or other need for abstention, has a duty as an elected representative to vote on matters before the Council, they may not be compelled to vote.

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- ii. Upon a vote being called for by the presiding officer, votes of Council Members shall be recorded and reported to the presiding officer by the City Clerk in accordance with the following methods:
  - a. Show of Hands – Council Members shall raise their hand to be counted. Those voting in the affirmative to approve a motion shall be called upon to raise their hand to be counted and then those voting in the negative to disapprove of a motion shall be called upon to raise their hand to be counted.
  - b. Roll Call – Council Members shall vote upon their name being called by the City Clerk. Names will be called alphabetically by last name, said name to be called on a rotating basis so that the name first called at the previous Regular Meeting shall be the name last called at the following meeting. Upon calling of their name, those voting in the affirmative to approve a motion shall state “yes” and those voting in the negative to disapprove of a motion shall state “no”.
    - 1. A roll call vote shall be required on the main motion for approval of the annual budget, debt authorizations, spending resolutions and final adoption of ordinances and, pertaining to any other matter being voted by the Council, at the discretion of the presiding officer or upon request of two (2) or more Council Members.
- J. Voting Results – unless otherwise required by law and provided a quorum is maintained throughout voting, a question being voted upon shall prevail with a simple majority (greater than 50%) of Council Members present voting in the affirmative.
- K. Abstention – Council Members should only abstain from voting on a matter before the Council in limited circumstances involving a conflict of interest or other potential Oath of Office, City Charter or ordinance violation. The Council Member shall inform the presiding officer of their intention and reason for abstaining immediately following the motion and seconding of the question pertaining to the matter but prior to the start of debate (the Council Member abstaining may not move or second the question to be considered)
  - i. Only the Council Member may decide if there is a need for their abstention based on a conflict of interest or other potential Oath of Office, City Charter or ordinance violation. Compliance with Chapter 22 of the Dover ordinances is required.
    - a. In the event of an abstention the abstainer in effect, "consents" that a majority of the Council Members present may act for him or her.
    - b. Council Members abstaining from consideration of a particular item shall leave the Council dais and join the public observing the proceedings until conclusion of action upon the item as determined by the presiding officer.

**VI. Agenda Setting**

- A. Agenda Items Initiated by Council Members – Any Council Member shall have the right and may initiate resolutions or ordinances to be placed on an agenda for Council consideration. Each resolution before the Council should typically involve a two week vetting process occurring before the vote by the Council at a Regular or Special Meeting. The vetting process includes consultation with the City Manager, staff reviews, and placement on the agenda. Council Members should notify the Mayor of their intentions to bring forward a proposal and discuss the initiative with the City Manager to ensure a complete understanding of their proposed policy objective and administrative implications.
  - i. The City Manager is available to assist each Council Member with coordinating the drafting of a proposed resolution or ordinance to ensure it may be presented to the Council in a correct and complete form. The City Manager shall review a draft of the proposal with the Council Member and seek their approval prior to formally submitting the item for agenda setting.
  - ii. To ensure sufficient time for proper research, drafting and approval of proposed resolutions or ordinances to come before the Council, a Council Member should notify the Mayor and request the assistance of the City Manager at least one week prior to the agenda submission deadline.
- B. Agenda Items Requested by City Manager - Ordinances and resolutions involving routine and administrative matters may be introduced by the Mayor upon request of the City Manager.
  - i. Resolutions or ordinances submitted on behalf of the City Manager shall be noted with the phrase "by request".
- C. Agenda Submission Deadline - Every ordinance, resolution, and document to come before the Council for consideration must be submitted for agenda setting, in compliance with guidelines established by the City Clerk, by noon on the Wednesday before the week on which the Council is scheduled to hold a Regular Meeting.
  - i. In being submitted for agenda setting, each resolution and ordinance shall first be approved as to form by the City Clerk, as to financing by the Finance Director, and as to legal compliance by the City Attorney.
- D. Scheduling of Agenda Items - The Mayor, Deputy Mayor and City Manager will meet as needed during the period between the agenda submission deadline and the agenda publication deadline preceding every Regular Meeting to determine what items are of such importance that they must be moved to the front of the agenda. If the Mayor so determines, he or she may disregard Section VII (Order of Business) in the positioning of an item on the agenda.
- E. Publication of Agenda - the City Clerk will e-mail to each Council Member and post for the public to review by noon on the Friday before each Council meeting an agenda identifying by number and descriptive title, all matters including titles

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of ordinances, resolutions, documents and/or topics to come before the Council for consideration, unless circumstances require otherwise.

