

RULES OF PROCEDURE

TO GOVERN THE THIRTY-FIRST TOWN COUNCIL

Adopted at the April 3, 2018 Town Council meeting.

GROTON, CONNECTICUT

Rule 1 - Incorporation of Charter Provisions

All requirements of the Charter with respect to the proceedings of the Council are to be strictly followed, and the Council shall adopt no rule in conflict with any Charter requirement and General Statutes §§ 1-200 et seq. Freedom of Information Act (hereinafter FOIA) requirement respecting such proceedings.

Rule 2 - Meetings of the Council

- a) All meetings shall comply with the FOIA.
- b) Each year, prior to December thirty-first (31), as required by the FOIA (CGS § 1-225) the Council shall adopt by Resolution the schedule for Regular meetings of the Council for the following calendar year. The schedule may later be amended by Resolution.
- c) In compliance with FOIA requirements, Special Meetings of the Council may be called by the Mayor or by the Town Clerk upon request of three (3) Councilors. Emergency meetings shall only be called in the event that a critical situation arises where there is not time to give the prior public notice required for a Special Meeting. A copy of the minutes of such Emergency meeting, setting forth the nature of the emergency and the business conducted shall be filed with the Town Clerk within seventy-two (72) hours following any such meeting. An Emergency Meeting may be called by the Mayor, the Town Manager, or the Town Clerk.
- d) FOIA rules allow Executive Sessions (closed to the public) to be conducted only for specific reasons. The reason for the session shall be publicly stated along with the names of all persons other than Councilors invited to attend. The reason for the session and the names of all persons invited to attend shall be recorded in the minutes. A two-thirds (2/3) vote of the members of the Council present and voting at a public meeting shall be necessary to approve a motion to go into Executive Session. Council minutes will indicate the time the council went into and came out of Executive Session, and any vote taken after the Executive Session in the public meeting.

Rule 3 - Clerk of the Council

- a) The Town Clerk is the Clerk of the Council and shall keep minutes of Council proceedings, including all votes of all Councilors and summaries of discussion sufficient to inform the public. All minutes of the Council shall be kept in compliance with FOIA requirements.

- b) If the Clerk is not present at the time a meeting is called to order, the Mayor or pro tem shall appoint a Clerk pro tem to keep the minutes of the meeting and to file them in the office of the Town Clerk in a timely manner according to FOIA requirements.

Rule 4 - Quorum and Vote

- a) In accordance with section 5.3 of the Charter, six (6) members shall constitute a quorum at Council meetings, but no ordinance, resolution, or vote, except to adjourn or to fix a time and place of the next meeting, shall be adopted by less than five (5) affirmative votes.
- b) A meeting may continue only in the presence of a quorum. In the absence of a quorum, the Mayor shall declare the meeting adjourned to a future date. Prior to adjourning for lack of a quorum, the Mayor may declare a recess for a period not to exceed thirty (30) minutes to obtain a quorum.
- c) In exceptional circumstances, such as the attendance of a large number of citizens, the expectation of the imminent arrival of a Councilor, or the need to address time-sensitive issues, the Mayor or presiding officer may extend the recess period to sixty (60) minutes. In no case shall the recess exceed a total time of sixty (60) minutes.
- d) All votes shall be recorded by name and made available for public inspection pursuant to the requirements of C.G.S. § I-225(a), even if taken at one session of a continuing meeting.

