

RULES OF PROCEDURE

CITY OF GRANDVIEW BOARD OF ALDERMEN



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1. MEMBERSHIP

The Mayor shall preside over the meetings of the Board of Aldermen. The Board of Aldermen shall consist of six (6) members, two from each Ward, elected or appointed as provided by law, and possessing all of the qualifications as provided for by law. [Code Sec. 2-42, 2-18]

1.1. CONFLICTS OF INTEREST

The Mayor and members of the Board of Aldermen (together “Members” for purposes of this Section 1.1) shall not place themselves in a position which may substantially conflict with their official duties or which may be a substantial influence to act other than in the best interests of the public they serve and to which they owe an undivided loyalty. By way of illustration, and not limitation, the following shall be deemed to constitute conflicts of interest:

(1) No Member shall transact any business in his/her official capacity with any business entity of which he/she is an officer, director, agent, partner or member or in which he/she owns a substantial interest as defined by city ordinance or state statute; nor shall he/she make any personal investments in any business entity which will create a substantial conflict between his/her private interest and the public interest; nor shall he/she or any business entity of which he/she is an officer, director, agent, partner or member, or the owner of substantial interest, sell any goods or services to any business entity which is licensed by or regulated in any manner by the city when such sales shall constitute a substantial conflict.

(2) No Member shall appear in behalf of private interests before any officer, department, or agency of the city government where such appearance will create a substantial conflict between his/her private interest and the public interest.

(3) No Member shall enter into any private business transaction with any person or business entity that has a matter pending or to be pending upon which the Member is or will be called upon to render a decision or pass judgment. If any Member is already engaged in the business transaction at the time that a matter arises, he/she shall be disqualified from rendering any decision or passing any judgment upon the same.

(4) After a Member’s term in office ends, such Member shall not, within one (1) year or such other time period as may be provided by state law or city ordinance (whichever is longer), appear before any agency of the city government or receive compensation for services rendered on behalf of any person or business entity, in relation to any case, proceeding, or application with respect to which the person was directly concerned, and in which he/she personally participated during the prior period of service with the city. Nothing herein contained shall be construed to prohibit any business entity, in which any Member is an officer, director, agent, partner, member or shareholder from appearing, rendering services in relation to any matter before, or transacting business with any agency of the city, where the Member does not share in the profits resulting therefrom.

(5) Members who have a direct or indirect financial or other private interest in any proposed legislation and who participate in discussion before or give official opinion to the Board of Aldermen, shall publicly disclose the nature and extent of such interest, and the disclosure shall be entered in the minutes or journal of the Board.

(6) No Member in the course of his/her official duties shall represent private interests in any action or proceeding against the interests of the city, in any litigation to which the city is a party, or in any action or proceeding in the municipal court in which the city, any agency, or Member, in the course of his/her official duties, is a complainant.

(7) No Member shall accept any valuable gift, whether in the form of service, loan, thing, or promise, or in any other form, from any person or business entity, which, to his/her knowledge is interested directly or indirectly, in any manner whatsoever, in business dealings with the city. For purposes of this subsection, anything valued at \$100.00 or more shall constitute a “valuable gift.”

No Member shall disclose confidential information concerning the property, government or affairs of the city, nor shall he/she use such information to advance the financial or other private interest of himself/herself or others.

(8) No Member shall invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction which creates a substantial conflict with his/her official duties.

(9) No Member shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his/her official duties.

(10) No Member shall solicit, negotiate for, or promise to accept employment with any person or business entity with which he/she is engaged on behalf of the city in the transaction of business or which is or may be affected by his/her official action.

(11) No person or business entity shall attempt, directly or indirectly, to secure preferential treatment in dealings with the city government by offering any valuable gift, whether in the form of service, loan, thing, or promise, or in any other form, to Members. If any person or business entity violates the foregoing provision, any current contracts which he/she or it may have with the city shall be cancelled; and such person or business entity shall not be eligible to bid on any city contracts for a period of two (2) years.

(12) No Member shall sell or barter anything to the city or to a contractor to be supplied to the city; or make any contract with the city; or purchase anything from the city other than those things which the city offers generally to the public (as for example, utility services), and then only on the same terms as are offered to the public. Any violation of this subsection, with the knowledge, express or implied, of the person or business entity contracting with the city, shall render the contract voidable by the city administrator or the Board. This paragraph shall not apply to the taking of property by condemnation proceedings.

