

Exhibit “A”

COUNCIL RULES OF PROCEDURE

COUNCIL POLICY 1-2

RULES OF PROCEDURE

MUSKOGEE CITY COUNCIL

1. TIME OF MEETINGS

Regular meetings of the Council shall be held in council chambers, on the second and fourth Monday of each month beginning at 7:00 p.m. Section 2-20 Muskogee Code of Ordinance. Special meetings of the Council shall be called in accordance with the provisions of City Code and the Oklahoma Open Meetings Act, Title 25, Oklahoma Statutes, Section 301, et seq.

All meetings, regular and special, shall be open to the public, and no person shall be barred unless he is disorderly or refuses to obey the order of the presiding officer, who may order the Chief of Police or any attending police officer to eject any such person. There shall be at least one police officer present at each Council meeting. The Council may meet in executive session only as authorized by the City Charter and Oklahoma State Statute.

2. AGENDA

A. Preparation of the Agenda.

An agenda for each meeting of the Council shall be prepared by the City Clerk in conjunction with the City Manager to ensure that City business is conducted in an efficient manner. No item shall be voted on without having been placed on the agenda, unless it meets the definition of “New business” as defined by the Oklahoma Open meeting Act, 25, O.S. 311 A(9), and which must be acted upon before the next regularly scheduled meeting and could not have been foreseen.

B. Agenda Items

1. All agenda items shall be provided to the City Clerk in the format approved by the City Clerk in either hard copy or electronically.
2. Agenda items submitted to the City Clerk shall be submitted by close of business on the Thursday prior to the Council meeting at which the item is to be considered unless the Friday is a holiday in which case the previous business day. At discretion of the City Clerk,

the City Clerk may elect to add items to the agenda if necessary for the conduct of current business of the City or is of an urgent matter is submitted prior to publication of the agenda.

3. Addendums to the Council's agenda will not be accepted by the City Clerk and posted unless it is of an urgent nature requiring immediate consideration and the subject matter of the addendum must be acted on prior to the next regularly scheduled meeting of the Council.
4. Agenda items may only be submitted for placement on the agenda by the Mayor, a member of the Council, the City Manager, the City Attorney, the City Clerk, a Department Director with the approval of the City Manager. Agenda items submitted by other individuals or organizations shall not be accepted by the City Clerk.

3. PRESIDING OFFICER

The presiding officer for each meeting shall be the Mayor, or in his absence, the Deputy Mayor. If both the Mayor and Deputy Mayor are absent, the City Clerk or Deputy City Clerk shall call the meeting to order and a temporary hearing officer shall be elected by the members of the Council who are present.

4. QUORUM

A quorum authorized to conduct business shall consist of a majority of all members of the Council (5). Less than a quorum may adjourn from day to day. Charter Section 2:12(d), City code Section 1-2 definitions.

5. CONDUCT OF MEETINGS

A. DISCUSSION

Discussion of agenda items shall be in the following order:

1. City Manager and/or City Staff: After the presiding officer calls the particular agenda item for consideration, the City Manager and/or staff shall present any matters in addition to the printed commentary which may be pertinent to the item.
2. Public Participation: During public hearings, citizens and interested parties may address the Council subject to reasonable time limitations to expedite Council business. On all other matters public participation shall be at the discretion of the presiding officer. City Code Section 2:29 (d)(1).
3. Council Members: After the staff and public have presented their views, the City Manager, presiding officer and Council shall proceed to discuss the merits of the issue; this portion of the discussion shall be limited to the City Manager, presiding officer and Council unless the presiding officer or Council determines additional information is needed from the staff or public at that time.

Members should only speak after recognition from the presiding officer, and recognition shall not be withheld. If the freedom of debate on an issue will be enhanced the presiding officer shall have the authority to waive this provision.

Discussion shall be limited to the matter presently before the Council. Speakers shall confine their remarks to the merits of the particular measure.

Questions may be submitted by a Council Member to a speaker after his/her formal presentation. Questions may be submitted only through the presiding officer, and shall be limited to the merits of the issue. The Council Member and a member of the audience shall not enter into a debate of the issue.

