

**RULES AND ORDERS**  
**of the**  
**CITY COUNCIL**  
**of the**  
**CITY OF BERLIN**

**SECTION I.**

The Mayor shall take the chair precisely at the hour appointed for the meeting and call the members to order.

**SECTION II.**

The Mayor shall preserve due order and decorum; he/she may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the council.

**SECTION III.**

In the absence of the Mayor, the most senior Council person shall preside until the Mayor arrives, or during that meeting and no longer.

**SECTION IV.**

The order of business shall be as follows:

- |  |                           |
|--|---------------------------|
| 1. Pledge of Allegiance                    | 7. Committee Reports      |
| 2. Roll Call                               | 8. New Business           |
| 3. Approval of minutes of previous meeting | 9. City Manager's Report  |
| 4. Approval of disbursements               | 10. Mayor's Report        |
| 5. Public Comments                         | 11. Public Comments       |
| 6. Unfinished Business                     | 12. City Council Comments |
|  | 13. Adjournment           |

**SECTION V.**

The Mayor shall consider a motion to adjourn as always in order, (except an immediate repetition); the time of the next meeting having been agreed upon and the council having had proper notice, the motion to adjourn shall be decided without debate.

**SECTION VI.**

A member when about to speak, shall respectfully address the presiding officer, shall confine himself/herself to the question under debate and avoid personalities. No member shall be interrupted while speaking, but by a call to order, or, for the correction of a mistake; there shall be no conversation among the members

**SECTION VII.**

Any member in debate may mention another member by his/her name, and may describe him/her by any designation as may be intelligible and respectful.

**SECTION VIII.**

Every member present when the question is stated, when he/she is not excluded by interest, shall give his/her vote, unless the city council for special reasons excuse him/her. Application to be so

excused shall be made before the calling of the yeas and nays, accompanied by a brief statement of the reasons, and shall be decided without debate.

#### **SECTION IX.**

Any member may call for a division when the subject will admit of it; and the yeas and nays shall be taken when demanded by any member of the council.

#### **SECTION X.**

When a motion is made and seconded it shall be considered by the council and not otherwise.

#### **SECTION XI.**

Motions to adjourn, to lay on the table, and take from the table shall be decided without debate.

#### **SECTION XII.**

No vote shall be reconsidered unless the motion for reconsideration shall be made by a member who voted with the prevailing side; only one motion for the reconsideration of any vote be permitted.

#### **SECTION XIII.**

Every motion shall be reduced to writing if necessary to insure its clarity, if the Chair so directs.

#### **SECTION XIV.**

The council may resolve itself into a committee of the whole at any time upon the motion of a member made for the purpose; and in forming a committee of the whole, the Mayor may leave the chair, and a chairman to preside in committee of the whole shall be appointed by him/her. When the committee of the whole has gone through with the subject referred to them, the chairman shall report their proceedings to the council.

#### **SECTION XV.**

Current Council standing committees are the Committee on Traffic Safety and Transportation, Committee on Accounts and Claims, Committee on Elections and Committee on Emergency Action. Such committees will operate under the rules and requirements for public bodies. The Committee on Traffic Safety and Transportation will be constituted and operate as follows:

##### Makeup:

The Committee on Traffic Safety and Transportation shall be made up of four members of the Council. These shall be appointed by the Mayor and Council at each post-election organizational meeting. The members of the Committee shall elect a member to serve as Chair.

##### Purpose:

The Committee on Traffic Safety & Transportation performs the role of reviewing and making recommendations on traffic safety issues before the City Council finally acts upon them. It also acts as the City's Highway Safety Committee with respect to Highway Safety Grants.

##### Staff Support:

The Police Department and, to a lesser extent, the Public Works Department or other Departments when needed, provide staff expertise with respect to traffic safety issues. The Police Department, utilizing Public Works as necessary, should provide advance information, record and publish summary minutes and follow through with publishing the actual recommendations of the Committee on Traffic Safety & Transportation. The Police Department and the Public Works Department, as needed, should regularly attend Committee on Traffic Safety & Transportation,

providing it, in advance as much as possible, with the information it needs and with recommendations as appropriate so that the Committee on Traffic Safety & Transportation is in a position to make informed traffic safety policy recommendations to the Council which are as consistent as possible and able to be reasonably enforced.