2. ACTING PRESIDENT OF THE BOARD OF ALDERMEN, SELECTION

At the time of the organization of the Board, the Board shall elect one of their own number who shall be styled "Acting President of the Board of Aldermen" who shall serve for a term of one year. [Code Sec. 2-18; RSMO CH. 79.090]

3. THE PRESIDING OFFICER

The Presiding Officer of the Board shall be the Mayor, or in the Mayor's absence, the Acting President of the Board of Aldermen. In the event the Mayor and the Acting President of the Board of Aldermen are absent, the previous year's Acting President of the Board of Aldermen shall serve as Presiding Officer.

Duties: The Presiding Officer shall preserve strict order and decorum at Regular and Special Meetings of the Board; and shall state every question coming before the Board, announce the decision of the Board on all subjects, and decide all questions of order. [Code Sec. 2-42, 2-18; RSMO 79.100]

4. VACANCIES IN ELECTIVE OFFICE HOW FILLED

If a vacancy occurs in any elective office, upon notification from the Mayor and Board of Aldermen, the City Clerk shall accept letters of interest from and send applications for appointment to qualified individuals to fill the vacant position within a period of time specified by the Mayor and Board of Aldermen. The vacancy and notice soliciting letters of interest from qualified citizens shall be published in The Jackson County Advocate, The Kansas City Star, and on the City's governmental cable television channel.

Upon expiration of the time period specified by the Mayor and Board of Aldermen, the City Clerk shall forward the applications of all qualified individuals to the City Administrator for the Mayor and Board of Aldermen's consideration and review at a Work Session.

After the Mayor and Board of Aldermen have selected a qualified individual to fill a vacant position, the Mayor shall call a Special Meeting of the Board of Aldermen to convene where a successor to the vacant office shall be selected by appointment by the Mayor with the advice and consent of a majority of the remaining members of the Board of Aldermen. The successor shall serve until the next regular municipal election. [RSMO 79.280]

5. PUBLIC MEETING LAW ADOPTED

The Board of Aldermen hereby adopts RSMO §610.010 through 610.029, as revised, “Governmental Bodies and Records”. When there is a conflict between State Statutes and the City's Code of Laws, the more restrictive provisions shall govern. [RSMO Ch. 610, Ord. No. 5114]

6. NOTICE OF MEETINGS WHEN REQUIRED

All public governmental bodies shall give notice of the time, date, and place of each meeting, and its tentative agenda, in a manner reasonably calculated to advise the public of the matters to be considered. Notice conforming with all the requirements of RSMO §610.020, 1.-6., as revised, shall be given at least twenty-four hours, exclusive of weekends and holidays when the facility is closed, prior to the commencement of said meeting. [RSMO §610.020, 1-6]

7. CLOSED MEETINGS (SESSIONS)

All Closed Meetings (sessions) of the Board of Aldermen shall be called by the Mayor, or any two of the Board; such call shall be ratified by motion passed by a majority of the Board’s quorum pursuant to the requirements of RSMO §610.022, 1.-5., as revised. Such meeting shall take place twenty-four (24) hours or later following this meeting. The exception would be emergencies where it is so stated.

An exception to this policy shall be when it is necessary to hold a meeting on less than twenty-four (24) hours’ notice, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes of the next Regular or Special Meeting (session) of the Board.

The Mayor or Acting President of the Board of Aldermen at the next Regular or Special Meeting (session) shall read into the record that such emergency Closed Meeting (session) was held and the purpose therefor. [RSMO §610.022, 1-5; 610.021; 610.020]

The procedure for calling a Closed Meeting (session) of the Board shall be as follows:

- (a) Alderman: “I move to ratify the Mayor’s action in calling a Closed Meeting (session) for (time), (date), (place), (Statutory reason(s) as provided under RSMo 610.021) with a CLOSED RECORD and/or/neither CLOSED VOTE be ratified.”
- (b) Alderman: “I second the motion.”

The Mayor asks for discussion of the motion, and roll call vote is taken by the City Clerk.

