

CITY CLERK
GLOUCESTER, MA
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CITY COUNCIL – CITY OF GLOUCESTER
RULES OF PROCEDURE 2011

(Revised by Vote of the City Council 1/11/94, 4/5/94, 7/12/94, 7/19/94, 9/6/94, 4/2/96, 2/18/97, 2/17/98, 11/10/98, 2/29/00, 1/15/02, 10/08 and 11/23/10)

Roberts Rules of Order shall prevail on all matters not specifically covered by these Rules of Procedure.

RULE 1: MEETINGS

- A. Regular City Council meetings, beginning January of 2011, shall be held on the 2nd and 4th Tuesday of each month and shall begin at 7:00 P.M., unless the City Council votes otherwise.
- B. All regular meetings shall be concluded on or before 11:00 P.M. unless extended as follows: the first extension of the meeting shall require 2/3's vote of the Council members present and shall not exceed 30 minutes in length; subsequent extensions during the same meeting shall be approved by unanimous vote of the Council members present. If necessary, the meeting shall be continued to another evening.
- C. Special meetings of the City Council may be called in accordance with Section 2-5 of the City Charter.
- D. When a City Councilor is unable to be present or arrival will be delayed at a City Council meeting, he or she shall report same in advance to both the City Council President and the City Clerk or if a Standing Committee meeting, to the Committee Chair, and in all cases to the Clerk of Committees.

RULE 2: ORDER OF BUSINESS

The following list establishes the Order of Business for regularly scheduled City Council meetings. It is understood that in special situations, the City Clerk and the Council President may rearrange the calendar(s) in the interest of public convenience:

1. Flag Salute & Moment of Silence
2. Oral Communications*
3. Presentations/Commendations **
4. Confirmation of New Appointments
5. CONSENT AGENDA
 - A. Confirmation of Reappointments
 - B. Mayor's Report
 - C. Communications/Invitations
 - D. Information Only
 - E. Applications/Petitions
 - F. Councillors Orders
 - G. Approval of Minutes from Previous Council and Standing Committee meetings
6. Standing Committee Reports
7. Scheduled Public Hearings
8. For Council Vote
9. Unfinished Business
10. Individual Councilor's Discussion including reports by appointed Councilors to Committees
11. Councilor's Requests to the Mayor
12. Roll Call
13. Listing of Minutes from miscellaneous Boards/Commissions/Committees filed for record

* Oral Communications: The public shall have the opportunity at every regular City Council meeting to be heard under ORAL COMMUNICATIONS on matters not appearing on the agenda. Oral Communications shall allow any resident who has a request or complaint of any nature relative to City Business to appear before the Council, state their problem, without debate and the matter shall be referred to the proper agency through the Office of the Mayor. The resident must be notified in writing within a two-week period of disposition of same by the Office of the Mayor and a copy shall be forwarded to the City Council. Persons speaking under oral communications shall be limited to three minutes each and shall submit a copy of their prepared communication to the Clerk of Committees. The Council President shall not allow complaints as to individual performance or character.

**Commendations – When Councilors submit orders for commendations; the Council President shall schedule them on an agenda as soon as practicable after the final approval of the order.

RULE 3: AGENDA PROCEDURE

- A. All matters to be presented at regular City Council meetings shall be filed timely with the City Clerk's Office not later than 4:00 P.M. on Wednesday preceding regular Tuesday Council meetings, and must be received as in accordance with the time lines prescribed in the Open Meeting Laws or the matter will be held over to the next regularly scheduled City Council meeting. Emergencies according to the City Charter are the exception hereto.
- B. Standing Committee reports shall be delivered to the City Council with the agendas as part of the Council packets. Reports of Committee meetings held on Mondays preceding the regular Council meetings shall not be considered until the next regular meeting (except by 2/3 vote of the City Council).
- C. The City Clerk shall arrange delivery of the agendas and Council packets (calendars of business and enclosures) to the City Councilors on the Friday preceding the regular Council meetings.
- D. Any addendum or other matter filed after the closing time noted, shall be listed on a "Unanimous Consent" calendar and shall be considered at said Council meeting, provided no member objects. If any member objects, then said item(s) shall be considered at the next regular Council meeting.
- E. Whenever correspondence, written reports or other pertinent documents, are received by the Council President or an individual Councilor (in the name of the City, the Council or agencies of the Council) copies of said document(s) shall be filed with the City Clerk for inclusion on the next Council calendar of business; and when possible, copies shall be forwarded to individual City Councilors.

RULE 4: PUBLIC HEARINGS

All public hearings conducted by the City Council shall proceed with the following format, which shall be printed on the back of the meeting agenda.

