



# **COUNCIL MEETING PROCEDURES**

(Article 2.5 of the City Code)

## **Amended**

**Sept 3, 1991, by Ordinance O-91-29  
May 7, 1996, by Ordinance O-96-13  
Nov 5, 1996, by Ordinance O-96-35  
March 21, 2000, by Ordinance O-00-05**

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City of Bisbee

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## Regular Meetings

The Council shall hold regular meetings on the first and third Tuesday of each month at seven p.m., provided that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday. All regular meetings of the Council shall be held in the City hall of the City of Bisbee.

## Special Meetings

The mayor, or a majority of the Council, may convene the Council at any time by notifying the members of the date, hour and purpose of such special meeting. Notice of such meeting shall be made pursuant to state law.

## Agenda

Reports, communications, ordinances, resolutions and other matters to be submitted for consideration by the City Council shall be delivered to the City Clerk prior to 12:00 p.m. on the Wednesday of the week prior to the City Council meeting at which such items are to be considered. The City Manager shall list the matters according to the order of business and provide such listing to the Mayor for approval prior to preparation of agenda packets for members of the Council and

distribution to department heads and to the public. However, a majority of the Council, when expressed in writing, may place any item on the agenda with or without the approval of the Mayor. No items shall be submitted to the Council except through the City Manager. However, an member of the public, any member of the Council, or the City Manager, may submit items to the Council during the Council meeting at the time provided in the order of business.

#### Presiding Officer Duties

The Mayor shall be the presiding officer of the Council. In the absence of the Mayor, the Mayor Pro Tempore shall act as presiding officer. In the absence of the Mayor or Mayor Pro Tempore, the City Clerk shall call the Council to order, whereupon a temporary chairperson shall be elected by the Council members present. When the Mayor or Mayor Pro Tempore arrives, the temporary chairperson shall relinquish the Chair when the business immediately before the Council is finished.

The presiding officer shall preserve strict order and decorum during regular and special meetings of the Council. He or she shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order. Any decision or ruling of the presiding officer may be appealed to the Council as a whole by request of any Council member. The presiding officer shall call for roll call to see if the Chair shall be upheld. If the roll call loses, the presiding officer is reversed.

#### Order of Business

- a) The order of business at all regular meetings of the Council shall ordinarily be as follows:
  1. Call to Order
  2. Roll Call

3. Invocation
4. Pledge of Allegiance
5. Announcements
6. Call to the Public
7. City Manager's/Department Heads' Reports
8. Accounts Payable
9. Consent Agenda
10. Public Hearings
11. Action Items
12. Adjournment

b) Council may, by majority vote, consider items out of sequence from the printed agenda. Items placed on the consent agenda are considered routine and may be adopted by one motion. There will be no discussion on separate items unless an item is requested for removal from the consent agenda by a member of the Council. Following removal of an item, the balance of the items remaining on the consent agenda will be considered for approval in one motion. All votes on the consent agenda shall be by roll call vote. Items removed from the consent agenda shall be considered in the order of their original appearance on the consent agenda immediately following approval of the consent agenda.

c) Procedures for Public Hearings:

1. Staff report explaining the matter before the Council, procedure and recommendations of committees or boards. (Limited to 5 minutes)
2. Brief opening statement by the proponent or initiator explaining and advocating approval of the item. (Maximum of 5 minutes)
3. Testimony by members of the public in support of the item.  
(Maximum of 15 minutes total for all proponents)

4. Testimony by members of the public opposition to the item.  
(maximum of 15 minutes total for all opponents)
  5. Presentation of written communications filed with the City Clerk.
  6. Close of Public Hearing.
  7. Discussion by Council members.
  8. Motion and second.
  9. Further discussion on the motion, if any.
  10. Vote.
- d) If the City Council wishes to adjourn to a later time, the Council must pass a motion specifying the date and time to which the regular meeting is being adjourned. A motion to adjourn shall always be in order except during roll call. When a motion is made and seconded to adjourn, any member of the Council may state why it is improper for the Council to adjourn. (Such statement, however, shall not be debatable and shall not take more than 2 minutes.)

#### Rules of Debate

- a) The presiding officer may debate and vote, etc. The Mayor or Council member that is presiding may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all members. The presiding officer shall not be deprived of any of the rights and privileges of a Council member.
- b) Getting the floor for improper references is to be avoided. Every member desiring to speak shall address the presiding officer and, upon recognition

by the same, shall confine himself/herself to the question under debate, avoiding all indecorous language and reference to personalities.