A Closed Meeting (session), record, or vote shall be held only to the extent a Closed Meeting (session), record, or vote is necessary for the specific reason announced. The Board shall not discuss any business during a Closed Meeting (session), record, or vote which does not directly relate to the specific reason announced as justification for the

Closed Meeting (session), record, or vote.

8. REGULAR MEETINGS

[CODE SEC. 2-18, 2-19]

Time and Date Of Meetings

The Board of Aldermen shall hold Regular Meetings on the second and fourth Tuesday of each month, at 7:00 p.m. [Res. #2007-25, 12/11/2007]

Legal Holiday, Meeting Day Falling On

When the day fixed for any Regular Meeting of the Board of Aldermen falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday, unless otherwise provided by the Board. [Code Sec. 2-19]

Location of Meetings

All Regular Meetings of the Board shall be held in the Council Chambers of the Municipal Services Building, 1200 Main Street, Grandview, Missouri.

Cancellation

In the event the business of the Board of Aldermen does not require immediate attention, the Mayor may cancel a Regular Meeting, but in no instance shall more than one meeting be cancelled in any month.

Postponement

Regular Meetings may be postponed by a majority of the Board to another date at the last preceding Regular or Special Meeting. The presiding officer (the Mayor or Acting President of the Board of Aldermen) following approval of the motion to postpone, shall publicly announce the postponement, giving the new date and time for the session, and the reason for the postponement.

Rescheduling

Regular Meetings may be rescheduled in instances in which it is known in advance that a quorum will not be present, in which there is an apparent conflict with another meeting or event of significance to the community, or in which there is an emergency. Rescheduling of a Regular Meeting shall require a motion by a Board member approved by a majority vote, and be subject to the requirements as set forth in RSMO, Chapter 610, as revised, and the Code of Laws of the City of Grandview, Section 2-19.

Informal Sessions Of The Board

Whenever informal sessions of the Board are held at which public business or policy is discussed, decided or formulated, or whenever the Board of Aldermen vote, whether corporeal or by means of communication equipment, said action shall be read into the record at the next Regular or Special Session of the Board of Aldermen.

Informal Sessions at which public business or policy is discussed, decided or formulated, shall constitute a public meeting as defined by RSMO §610.010(5), as revised, where there is a public vote of all or a majority of the members of the Board, by electronic communication or any other means, conducted in lieu of holding a public meeting with the members of the Board gathered at one location in order to conduct public business. Informal gatherings of members of the Board

for ministerial or social purposes when there is no intent to avoid the purposes of Chapter 610, RSMO, as revised, shall not constitute a public meeting. [RSMO §610.010, 5. "Public Meeting"]

9. SPECIAL MEETINGS

The Mayor, or any two (2) members of the Board of Aldermen shall have the power and are hereby authorized to call a Special Meeting of the Board of Aldermen, but such call shall designate the time and place of such Special Meeting. Every effort shall be made to call the meeting at least twenty-four (24) hours in advance of the starting time of the Special Session.

Whenever a Special Meeting of the Board shall be called, the call may be made at the last meeting of the Board preceding the date of the Special Meeting; or the Mayor and/or two (2) Aldermen shall notify the City Clerk, giving the date, time, place and purpose of the Special Meeting. The City Clerk shall prepare a Special Meeting Notice, to be delivered by the placement of the Notice in the files of the Mayor and Board of Aldermen located in the Administration area of the Municipal Services Building. The residence and/or place of business of the Mayor and Board of Aldermen shall be telephoned by the City Clerk, who shall notify them of the Special Meeting being called.

A "Waiver of Notice" shall be prepared for execution by the Mayor and all members of the Board of Aldermen for inclusion in the Minutes (Journal) of the Special Meeting.

10. ADJOURNED MEETINGS

- (a) A majority of the Board of Aldermen elected shall constitute a quorum to do business, but a lesser number may adjourn from time to time; provided, however, that the Board of Aldermen may adjourn to any given date for such extra adjourned meeting. [Code Sec. 2-18]

In the absence of a quorum (at least fifteen minutes following the time for the meeting to have begun), the following actions may be taken: 1) Take measures to obtain a quorum; or 2) Adjourn.

If there is pressing business that should not be delayed, the meeting should fix the time for an extra adjourned meeting and then adjourn.