Rule 5 – Mayoral Duties and Responsibilities and Temporary Vacancy of Position

- a) The Chairman of the Council, having the title of Mayor, shall preside at all meetings of the Council, and, at the stated hour, shall call the meeting to order. The Mayor shall perform all the duties and accept all the responsibilities of a Councilor.
- b) It shall be the duty of the Mayor to preserve order and require procedure in accordance with the rules, to recognize and grant the floor to Councilors wishing to speak, and to declare all votes.
- c) The Mayor shall have the authority to make a motion, may declare any motion duly seconded, except motions made by him/her, and may speak from the chair upon any debatable pending question. The Mayor shall have the same right to vote on any matter as any other Councilor and is not limited to breaking tie votes.
- d) The Mayor shall be Chairman of the Committee of the Whole, and shall have the right to make motions and to vote as a member of that committee.
- e) In the absence of the Mayor, the Clerk of the Council shall call the meeting to order and call for and declare the election of a Chairman pro tem who shall be Chairman during the absence of the Mayor.
- f) In case of any disturbance or disorderly conduct within the meeting hall, the Mayor or Chairman pro tem shall have the power to order the persons causing such disturbance to remove themselves or be removed.

- g) The Mayor may appoint a parliamentarian whose duty shall be advising the Mayor upon request.

Rule 6 – Conflict of Interest

Councilors shall declare or make known any personal or financial interest in subject matter under debate as required by the Rules on Conflict of Interest in Section 3.5.3 of the Charter, and it shall be so noted in the minutes.

Rule 7 – Order of Business and Agenda

- a) Unless altered by a two-thirds (2/3) vote of the Councilors present and voting at a meeting, the regular order of business shall be as follows:

- I. Roll Call/Declare Quorum/Call to Order
- II. Salute to Flag
- III. Recognitions, Awards and Memorials
- IV. Public Hearings (if any)
- V. Receipt of Citizens’ Petitions, Comments and Concerns
- VI. Responses to Citizens’ Petitions, Comments and Concerns
- VII. Consent Calendar
 - a. Approval of Minutes
 - b. Administrative Items
 - c. Deletions from the Town Council Referral List
 - d. Appointments
- VIII. Communications and Reports (Other than Committee reports)
 - a. Town Councilors
 - b. Clerk of the Representative Town Meeting
 - c. Clerk of the Council
 - d. Town Manager
 - e. Department Heads, Superintendent of Schools and Board of Education.
- IX. Committee Reports
- X. New Business
- XI. Other Business
- XII. Adjournment

- b) Notes to Order of Business

- 1) Administrative Items under VII Consent Calendar can include Tax Refunds and Special Trust Fund Donations.
- 2) Appointments under VII Consent Calendar are recommended by the Personnel and Appointments Committee.
- 3) Those speaking under VIII Communications and Reports (Other than Committee Reports) are limited to five (5) minutes.

- c) Agenda– Town Council

Only items reported from a Committee with approval recommended by a majority of the committee members present shall appear on the agenda. Action on any other items shall require Suspension of the Rules and shall comply with FOIA.

Rule 8 – Rules of Order

a) Parliamentary Authority

The current edition of Robert’s Rules of Order Newly Revised (RRONR) as in effect on the date of adoption of these rules, shall govern the Council in all cases in which they are applicable, provided they do not conflict with these Rules, the Town Charter, or applicable ordinances or statutes.

b) Questions of Order

The Mayor may speak on and shall decide questions of order. Any Councilor may appeal a decision by the Mayor on questions of order, such appeal may be referred to the Rules Committee which may make recommendations to the Town Council for decision on the basis of (in order of precedence): Town Charter, the Rules of the Council, and RRONR. The Council may be recessed for the purposes of the appeal being discussed by the Rules Committee and no other business shall be in order until the appeal is decided.

c) Motions

- 1) Motions shall be reduced in writing when requested by the Mayor, any Councilor, or the Clerk of the Council. Any motion may be withdrawn by the mover before amendment or decision, upon request of the mover and consent of the Council.

d) Debate

- 1) During discussion or debate, no Councilor shall speak unless recognized by the Mayor.
- 2) Councilors shall confine their remarks in debate to the pending question.
- 3) Councilors should address their remarks to the Mayor, maintain a courteous tone, and avoid injecting a personal note into debate or alluding to improper motives of members at the risk of being ruled out of order.

e) Limits of Debate

- 1) The Mayor shall allow the maker of a motion the opportunity to speak first.
- 2) Councilors shall not speak more than once upon any question until other members who wish to speak shall have relinquished the floor.
- 3) Councilors are limited to five (5) minutes each time they speak on a question.
- 4) The foregoing shall apply anew to first and second order amendments.