- F. Agenda materials – the City Clerk will have available by 2:00 p.m. on the Friday before each Council meeting the agenda materials to be considered during the meeting including resolutions, ordinances and/or documents, unless circumstances require otherwise. The agenda materials will be e-mailed and a copy placed in each Council Members mailbox at City Hall. The agenda materials will also be made accessible to the public from the City web site and copies will be available in the City Clerk’s Office on the first floor of City Hall during regular business hours.

### **VII. Order of Business**

- A. A regular format for meeting agendas is hereby established to facilitate the orderly and efficient conduct of Council business. This recognizes the value of establishing a common understanding of both meeting procedures and topics so that the public is informed and afforded opportunities to provide comment. This regular format also ensures that Council Members have a common approach to the discussion and debate of City business so that meetings are both streamlined and thorough.
- B. Regular Meetings - The order of business to come before the Council during Regular Meetings shall be as follows (items ii and iii below may be eliminated if they have already occurred during a prior Council meeting held on the same date):
  - i. Call to Order – the presiding officer shall call the meeting to order as close as reasonably practical to the time previously noticed.
  - ii. Moment of Silence – all in attendance will be requested to observe a moment of silence for reflection.
  - iii. Pledge of Allegiance –all in attendance will be requested to recite the Pledge of Allegiance, led by a Council Member or other dignitary in attendance as selected by the presiding officer.
  - iv. Roll Call Attendance –the City Clerk shall record attendance by means of roll call announcing Council Member names consecutively, consistent with the rotating order of voting. Members in attendance shall verbally indicate they are in attendance by using a word like “present” or “here”.
  - v. Proclamations/Awards – the presiding officer may present and/or announce Proclamations/Awards made by the Mayor on behalf of the City of Dover.
  - vi. Approval of Agenda – While remaining cognizant of the intent to provide reasonable public notice of items coming before the Council for consideration, Council Members may request a change in order, removal or additions of items on the agenda.
    - a. Changes, removals or additions to the agenda as posted shall be allowed during the portion of the meeting entitled “Approval of Agenda” by a majority vote of Council Members present.

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Likewise, the agenda shall be finally approved by a simple majority vote of those Council Members present. Changes in order of consideration of matters, or additions to the agenda, after the Approval of the Agenda, shall only be permitted by a two thirds (2/3<sup>rd</sup>) majority vote.

- b. The addition of items to the agenda should be limited to those of such priority that it would be detrimental to hold it over until the next Regular Meeting.
  - c. Items for substitution on the Agenda should be germane to the original agenda item subject to the discretion of the Mayor.
  - d. Once the agenda has been approved, an item may be withdrawn by a sponsoring Council Member upon the mere request of the member. Once a resolution has been moved and seconded, however, the unanimous consent of the Council is required to withdraw a resolution from consideration, discussion and vote of the Council.
- vii. Public Hearings - in accordance with provisions of Section V-D above
  - viii. Citizen's Forum – in accordance with provisions of Sections IV-A(i) and V-E above
  - ix. City Manager's Report - The Manager's Report shall include, but not be limited to the following: Budget Overview – actual vs planned to include expected corrective action where necessary; Personnel – New hires, terminations, safety. Staffing, actual vs planned; Economic Development – Number of contacts vs. commitments, value of building permits issued for month and value year to date; Report on goal achievement; Report on all other activities of significance; CIP project progress. The report shall be presented in a written format and provided to the Council in conjunction with the monthly meeting agenda. Copies shall be made available for the public at the city clerk's office and also on the city's website and that it will be available with the agenda packet prior to the meeting.
  - x. Approval of Minutes – Council Members identifying a need for changes other than clerical in nature in the minutes as drafted should submit proposed changes in writing to the City Clerk at least 24 hours prior to the meeting so that there can be verification. Amendments and final approval of meeting minutes shall be made by simple majority vote of those present.
  - xi. Mayor's Report
  - xii. Unfinished Business
    - a. Ordinances in 2<sup>nd</sup> Reading
    - b. Ordinances in 3<sup>rd</sup> Reading
    - c. Resolutions -to be used when items from a previous agenda have not been addressed or items have been referred from previous meetings.

