

4

MEMORANDUM

Date: January 10, 2019

To: North Little Rock City Council

From: Amy Beckman Fields, City Attorney *APB*

RE: Simplified Procedural Rules of City Council

Arkansas Code Annotated Section 14-43-501 provides that the members of the governing body elected for each city shall assemble annually in January and organize the governing body. I have attached a summary that Jason Carter drafted in 2017 that was provided to you in January of the past two years of the procedures that are used by City Council when conducting official business. The procedures outlined in the summary remain the current practice of the Council. This summary only includes the procedures that have been either practically used by the Council over time or formally approved in an ordinance or resolution; it does not include Arkansas laws governing legislative approval. I have condensed the procedures that are established by ordinance or resolution by removing extraneous verbiage, to facilitate ease of use. I will be prepared to discuss these procedures at our meeting on January 14.

PLEASE NOTE: These procedures are yours. They may be changed in any matter that you believe would result in an improved process. If any of you wish to propose any changes, legislation can be prepared to address those proposals for consideration at the next City Council meeting.

FILED 7:55 A.M. _____ P.M.

BY Via email

DATE 1/11/19

Disne Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED by Whitbey

Simplified Rules of the North Little Rock City Council

Regular meetings are held on the second and fourth Mondays of each month at 6:00 pm in City Hall. If the regular meeting date falls on a holiday, the meeting will automatically be postponed until the next evening that is not a holiday, at the usual place and time. Regular meetings may be canceled or rescheduled by a majority vote of the Council after notice has been provided in accordance with the Arkansas Freedom of Information Act.

Special meetings may be called by the Mayor or three Aldermen by providing proper notice of the time and place of the meeting. Notice must be delivered to all members of the Council, the City Clerk, the City Attorney, and members of the media who have requested notice. The notice must include copies of all resolutions and ordinances to be discussed. Notice may only be delivered as follows:

- (1) Hand-delivered at least 24 hours in advance of the special meeting; or
- (2) Electronically-delivered at least 72 hours prior to the meeting.

Any person may waive notice. A printed copy of the matters to be considered will be placed on each member's desk prior to the special meeting.

Rules of order are those prescribed in Procedural Rules for Municipal Officials as published by the Arkansas Municipal League.

Seniority among Aldermen is based on cumulative time of service on the Council, without regard to continuity. Seniority of Aldermen with equal time of service is alphabetically assigned by surname. Aldermen are seated by ward. The senior Alderman of each ward is privileged to choose his or her seat. Upon the calling of the roll for any purpose, each Alderman's

name will be called in the order seated, beginning with Ward 1.

Council Agendas will be assembled by the City Clerk and consist of: (1) minutes from the previous meeting; (2) communications filed for consideration prior to the close of business on the day of a meeting; (3) presentations or public hearings called by the Mayor or Council; (4) public comment on agenda items; (5) unresolved business remaining on the agenda from the previous meeting; (6) new resolutions and ordinances timely filed for consideration; and (7) general public comment.

Sponsors are required for, and indicated on, all proposed ordinances or resolutions. Sponsorship is restricted to Council members. Only a principal sponsor or cosponsor may call an ordinance or resolution for consideration by the Council, *except that when* the Mayor is the sponsor, he may designate an Alderman to call it. Cosponsors may be added to any ordinance or resolution with the consent of a principal sponsor or cosponsors.

Drafters of ordinances and resolutions will be identified within the document. All ordinances and resolutions must adhere to the form prescribed by the City Attorney.

Requests for legislation must be submitted to the City Attorney by noon on Thursday prior to a filing deadline.

Public comments on agenda items are restricted to those persons who sign-up to speak, except for public hearings.

President Pro Tempore is based upon a rotating schedule with each alderman serving a period of six months, according to seniority.

Conduct of Meetings

Opening. Meetings are opened with an invocation and the pledge of allegiance, which is rotated evenly among the aldermen. Aldermen may invite other persons to speak on their behalf. All Council agendas and video transmissions shall state that the City welcomes people of diverse cultures and beliefs, and that any religious viewpoints expressed during the meeting are personal in nature to the speaker and not intended to proselytize, advance, or disparage any religious belief.

Communications. Any elected official of the city may submit a document to be considered for filing in the permanent records of the city. The document may be read aloud upon request of the Mayor or an Alderman. Communications may be accepted for filing by majority vote of the council that is present and participating as indicated by *viva voce* or roll call vote.

Public comment on agenda items. Persons attending Council meetings may be afforded the privilege to speak about any item on the Council agenda, *provided that* persons desiring to speak: (1) comply with the record-keeping and procedural requirements of the City Clerk; (2) limit their comments to agenda items; and (3) limit the duration of their comments to three minutes.

Ordinances and resolutions. The Council will not consider any proposed ordinance or resolution filed with the City Clerk after 12:00 noon on Tuesday of the week prior to the regular City Council meetings. When the deadline falls on a holiday, the filing date shall then be 24 hours subsequent to that time.

(a) Approval. Ordinances and resolutions not on the consent agenda may

only be approved individually by roll call vote.

(b) Consent agenda. Resolutions which do not require a public hearing as a condition precedent to approval may be placed on the consent agenda for consideration prior to new business. Resolutions on the consent agenda may be approved individually, collectively or both, by unanimous approval of the Council as indicated by *viva voce* or roll call vote. Upon motion or request of any member of the Council, a resolution shall be removed from the consent agenda and placed on the regular agenda.

(c) Reading requirement. Where the law imposes a duty to read ordinances or resolutions aloud, such reading shall only be by title. When approved by a 2/3rds vote, a motion to "waive readings" may be used to satisfy all reading requirements for a particular ordinance, or for all ordinances on the agenda, as may be desired by the movant.

(d) Removal. Any ordinance or resolution remaining on the city council's agenda after 90 days from filing or six regular meetings of the city council, whichever occurs first, will be removed from the agenda by the City Clerk.

Public comment on non-agenda items. Before the conclusion of a Council meeting, persons attending the meeting may be afforded the privilege to communicate their opinions on any public matters, *provided that* persons desiring to speak: (1) comply with the record-keeping and procedural requirements of the City Clerk; (2) address his or her remarks to the Mayor or City Council as a whole and not to any individual Alderman; and (3) limits the duration of their comments to three (3) minutes.