If a quorum cannot be obtained, the presiding officer should call the meeting to order, announce the absence of a quorum and entertain a motion to adjourn.

- (b) All Regular and Special Meetings of the Board of Aldermen shall adjourn no later than 10 p.m., to be reconvened to a specified date and time. To dispense with this policy, a motion to continue shall be required.

11. WORK SESSIONS

Work Sessions shall be held by the Mayor and Board of Aldermen in the Municipal Services Building at 7:00 p.m. on the first and third Tuesdays of each month or as deemed necessary by the Mayor and Board, and shall conclude automatically no later than 10:00 p.m. unless continuation of the meeting is desired by the Mayor plus two members of the Board of Aldermen.

Public Discussion at Work Sessions:

Public input into agenda items at Work Sessions shall be permitted subject to any persons desiring to speak first obtaining the attention of the Presiding Officer prior to the meeting or at the beginning of the meeting. The Presiding Officer may limit the time for public input in order to expedite the discussion on the agenda items.

Conduct of Formal Business or Motions at Work Sessions

No formal business shall be conducted nor shall motions be made at a Work Session. Work Sessions shall be devoted to a limited number of priority items, preferably a maximum of five, and all other items listed on the Agenda shall be informational with respect to pending business coming before the Board of Aldermen.

12. AGENDA

Reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Board by the City Administrator are to be placed in the folders of the Mayor and Board of Aldermen no later than 5:00 p.m. on Friday preceding the Regular Meetings. It will be the responsibility of the Aldermen to pick up the Agenda materials.

13. CALL TO ORDER

The Presiding Officer shall take the chair at the hour appointed for the meeting and shall call the Board to order.

14. ROLL CALL

Before proceeding with the business of the Board, the City Clerk shall call the roll of members, and the names of those present and absent shall be entered in the Minutes (Journal).

15. QUORUM

Four members of the Board of Aldermen shall constitute a quorum at any Regular or Special Meeting of the Board. No action shall be valid unless a majority in attendance shall vote in favor of such action, except as may be provided in other ordinances, requiring a larger favorable vote for adoption. Less number than a quorum may adjourn a meeting.

16. ORDER OF BUSINESS

All meetings of the Board shall be open to the public except only those which, by law, may be conducted in Executive, or Closed, Session. At the hour set by law on the day of each Regular Meeting, the Mayor, members of the Board of Aldermen, the City Administrator, and the City Clerk shall take their regular stations in the Council Chamber and the Agenda of the Board of Aldermen shall be prepared as follows:

- | | |
|--|-----------------------|
| I. CALL TO ORDER/ROLL CALL | VI. PUBLIC DISCUSSION |
| II. PLEDGE OF ALLEGIANCE | VII. PUBLIC HEARINGS |
| III. APPROVAL OF AGENDA | VIII. CONSENT ITEMS |
| IV. APPROVAL OF MINUTES | IX. ORDINANCES |
| V. AWARDS, PRESENTATIONS AND ORGANIZATIONAL BUSINESS | X. OTHER BUSINESS |
| | XI. ADJOURNMENT |

Items to be Included on Consent Agenda

The purpose of the Consent Agenda is to expedite the approval of procedural business, or items of a routine nature. Consent items may include all business items except ordinances.

Approval of Consent Agenda items automatically instructs the City Clerk to reflect in the minutes that the Staff recommendation has been accepted and approved.

Calling a Closed Meeting on Consent Agenda

Calling a Closed Meeting shall be considered as a Consent Item and if a Closed Meeting is to be called, the Mayor or an Alderman shall request that item be withdrawn/removed for separate consideration, and a roll call vote of the Board of Aldermen shall be required. Otherwise, a routine motion will be sufficient to accept a recommendation of "No Closed Meeting."

Discussion of Items on Consent Agenda

An Alderman need only request that the item be removed from the Consent Agenda for discussion when that point in the Agenda is reached. (The request need not be voted upon by the Board.)

17. READING OF MINUTES (JOURNAL)

Unless a reading of the Minutes of a Board meeting is requested by a member of the Board, and said reading is approved by a majority of the Board, such Minutes shall be approved without a reading if the City Clerk has previously furnished each member with a copy thereof.

18. RULES OF DEBATE BY MEMBERS OF THE BOARD

Procedure

Robert's Rules of Order, Revised, shall be observed and shall govern in all instances of procedure, unless modified by these Rules, in the event a question should arise.