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- xiii. New Business
    - a. Consent Calendar - Items may be placed upon the consent calendar if such items have been identified during agenda setting to be routinely approved without discussion or debate. The consent calendar shall be voted upon as one item.
      - 1. Council Comment. No discussion or debate shall be permitted upon items upon the consent calendar unless removed prior to voting;
      - 2. Council Requests to Remove Item. The presiding officer shall inquire and any Council Member may request that an item be removed from the consent calendar prior to voting;
      - 3. Disposition of Removed Items. Removed items will be addressed individually immediately following voting upon the Consent Calendar;
      - 4. Roll Call Vote - All items remaining on the Consent Calendar will collectively be approved by a majority roll call vote of the Council.
    - b. Resolutions
    - c. Ordinances in 1<sup>st</sup> Reading
  - xiv. Council Correspondence – Written correspondence sent or otherwise submitted to the City Council (excluding advertisements, flyers, brochures, copyrighted materials, media clippings) shall be accepted and placed on file with the Council public meeting record. Unsigned communications shall not be introduced nor accepted by Council Members.
  - xv. Council Matters of Interest - to allow individual Council Members to make general comments in reference to factual matters of community concern, make brief announcements of interest to the public or provide feedback to the City Manager on matters upon which the Council has taken action or given direction. Items for further follow-up by the Council and/or City Manager may be discussed or considered by the Council. To the extent possible, Council Members will confer with the City Manager before raising matters for follow-up under this agenda item.
  - xvi. Adjournment
- C. Special Meeting - The order of business to come before the Council during Special Meetings shall be similar to that of Regular Meetings but may not include all items. At a minimum, the following items must be included (items ii and iii below may be eliminated if they have already occurred during a prior Council meeting held on the same date) :
- i. Call to Order
  - ii. Moment of Silence
  - iii. Pledge of Allegiance
  - iv. Roll Call Attendance

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- v. Public Hearings - in accordance with provisions of Section V-D above
  - vi. Citizen's Forum - in accordance with provisions of Sections IV-A(ii) and V-E above.
  - vii. Unfinished Business
  - viii. New Business
  - ix. Adjournment
- D. Workshop Meeting – The order of business to come before the Council during Workshop Meetings shall include, at a minimum, the following items (items ii and iii below may be eliminated if they have already occurred during a prior Council meeting held on the same date) :
- i. Call to Order
  - ii. Moment of Silence
  - iii. Pledge of Allegiance
  - iv. Roll Call Attendance
  - v. Discussion/Presentation – Pertaining to a matter(s) of Council interest
  - vi. Citizen's Forum - in accordance with provisions of Sections IV-A(iii) and V-E above.
  - vii. Adjournment

### **VIII. Ordinances and Resolutions**

- A. Ordinances - Any Ordinance to be considered by the Council other than those to be enacted for purposes of addressing emergency circumstances as specified in the City Charter shall be initiated and acted upon in accordance with the requirements established herein.
- i. A proposed Ordinance shall appear on a meeting agenda for a first reading after which it may be referred to a Workshop Meeting, if deemed necessary, and/or a future Public Hearing date shall be set.
  - ii. After a Public Hearing relating to a proposed Ordinance has been held and testimony allowed in accordance with Rule VII B-vii, the proposed Ordinance shall be brought before the Council for a second reading during the same meeting, together with any and all recommendations for passage, rejection, referral to a workshop, or to a third reading.
  - iii. Any proposed Ordinance submitted for consideration by the Council, may be amended and/or enacted by a majority roll call vote in conjunction with the second and/or subsequent readings.
  - iv. If a proposed Ordinance is extensively amended following the first reading and the Council wishes further review, or additional time is needed for the public to express its opinion on the issue, it may be held for a third reading, on a simple majority vote of Council Members present.
  - v. Unless otherwise provided, each Ordinance approved by the Council shall become effective upon its passage, after it has been duly advertised within 7 business days of the Council meeting at which time the ordinance was adopted.