- c) Interruptions - A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, is called to order, he/she shall cease speaking until the question of order is determined and if, in order, shall be permitted to proceed.
- d) Personal Privilege - The right of a Council member to address the Council on a question of personal privilege shall be limited to cases in which his/her integrity, character or motives are questioned, or where the welfare of the Council is concerned. A Council member may interrupt another speaker if the presiding officer recognizes the privilege.

#### Addressing the Council

In order for the presiding officer to determine how many individuals wish to address the Council, a speaker sign-up sheet is provided for each meeting. Any person wishing to address the Council during such meeting shall be requested to sign-in indicating the topic they wish to address.

A person wishing to address the Council shall first secure the permission of the presiding officer to do so. The Council may limit the length of time that a person is permitted to address the Council.

- a) Written Petitions - Interested parties or their authorized representatives may address the Council by written petition in regard to matters under discussion.
- b) Oral Communications - During the proper time on the agenda, taxpayers or residents of the City, or their

authorized representatives, may address the Council on any matter concerning the City's business or any matter over which the Council has control.

(Oral presentations shall not be repetitious and shall be confined to 3 minutes maximum duration)

- c) After a Motion is Made - No person shall address the Council after a motion is made without first securing the permission of the Council to do so.

#### Decorum

- a) By Council members - While the Council is in session, the members must 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 orders of the Council or its preceding officer, except as otherwise herein provided.
- b) By Persons - Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the Council, or who interferes with the order of business before the Council, and who fails, upon the request of the presiding officer to cease such activity, shall be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council.

#### Enforcement of Decorum

The presiding officer may appoint a sergeant-at-arms at the Council meeting. He/she shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to remove any person who violates the order and decorum of the meeting.

## Voting

- a) Precedence of Motions - When a motion is before the Council, no further motion shall be entertained except:
1. to adjourn
  2. to fix hour of adjournment
  3. to lay on the table
  4. for the previous question
  5. to postpone to a certain day
  6. to refer
  7. to amend
  8. to postpone indefinitely, or
  9. to divide the question.

These motions shall have precedence in the order indicated.

- b) Amendments - No more than one amendment to an amendment is permitted. When an amendment is before the Council, the Council shall vote first on the amendment. After the amendment has passed or failed, the Council shall vote on the main motion.
- c) Motion to Table - The purpose of this motion is to temporarily by-pass the subject. A motion to lay on the table is undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.
- d) Motion for Previous Question - The purpose of this motion is to close debate on the main motion. It is undebatable, and no further discussion shall be permitted until the motion is acted upon. If the motion fails, debate is reopened; if motion passes, then the Council shall vote on the main motion.

- e) Division of Question - If the question contains two or more divisible propositions, the Mayor may, or upon successful motion of the Council, shall divide the same.
- f) Withdrawal of Motion - When a motion is made and seconded, it shall be so stated by the Chair before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.
- g) Conflict of Interest - Council members shall abide by the provisions of A.R.S. Chapter 38, Article 3. When a Council member determines he or she has a conflict of interest, he or she shall announce such conflict and refrain from discussing or voting upon the matter.
- h) Council Member Required to Vote - Council members are required to vote on all issues placed before them with the exception of conflicts of interest. A failure to vote or a voluntary abstention shall be counted as "aye" vote unless excused by State Conflict of Interest Laws.
- i) Recording Votes; Tie Votes - The record of the proceedings of the Council shall record individual's votes on all ordinances, resolutions, and franchises. In the case of a tie in votes on any motion, the motion shall be considered lost.
- j) Motion to Reconsider - "When an ordinance, put to a vote for final passage, fails to pass, and a motion is made to reconsider, the vote on such motion shall not be taken within 24 hours thereafter." (Section 7.08, City Charter) A motion to reconsider any other action by the Council may be made only on the day the action was taken. It may be made during the same session or at a recessed or adjourned session. A motion to reconsider must be made by one of the

prevailing side, but may be seconded by any member. A question failing by virtue of a tie vote may be reconsidered by motion of any member of the Council. The motion may be made at any time. It shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.

#### Petitions

Petitions, remonstrances, communications and comments or suggestions from citizens present may be heard by the Council. All such remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than the individual speaking shall enter into the discussion without asking permission of the presiding officer. No questions shall be asked a Council member except through the presiding officer.

#### Adoption of Ordinances

Except for Emergency Ordinances adopted in accordance with Section 7.06 of the City Charter, no Ordinance shall be adopted on the same day on which it is first introduced.

#### Enforcement, Suspension and Amendment of Rules

Enforcement of these rules shall be incumbent upon the City Council of the City of Bisbee. These rules may be suspended or amended by a two-thirds vote of the City Council, except that this section shall not be construed to permit any action that is contrary to state statutes.