B. MOTIONS

After preliminary discussion of an agenda item, the presiding officer shall call the matter for determination by the Council.

1. Main Motion: Any Council Member desiring to offer a motion may do so.
2. Seconding Motions: Any Council Member desiring to second motions may do so.
3. Lack of Motion or Second: If no member offers a motion, the presiding officer shall again call for motions; if no motion is presented after the second calling, the presiding officer shall declare the item fails for lack of motion. Similarly, if no one seconds another member's motion, the presiding officer shall declare that the motion fails for lack of a second.
4. Discussion of Motions: Upon a motion having been offered and seconded, the presiding officer shall state the motion and submit it for further discussion by the Council if desired. Debate shall be limited to the merits of the agenda item.
5. Amendments to Motions: A member may move to amend the motion, which shall require a second. An amendment must be germane to the main motion. To avoid confusion, a third amendment shall not be permitted; however, a member may, in the course of debate on the amendment, announce that if the amendment fails, he intends to introduce another amendment and may briefly state the nature and content thereof.
6. Reconsider: A member may move to reconsider a vote on an item. The motion is in order only during the meeting where the original action was made and mover must have voted with the majority.
7. Ordinances: All proposed ordinances shall be in writing and furnished to each Council Member. An ordinance may be considered and debated at the meeting at which it was introduced but it shall not be finally adopted at that meeting except on the affirmative vote of at least six (6) members of the Council. Emergency ordinances are ordinances which, in the judgment of Council, are necessary for the immediate preservation of public peace, health or safety. The declaration of Emergency shall be by separate motion and shall require six (6) affirmative votes for approval.

Charter, Sec. 2:13, Ordinance in general

8. After allowing a reasonable but not unduly lengthy time for debate of the motion, the presiding officer shall put the question to a vote.

C. ROLL CALL VOTES

The clerk shall call the roll of Council Members present, and record each vote. Council members may vote "aye", "nay", or "abstain". A Council Member who refuses to vote or passes shall be recorded as voting "aye" unless that member has a conflict of interest and states in the record the grounds for disqualification. The presiding officer will announce the vote or he shall request the clerk to announce the vote. Amendments shall be voted on prior to the main motion, with secondary amendments voted on prior to primary amendments.

Charter Sec. 2:12

D. NUMBER OF VOTES REQUIRED

A number less than five may adjourn a meeting, however, all other actions of the Council shall require five (5) or more affirmative votes for passage. Exception—ordinances, see subsection B7 above.

Charter Sec. 2:12 (d)

E. PUBLIC HEARING

When the agenda item requires a public hearing, the presiding officer shall request staff comment, allow for questions by the council, open the public comment, and close the public hearing.

F. STAFF ATTENDANCE

The City Manager, City Clerk, and City Attorney (or their assistants) shall attend all regular and special Council meetings, unless excused by the Council. Attendance of other City Personnel shall be required only when there are agenda items which affect their particular responsibility.

Charter Sec. 2:08

6. JOURNAL (MINUTES)

Minutes of each meeting of the Council shall be prepared by the Clerk and submitted to a subsequent Council meeting for approval. The minutes shall summarize the Council's deliberations and record the action of the Council on each item. The Clerk shall maintain a record of the approved minutes.

Charter Sec. 2:08

7. CITIZENS PARTICIPATION

Citizen participation shall be governed by the "Citizen Participation Guidelines and Rules of Decorum", Ordinance No. 3779-A, codified at Section 2-29 of the Muskogee Code of Ordinances and is attached to this policy as Exhibit "B". Any person desiring to speak shall enter their name on the sign in sheet provided by the City Clerk and secure permission from the presiding officer, City Code Sec. 2-29 (d)(1).

8. ROBERT'S RULES OF ORDER

Except as otherwise provided by ordinance or those rules, Robert's Rules of Order 4th Edition, shall govern the proceedings. City Code Sec. 2-20 (g)