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- vi. The City Clerk shall certify that the amendments are incorporated into the original ordinance with the proper reference to the amended ordinance number and date.
- B. Resolutions - Any Resolution to be considered by the Council shall typically be initiated and acted upon in accordance with Section VI above. Resolutions subject to public hearings will also be subject to the following:
  - i. Proposed Resolutions requiring a public hearing will normally appear on a meeting agenda to be referred to a future meeting date for the public hearing and subsequent vote.
  - ii. After the proposed Resolution has been presented at the required public hearing in accordance with Rule VII B-vii, it shall then be brought before the Council at the same meeting, together with any and all recommendations, for passage, rejection, referral to a workshop or other meeting.
  - iii. If a proposed Resolution requiring a public hearing is extensively amended following the public hearing and the Council wishes further review, or additional time is needed for the public to express its opinion on the issue, it may be held and referred for action at a future meeting, on a simple majority vote of Council Members present.

### **IX. Council Committee Assignments**

- A. Nomination and Appointment of Council Members: The Mayor will nominate Council Members to serve as members of and/or liaisons to the various City boards, committees and commissions. Other nominations may also be brought forward by any Council Member. All nominations shall be subject to approval by a majority of the Council.
- B. Appointments Committee: There shall be a standing Council committee for screening candidates and recommending appointment of interested citizens to the various boards, commissions and committees of the City.
  - i. The Appointments Committee shall be comprised of three (3) Council Members recommended by the Mayor and affirmed by the Council.
  - ii. The Appointments Committee's duties shall include, but are not limited to, conducting a regular review of the membership status of all City boards, commissions and committees subject to appointment by the Council, and making recommendations to the Council for citizen appointments or removal, as appropriate.
  - iii. The Appointments Committee shall meet as may be required. The City Clerk shall send the agenda to the City Council.
- C. Other Committees: The Mayor and/or Council, from time to time, shall propose by resolution other standing Council or ad hoc citizen committees as may be necessary to study and advise regarding various community matters. The Mayor, the Appointments Committee, or any Council Member may recommend and nominate members thereof, subject to approval by a majority of the Council.

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- D. Council Members will submit periodic written reports summarizing their board, commission and committee activities to the City Clerk for inclusion with Council meeting agenda materials. The minutes of a board, commission or committee meeting may serve as the report to the Council or a separate report may be written and submitted by the Council Member.

### **X. Council Records**

- A. The City Clerk will keep minutes and record votes taken during Council meetings and perform such other functions and further duties during meetings as may be directed by the Council.
- B. After each Council Meeting, the City Clerk will post to the city website and e-mail to each Council Member draft minutes.
  - i. Minutes of each Council Meeting will be approved at the earliest practicable council meeting and posted as approved minutes. All copies of draft minutes shall remain posted along with the approved minutes.

### **XI. Amendment of Council Rules**

- A. At any Regular Meeting following adoption of these rules, the rules may be amended or new rules adopted by a two-thirds (2/3<sup>rd</sup>) roll call vote of all members of the 2010-2011 Council. Any such alteration or amendment shall be submitted in writing at the preceding Regular Meeting and shall be placed on the agenda as new business.
  - i. This requirement shall be waived only by unanimous consent with a roll call vote of all members.
- B. Council rules may be suspended by a two-thirds (2/3<sup>rd</sup>) roll call vote of all members of the 2010-2011 Council except when the purpose of the suspension is to change the Council rules to avoid the unanimous consent regarding notification of a proposed rule change. The purpose for suspension must be limited in scope and clearly stated before the vote is taken.
  - i. In suspending rules to address a matter not previously placed and approved on the current agenda, the matter must be of such priority that it would be detrimental to hold it over until the next Regular Meeting.

### **XII. Collective Bargaining Agreements**

- A. Tentative agreements shall not be voted on the first night presented to the Council except to assure compliance with RSA 273-A.

# **CITY OF DOVER, NH**

## **GUIDELINES FOR CITY COUNCIL DECORUM**

### **2010-2011**

#### **All Council Members**

All members of the City Council, including those serving as Mayor and Deputy Mayor, have equal votes. No Council Member has more power than any other Council Member, and all should be treated with equal respect.