Getting the Floor

Every member desiring to speak shall address the Chair and upon recognition by the Presiding Officer, shall be confined to the question under debate.

Interruptions

A member, once recognized, shall not be interrupted when speaking unless to be called to order by the Presiding Officer, or as hereinafter provided. If a member, while speaking, be called to order, the member shall cease speaking until the question of order be determined and if in order, shall be permitted to proceed.

Motion to Reconsider

A motion to reconsider any action taken by the Board may be made on the same day or on the day of the next Regular or Special Meeting, with the exception of ordinances. It may be either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable.

Ordinances may be reconsidered only at the Regular or Special Session at which they are initially approved. After the close of the session at which the ordinance is approved, it shall be necessary to amend or repeal said ordinance with a new ordinance.

Remarks of Aldermen [when entered in the Minutes (Journal)]

Aldermen may request of the Presiding Officer the privilege of having an abstract of their statements on any subject entered in the Minutes (Journal) of the Board.

Synopsis of Debate [when entered in the Minutes (Journal)]

The City Clerk may be directed by the Presiding Officer to enter in the Minutes (Journal) a synopsis of the discussion on any question coming regularly before the Board.

19. PUBLIC COMMENTS

The purpose of Public Comments shall be for the public to have input on any agenda item as well as any other item of community interest. Any comments intended for Public Hearings shall be spoken during those hearings and not during the Public Comments section of the agenda. The Board shall take no action nor vote during Public Comments. The Public Comments section of the agenda shall be no longer than fifteen minutes, which would be the cumulative time of all speakers for a particular meeting, and which may be waived at the discretion of the Presiding Officer.

Any person desiring to address the Board shall first secure the permission of the Presiding Officer. Otherwise, persons shall address the Board only when the order of business moves to Public Comments. Individuals will be permitted to address the Board of Aldermen only once under Public Comments, and are limited to three minutes per speaker. The Presiding Officer may waive the maximum time limit at his or her discretion. Persons addressing the Board shall stand at the public microphone, give their names and street addresses in an audible tone of voice, and shall sign the City Clerk's log for recording in the Minutes (Journal).

Groups intending to speak on the same subject matter are encouraged to select a spokesperson and their total presentation time shall be limited to 5 minutes. Speakers are encouraged to not make comments already spoken at a previous meeting of the Board of Aldermen. All remarks shall be addressed to the Elected Officials as a body, and not to any member thereof. No person, other than the Aldermen and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Aldermen, without the permission of the Presiding Officer. No questions shall be asked the Aldermen, except through the Presiding Officer.

Any person making personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Aldermen, shall be forthwith ordered by the Presiding Officer to leave the microphone and the sound will be cut from the microphone. If the speaker refuses to relinquish the podium he/she shall be escorted from the podium by the sergeant-at-arms. If a speaker is escorted from the podium, he/she shall be prohibited from addressing the Council in a meeting for a period of six (6) months.

The above rules for Public Comments shall also apply to individuals addressing the Board of Aldermen during Public Hearings.

20. ORDINANCES, RESOLUTIONS, MOTIONS AND CONTRACTS

[CODE SEC. 2-1; RSMO CH. 79]

- (a) Every resolution and ordinance shall be reduced to writing before the vote is taken thereon; and the "Ayes" and the "Nays" shall be called and recorded.
- (b) Introducing for Passage or Approval
 - (1) Ordinances, resolutions, and other matters or subjects requiring action by the Board must be introduced and sponsored by the Mayor or a member of the Board, except that the City Administrator may present ordinances, resolutions and other matters or subjects to the Board, and any Alderman may assume sponsorship thereof by moving that such ordinance, resolution, matter or subject be adopted; otherwise, it shall not be considered.
 - (2) All proposed ordinances and amendments shall be in writing and shall be prepared by the City's Special Counsel, or other person designated by the City Administrator, and shall be submitted to the City's Special Counsel for approval as to form and legality.
 - (3) All proposed ordinances shall be introduced in the form of bills and assigned a number by the City Clerk during agenda packet preparation. Bills shall be numbered in the order of their introduction.
 - (4) All bills shall be read in full or by title two times, but not more than three times, prior to final passage; all readings may occur at a single session of the Board of Aldermen. If an ordinance is read by title only, copies of the proposed ordinance

shall be made available for public inspection in the office of the City Clerk prior to the time the bill is under consideration by the Board of Aldermen. [RSMO §79.130, as revised]