- A. PUBLIC HEARING OPENED by Council President
- B. PRESENTATIONS FROM PROPONENTS. In matters related to Special Permits, petitioners may make initial oral presentations up to fifteen (15) minutes; others speaking in favor shall be allowed up to three (3) minutes each. Proponents are required (OML) to enter into the record, documentation of their presentation testimony.
In Public Hearings considering general matters, each individual may speak for up to three (3) minutes
- C. PRESENTATIONS FROM OPPONENTS. Opponents shall be allowed initial oral presentations up to fifteen (15) minutes in total; others speaking in opposition shall be allowed up to three (3) minutes each. Opponents are also required (OML) to enter into the record documentation of their testimony.
- D. COMMUNICATIONS to be read into the record and filed.
- E. REBUTTALS. Proponents shall be allowed one person to make rebuttal up to three (3) minutes and opponents shall be allowed a total of three (3) minutes by one person representing the opposition
- F. QUESTIONS by City Councilors to either side.
- G. PUBLIC HEARING OFFICIALLY CLOSED.
- H. STANDING COMMITTEE REPORTS
- I. COUNCIL DISCUSSION.
- J. ROLL CALL VOTE(s). Unless the Council chooses to postpone the vote pending further information

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RULE 5: RULES OF DEBATE

City Council debate shall be guided by the Council President within the following constraints:

- A. No member shall speak more than once on the same question until all other members desiring to speak have spoken;
- B. No member shall have or hold the floor for more than three (3) consecutive minutes during debate on the same question, and;
- C. No member shall discuss any individual or company in a derogatory manner without first notifying the party(ies) involved. Upon notice, the matter shall be placed on the agenda for a future meeting.

These constraints may be lifted by the Council President for good cause or by a majority Roll Call vote of Councilors present.

RULE 6: MANNER OF VOTING

- A. Roll Call votes shall be conducted in the following manner:
- B. The Clerk shall call the name of each City Councilor in alphabetical order. The first name on the roll call shall be rotated at every new meeting.

RULE 7: COMMITTEES

- A. Council Committees shall be established as set forth in City Charter Sections 2-9 a, b, c, and d.
- B. When a member of a Standing Committee is absent, the Committee Chairman should appoint another Councilor as an alternate member of said Committee with voting authority.
- C. Ad Hoc Committees may be established by the City Council, the members of which shall be appointed by the Council President.
- D. Should a Committee schedule a daytime meeting and any Councilor objects, the meeting shall be rescheduled to an evening meeting.

RULE 8: ADMINISTRATIVE PROCEDURES

- A. All requests of Councilors to the Mayor's Office or City Department Heads shall be processed through the Mayor's Office in writing. Requests may also be processed in this manner through the City Clerk or the Clerk of Committees. There is no need to put such a request into the City Council record at Council meetings, unless special requests are voted officially by the full City Council.
- B. The Mayor's Administrative Assistant shall be responsible for implementing or otherwise responding to all Councilors' requests. In all cases, replies are to be made to the full City Council through the next Mayor's Report as well as to the originating Councilor and shall be processed and in hand within two weeks.
- C. In emergency situations, at their discretion, individual Councilors may contact the Director of Public Works or Department managers directly to make reasonable requests on behalf of citizens, but Councilors are not to influence employees in any way that may conflict with instructions from their Department Head or delegated supervisors.
- D. Official requests of the full City Council will be handled in a similar fashion by the Administration, but interim and final reports should appear in the Mayor's Bi-Weekly Reports to the City Council.

RULE 9: VACANCIES IN POSITIONS OF CITY CLERK OR CITY AUDITOR

- A. Within one week of the council learning of a vacancy or impending vacancy in the City Clerk or City Auditor's positions, the positions shall be advertised in a Boston and a local newspaper on two consecutive days and in one Boston Sunday newspaper. The weekday advertisements shall appear simultaneously.
- B. Advertisements shall indicate that the applications must be in a sealed envelope with the words "Auditor Application" or "Clerk Application" clearly printed on the outside and mailed to the City Clerk's Office. Applications must be received by the City Clerk's Office no later than three weeks from the first day of advertisement.
- C. Upon receipt of applications by the City Clerk, each envelope shall be date stamped, sequentially numbered but not opened.
- D. The City Clerk shall deliver the applications marked "Clerk Application" to the Ordinances and Administration Committee and applications marked "Auditor Application" to the Budget and Finance Committee, where the applications shall be opened, evaluated and screened to select a group of six finalists for personal interview by the Committee.
- E. The appropriate City Council Standing Committee, after reviewing resumes, conducting personal interviews, and doing reference checks shall submit the names of three finalists to the full City Council no later than five weeks from the closing date of the application period.
- F. Following receipt of the report of the Ordinance and Administration Committee, the City Council shall conduct interviews and make a final selection within two weeks.

RULE 10: SPECIAL PERMITS

- A. During discussion of Special Permits, Councilors are required to give testimony on their reasons for voting based upon the judging criteria in Section 1.8.3 of the Zoning Ordinance.

RULE 11: MINUTES

- A. Minutes of Council meetings and standing committees shall only be altered or approved by the full City Council at a regularly scheduled meeting.

RULE 12: TRANSFERS and AUTHORIZATION for SIGN-OFF

- A. City Council Transfers are to be signed by the Department Head, being defined as the Chairman or Vice Chairman of the appropriate Standing Committee of the City Council. In the absence of the Chairman or Vice Chairman, the Council President is authorized to sign.
- B. Sign Off Authority:
- Authority to sign off on City Council, Personal Services to City Clerk
 - Authority to sign off on City Council, Ordinary – Contracted Services to City Clerk
 - Authority to sign off on City Council, Ordinary Account to Budget and Finance Committee Chairperson or, in his/her absence, Budget and Finance Committee Vice Chairperson.

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