All Council Members should:

- Demonstrate honesty and integrity in every action and statement
- Comply with both the letter and spirit of the laws and policies affecting the operation of government
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Dover government
- Work for the common good, not personal interest
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Participate in scheduled activities to increase Council effectiveness
- Review Council procedures, such as these Council Decorum Guidelines, at least annually
- Represent the City at ceremonial functions at the request of the Mayor
- Be responsible for the highest standards of respect, civility and honesty in ensuring the effective maintenance of intergovernmental relations
- Respect the proper roles of elected officials and City staff in ensuring open, transparent and effective government
- Provide contact information to the City Clerk in case an emergency or urgent situation arises while the Council Member is out of town

#### **Council Conduct with One Another**

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to improve the quality of life in the community. In all cases, this common goal should be acknowledged even as Council Members may "agree to disagree" on contentious issues.

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### In Public Meetings

- Use formal titles.

The Council should refer to one another formally during Council meetings as Mayor, Deputy Mayor or Council Member followed by the individual's last name.

- Practice civility and respect in discussions and debate.

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Be respectful of diverse opinions.

- Honor the role of the presiding officer in maintaining order and equity.

Respect the Chair's efforts to focus discussion on current agenda items. Objections to the Chair's actions should be voiced politely and with reason, following the parliamentary procedures outlined in the City Council Procedural Rules.

- Demonstrate effective problem-solving approaches.

Council Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole. Council Members are role models for residents, business people and other stakeholders involved in public debate.

- Be respectful of other people's time.

Stay focused on the matter being discussed and act efficiently during public meetings.

### In Private Encounters

- Treat others as you would like to be treated.

Ask yourself how you would like to be treated in similar circumstances, and then treat the other person that way.

## **Council Conduct with City Staff**

The key provision on Council-staff relations can be found in section C-5-8 of the Dover City Charter:

*“Neither the council nor any of its members shall direct or request the appointment of any person to office or employment or his removal, suspension or discipline by the Manager or any of the administrative officers. Neither the Council nor any member thereof shall give orders to nor interfere with the performance of the duties of any of the administrative officers or employees either publicly or privately. Nothing contained in this section shall prohibit the Council from meeting with the City Manager to discuss the operation or conduct of any administrative department or officer and to recommend any investigation of any complaint by*

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*the City Manager. Any violation of the provisions of this section by a Councilor shall be a violation, conviction of which shall constitute immediate forfeiture of his/her office”*

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, which analyze issues, make recommendations, and implement and administer the Council’s policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- Treat all staff as professionals.

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with your Council colleagues, practice civility and respect in all interactions with City staff.

- Channel communications through the appropriate senior City staff.

Questions of City staff should be directed only to the City Manager, City Attorney, City Clerk, or Department Heads. The City Manager should be copied on any request to senior staff. When in doubt about what staff contact is appropriate, Council Members should ask the Mayor and/or City Manager for guidance.

- All Council Members should have the same information with which to make decisions.

The City Manager, City Attorney, City Clerk and Department Heads will all endeavor to ensure Council Members are provided with clear and consistent information upon which to base decisions.

- Never publicly criticize an individual employee. Criticism is differentiated from questioning facts or the opinion of staff.

All critical comments about staff performance should only be made to the City Manager through private correspondence or conversation.

- Do not get involved in administrative functions.

Avoid any interactions with staff that may be construed as trying to shape staff recommendations. Council Members shall refrain from coercing staff in making recommendations to the Council as a whole.

- Be cautious in representing City positions on issues.

Before sending correspondence related to a legislative position, check with the City Manager to see if a position has already been communicated. When corresponding with representatives of other governments or constituents, remember to indicate if appropriate that the views you state are your own and may not represent those of the full Council.

- Respect the competing demands for staff work.

Requests for information should be made through the City Manager, according to the protocol for channeling communications. Any request, which would require an inordinate amount of

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staff time to research a problem or prepare a response, may be referred to the full council for direction to ensure that staff resources are allocated in accordance with overall council priorities.

- Support a positive and constructive work place.