- (5) The style of ordinances shall be, "Be it ordained by the Board of Aldermen of the City of Grandview, Missouri, as follows:"[RSMO §79.130, as revised]
- (6) Unless an Alderman requests a Bill be read in full, the procedure for consideration and adoption of bills and ordinances shall be as follows:
 - (a) Bill Introduced: The sponsoring Alderman: "I move that Bill No. __ be placed on its first reading." Seconded. The Bill is read by title by the Clerk. Option for discussion on the motion for the first reading of the bill is opened by the Presiding Officer.
 - (b) Vote Taken: The Clerk calls the roll. If the vote is in the majority in favor of the Bill, it is automatically advanced.
 - (c) Second Reading: Alderman: "I move that Bill No. __ be placed on its second reading." Seconded. The Bill is read by title by the Clerk. Option

for discussion on the motion for second reading is opened by the Presiding Officer.

- (d) Vote Taken: The Mayor calls for the vote on the Bill, first calling for the affirmative, and then for the negative vote. If the vote is in the majority in favor of the Bill, it is automatically advanced.
- (e) Third Reading: Alderman: "I move that Bill No. ___ be placed on its third reading." Seconded. The Bill is read by title by the Clerk (including the Treasurer's certification as required by RSMO 95.365 if the bill requires the expenditure of funds). Option for discussion on the motion for third reading is opened by the Presiding Officer.
- (f) Vote Taken: The Mayor then calls for the vote on the Bill, first calling for the affirmative, and then for the negative vote. If the vote is in the majority in favor of the Bill, it is automatically advanced.
- (g) Final Passage: Alderman: "I move that said Bill No. ___ be placed on its final passage, and that said Bill be enacted." Seconded.
- (h) Vote Taken: Roll call shall be taken by the City Clerk.
 - (i) If, on final passage, the Bill shall receive a majority (four) of votes in favor of the Bill, the Mayor shall declare that the Bill has been enacted as "Ordinance Number ___" except that the Mayor shall have the power to veto any ordinance passed by the Board as provided by law. No Bill shall become an ordinance until it shall be signed by the Mayor or person exercising the duties of the Mayor's office or shall have been passed over the Mayor's veto as provided by law.

Tabled or Postponed Bills

When a Bill is tabled, it shall be brought back to the Board in the same form as when it was previously considered, and shall be read by title by the Clerk, if it had not been read earlier in the same meeting. In the event a Bill is postponed to a certain date or time, it will automatically appear on the Agenda for that meeting.

To be considered, any subsequent amendments to the Bill must be approved by motion of the Board of Aldermen after first having been read in full by the Clerk.

21. VOTING

Recording Votes

Except as provided in RSMO §610.021, rules authorized pursuant to Article III of the Missouri Constitution and as otherwise provided by law, all votes shall be recorded, and if a roll call vote is taken, as to attribute each "aye" and "nay" vote, or abstinence if not voting, to the name of the individual member of the Board. Any votes taking during a closed meeting shall be taken by roll call. [RSMO §610.015, 1.]

Acting President Of The Board, Right To Vote

The Acting President of the Board of Aldermen, when exercising the duties of the Mayor, shall exercise the right to vote as Alderman; in case of a tie vote, the Acting President of the Board of

Aldermen shall also vote on behalf of the Mayor's office. [Attorney General Opinion No. 38-88, 01/21/1988]

Votes Required For Adoption/Passage

The affirmative vote of four (4) members shall be necessary to adopt any ordinance except as otherwise provided by Law. The "Ayes" and "Nays" shall be recorded on the final passage of every ordinance. Resolutions and motions shall require a majority of members constituting a quorum, and the "Ayes" and "Nays" shall be entered in the Minutes if requested by any member. If the vote results in a tie, the Presiding Officer (Mayor or Acting President of the Board of Aldermen) shall be permitted to vote.