Protocol:

Traffic safety issues which are formally submitted to the Council by the public via signed letters or e-mails addressed to the Mayor and Council or Committee on Traffic Safety & Transportation will be placed on the next available regular City Council or Council Work Session agenda. The petitioner of an issue actually referred to the Committee on Traffic Safety & Transportation will be invited to attend the meeting of the Committee on Traffic Safety & Transportation at which their item is considered.

Traffic safety issues which are raised by the City staff (Police Department, Public Works Dept. etc) or by the Committee on Traffic Safety & Transportation members, may be brought directly to any regular meeting of the Committee on Traffic Safety & Transportation by having it placed in advance on such Committee on Traffic Safety & Transportation regular meeting agenda with the advance approval of the Chair of the Committee on Traffic Safety & Transportation. The Mayor and Council will be apprised of all such issues brought directly before the Committee on Traffic Safety & Transportation.

**SECTION XVI.**

Committee reports presented to the City Council must reflect legal motions made by that committee.

**SECTION XVII.**

Every committee to whom any subject is referred shall report at the next regular meeting, or ask for further time.

**SECTION XVIII.**

Every ordinance, order or regulation, shall have three readings before it shall be considered as having received the final action of the city council.

**SECTION XIX.**

No ordinance, order or resolution shall be amended after its third reading. Amending may be added after the first or second reading.

**SECTION XX.**

No ordinance, order or resolution imposing penalties, or authorizing the expenditure of money, shall have more than two readings on the same day, except by the approval of two thirds (2/3) of the members present to suspend the rules.

**SECTION XXI.**

Public Comment Rules of Conduct-

- A time limit of 3 minutes shall be placed on any one individual speaking during Public Comments. The Mayor shall call for a vote of the Council to allow more time.
- Public comment may or may not be an agenda item.
- All members of the public must remain silent throughout the proceedings until such time as the Chair may recognize and grant a member of the public the opportunity for comment.

- It is imperative that all members of the public not disrupt, disturb, speak without approval (from the Chair), act disrespectfully, use obscenities, or create any type of distraction. Disruptions or other as described will not be tolerated.
- If there is a public comment section on the agenda, you must raise your hand, wait to be recognized.
- If a member of the public wishes to speak, he or she must come forward in front of the Council, clearly state their full name, address and agenda item they wish to address.
- A person, whose conduct is disruptive and is disturbing the peace, may be removed by a police officer.
- The Chair has the discretion during Public Hearings to limit Public comments.

Revised April 11, 2022

## POLICIES

<b>Fifth Monday of month</b> - Optional work session
<b>Monday holiday meetings</b> – may be postponed until Tuesday or canceled
<b>Add agenda item</b> - member request to City Clerk no later than Thursday, Noon or by motion
<b>Delete agenda item</b> - contact original requestor for agreement or by motion
<b>Agenda Posting</b> - CC office for Mayor no later than Friday Noon
<b>Agenda approval</b> - Mayor/senior council member in their absence
<b>Agenda format</b> - approved by Council per Robert’s Rules of Order
<b>Late addition to agenda</b> - by a 2/3 vote of the Council
<b>Regular meeting agenda</b> - maintain public comments at beginning and end of agenda
<b>Mayor appointments of Council</b> Committee members - confirm at regular meeting and place in meeting minutes
<b>Public Comments</b> - for public comment only (addressed to the Chair), without Council response unless recognized by the Chair
<b>Agenda posting</b> - City Hall, Fire Dept & Library, Recreation Department, Web Site
<b>Agenda distribution to public</b> - made available at Council meeting
<b>Council meeting procedures</b> - Robert’s Rules of Order, Rules of City Council attached
<b>Council Committees</b> - Council members shall act as alternates in the absence of their counterparts on committees, including the right to vote.
<b>Correspondence</b> - Any correspondence addressed to Mayor and Council must be copied to Council members.
<b>Work Sessions</b> - Members of the public may be permitted to speak only by unanimous vote of the members present.
<b>Legal Opinions</b> - When a Council member requests a legal opinion, it shall not be acted upon without a motion
<b>Special Legal Counsel</b> - with approval of City Council
<b>Line Item Transfers</b> - within a department’s budget may be done by CM but Council concurrence is needed for any inter-fund transfers
<b>Rules and Orders of the City Council</b> - see attached
<b>Monday Meetings</b> - No other City Board, Authority or Commission shall conduct meetings concurrently with City Council meetings.

Revised January 27, 2020