Council Members should support the maintenance of a positive and constructive work place environment for City staff and for citizens and businesses dealing with the City.

- Depend upon the staff to respond to citizen concerns and complaints.

It is the role of Council Members to pass on concerns and complaints on behalf of their constituents. It is not, however, appropriate to pressure staff to solve a problem in a particular way. Refer citizen complaints to the City Manager who will coordinate follow-up by the appropriate staff member(s). The assigned staff member(s) should respond according to the procedure outlined in the Citizen's Guide for Complaints, Compliments and Suggestions. The City Manager is responsible for making sure the Council Member knows how the matter was resolved.

### **Council Conduct with Boards and Commissions**

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect. Council Members serve as liaisons to many Boards and Commissions, according to appointments made by the Mayor and City Council, and in this role are expected to represent the full Council in providing guidance to the Board or Commission. In other instances, Council Members may attend Board or Commission meetings as individuals, and should follow these protocols:

- If attending a Board or Commission meeting, identify your comments as personal views or opinions.

Council Members may attend any Board or Commission meeting, which are always open to any member of the public. Any public comments by a Council Member at a Board or Commission meeting, when that Council Member is not the liaison to the Board or Commission, should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

- Remember that Boards and Commissions are advisory to the Council as a whole, not individual Council Members.

The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. Individual Council Members should not feel they have the power or right to unduly influence Board and

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Commission members in any way if they disagree about an issue. A Board or Commission appointment should not be used as a political "reward."

- Concerns about an individual Board or Commission member should be pursued with tact.

If a Council Member has a concern with the effectiveness of a particular Board or Commission member, the Council Member should consult with the Mayor and/or Appointments Committee Chair, who can bring the issue to the Council as appropriate.

- Be respectful of diverse opinions.

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair to and respectful of all citizens serving on Boards and Commissions.

- Keep political support away from public forums.

Board and Commission members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Council Member.

- Maintain an active liaison relationship.

Appointed Council liaisons are encouraged to attend all regularly scheduled meetings of their assigned Board or Commission, or to arrange for an alternate.

### **Staff Conduct with City Council**

- Respond to Council questions as fully and as expeditiously as is practical.

Senior staff will strive to respond to all Council Member inquiries completely and quickly as practical. The guideline for allocating an inordinate amount of staff time to research and response to Council Member inquiries will apply. If a Council Member forwards a complaint or service request to the City Manager, there will be follow-through with the Council Member as to the outcome.

- Respect the role of Council Members as policy makers for the City

Staff is expected to provide its best professional recommendations on issues. Staff should not try to determine Council support for particular positions or recommendations in order to craft recommendations. The Council must be able to depend upon the staff to make independent recommendations. Staff should provide information about alternatives to staff

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recommendations as appropriate, as well as pros and cons for staff recommendations and alternatives

- Demonstrate professionalism and non-partisanship in all interactions with the community and in public meetings
- It is important for the staff to demonstrate respect for the Council at all times. All Council Members should be treated equally.

### **Other Procedural Issues**

- Don't politicize procedural issues (e.g. minutes approval or agenda order) for strategic purposes.
- Submit questions on Council agenda items ahead of the meeting.

In order to focus the Council meetings on consideration of policy issues and to maintain an open forum for public discussion, questions which focus on the policy aspects of agenda items should be discussed at the Council meeting rather than administrative minutia. Any clarifications or technical questions that can be readily answered can be handled before the meeting. Council Members are encouraged to submit their questions on agenda items to the City Manager as far in advance of the meeting as possible so that staff can be prepared to respond at the Council meeting.

- Respect the work of the Council standing committees.
- Commit to periodically review procedural rules and guidelines and advise presiding officer of any issues or concerns.

Throughout the year, Council Members should routinely review the Council Procedural Rules and these Decorum Guidelines. Questions or unresolved issues should be brought to the attention of the presiding officer for clarification or to schedule follow-up with the full Council during a future public meeting.

### **Enforcement**

Council Members have the primary responsibility to assure that these guidelines are understood and followed, so that the public can have full confidence in the integrity of their local government. These guidelines are intended to be self-enforcing thereby requiring an ongoing commitment by Council Members to faithfully honor the trust and dignity bestowed upon them as elected leaders and community role models.