Negative Votes (Failure Of Bill)

A majority of negative votes on any reading of a bill shall result in failure of a bill, and it shall not advance to the next reading. Bills may be reintroduced by a member of the prevailing side at the discretion of the Board. See Section 18, Rules of Debate, Motion to Reconsider.

Roll Call Vote

When calling a roll call vote, the City Clerk shall first call the name of the Alderman who made the motion, then the name of the Alderman who seconded the motion, and proceed to call the names of the other Aldermen in random order.

Abstention Vote

Abstention votes shall be recorded as a "Non-vote". Should an Alderman be absent when the vote is taken, it shall be recorded so that it is a "non-vote". Abstention votes shall only be exercised when there is a conflict of interest or a vote on approval of minutes when absent from said meeting.

Zoning Change, Vote Required

Whenever a written protest has been filed with the City against a zoning change duly signed and acknowledged by the owners of thirty percent or more, either of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and one hundred eighty-five feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of two-thirds of all the members of the legislative body of such municipality . . . [RSMO § 89.060, as revised]

22. BOARD MEMBERS MAY FILE PROTESTS AGAINST BOARD OF ALDERMEN ACTION

Board members shall have the right to have the reasons for their dissents from, or protests against, any action of the Board entered in the Minutes (Journal).

23. MAYOR'S RIGHT OF VETO

The Mayor has until the next Regular Meeting the right to either veto the Bill, and to present written objections or to approve the Bill. If the Mayor does not present a veto and written objections by the next Regular Meeting, the Bill shall become an ordinance without the Mayor's

signature. Assuming the Mayor's approval, the Mayor may state: "The Mayor approves the Bill and it is enacted as Ordinance No. ___". The Mayor could also withhold approval until the next meeting, in which event the Mayor should announce: "The Mayor shall consider such Bill until the next meeting of the Board." If the Mayor does so take time to consider the Bill, the Mayor should, at the next meeting, either announce the Mayor's approval or, if vetoed, state that veto. If vetoed, the Mayor should then call for action by, "Shall the Bill pass, the objections of the Mayor thereto withstanding?" A vote would then be taken on such motion and if approved, the City Clerk certifies that fact, and the Bill becomes an ordinance. [RSMO §79.140]

24. CITIZEN PETITIONS TO BE FILED WITH THE CITY CLERK

All citizen petitions shall be filed with the City Clerk and receipt thereof noted in the Minutes (Journal). The full copy of the Petition shall be retained by the City Clerk as a public record.

25. ZONING MATTERS

Action on all zoning issues coming before the Board of Aldermen shall be tabled for two weeks to allow time for publicizing the fact that the matter is under consideration by the Board.

The foregoing rule may be suspended with the approval of at least four (4) members of the Board of Aldermen. (See Also: Section 21 -- "Voting" -- on Page 12.)

26. DECORUM

- (a) By Board Members - While the Board is in session, the members must preserve order and decorum, and a member shall neither by conversation nor otherwise, delay or interrupt the proceedings or the peace of the Board, nor disturb any member while speaking, or refuse to obey the orders of the Board or Presiding Officer, except as otherwise herein provided.
- (b) By Other Persons in Attendance - Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Board or behave in such a manner as to disrupt Board meeting proceedings, shall be forthwith, by the Presiding Officer, barred from further audience before the Board, unless permission to continue be granted by a majority vote of the Board.
- (c) Video and Audio Taping of Open Meetings – The Missouri Sunshine Law, Section 610.020(3) allows video and audio taping of open meetings and allows the public body to establish guidelines regarding the manner in which such recording is conducted so as to minimize disruption to the meeting. Any person who video or audio tapes an open meeting must do so while standing or sitting at the back of the room where the meeting takes place.

27. ENFORCEMENT OF DECORUM

The Presiding Office may designate a Sergeant-at-Arms, who shall be a member of the Police Department, for the Board meetings and who shall carry out all orders and instructions given by

the Presiding Officer, for the purpose of maintaining order and decorum at the Board meetings. In the absence of the Sergeant-at-Arms, the Police Dispatcher shall be contacted and requested to have a Police Officer respond to the Board meeting.

28. RECESS

Recess shall be called at the discretion of the Presiding Officer.

29. SUSPENSION OF THE RULES

Any rule may be suspended with the approval of all members who are present.

30. ADJOURNMENT

A motion to adjourn shall always be in order and decided without debate.