- 5) The Council may, upon a two-thirds (2/3) vote of the Councilors present, extend or limit the amount of time for debate or the number of times a Councilor may speak upon a question.
- f) Yielding the Floor
- 1) Councilors may yield the floor to citizens or other non-Councilors wishing to speak, subject to a time limit of five (5) minutes per such speaker. The provisions of Rule 8(e) shall extend to such non-Councilor speakers.
 - 2) A Councilor shall not recognize more than one (1) non-Councilor until all Councilors have had the opportunity to speak or recognize a non-Councilor and may recognize no more than three (3) such speakers per meeting.
 - 3) Yielding the floor to another speaker is in place of the Councilor speaking.
- g) Reconsideration
- 1) After a vote has been taken, whether in a meeting of the Council or in the Committee of the Whole, it shall be in order for any Councilor who was in the prevailing vote to move for reconsideration during the meeting, or during the next succeeding regular meeting of the same body. However, any vote which has caused an action which cannot be reversed shall not be reconsidered.
 - 2) Motions to reconsider votes to refer any matter to a Committee shall be in order only during the meeting which agreed to the referral.
 - 3) When a meeting is held in a series of sessions, a motion to reconsider a motion voted on in a previous session can be made in any succeeding session of the same meeting.
 - 4) A motion to reconsider must be seconded. The person seconding does not have to be on the prevailing side of the vote on the motion to be reconsidered.
 - 5) A motion to reconsider requires a majority vote.
 - 6) If voted on and defeated, a motion to reconsider cannot be renewed except by unanimous consent.
- h) Once a matter has been rejected, substantially the same matter may not be the subject of a referral:
- 1) for 12 months, or
 - 2) unless the Council recommends the referral with six (6) votes in favor.

Rule 9 – Committees and Referrals

- a) There shall be the following standing committees of the Council:
- **Committee of the Whole**

- **Rules**
- **Personnel and Appointments**
- **Public Safety**

- b) The Mayor or Council may establish other standing and ad hoc committees as needed.
- c) The Mayor shall appoint members of the Council to such committees and shall designate the Chairman of each. The Mayor may make adjustments in membership and chairmanship and shall announce such changes at a regular Council meeting.
- d) All Councilors shall be ex-officio members of the Committees to which they are not assigned, but do not have the right to make motions nor to vote.
- e) Council business requiring Committee action shall be referred to a Committee by the Mayor at each regular meeting, and between sessions of Council, if necessary, in which case said referrals shall be announced at the next regular session.
- f) Upon the request of three (3) Councilors, the Mayor shall refer matters to a standing committee. Re-referrals shall be by vote of Council.
- g) When a referral is granted by the Mayor at a Council Meeting, the requestor shall provide a brief written summary of the referral's intent to the Council and the Town Manager. The referral shall not be listed until such summary is received. The Mayor shall have the discretion to waive the written summary.

Rule 10 – Committee Procedures

- a) All committee meetings shall be in compliance with the FOIA.
- b) A majority of committee membership shall constitute a quorum.
- c) In the absence of a Committee Chairman, a Chair pro tem may be designated by the remaining Committee members.
- d) Each committee shall consider matters referred to it by the Mayor and shall report to the Council, in writing, relative to all such matters.
- e) Committee reports shall contain the date and place of meeting, the names of members present and those absent, and the fact that a quorum was or was not present, and a record of any votes taken. A summary of discussion, where appropriate, will be included.
- f) Resolutions or ordinances, the substance of which has been voted on favorably by a majority of committee members present, shall be reported to the Council for action. When a committee votes to take no action on a referral, the subject of that referral shall be listed in the Consent Calendar under "Deletions from the Referral List."

- g) Any subject matter referred to a standing committee which will result in a proposed ordinance shall, after adequate discussion not to exceed sixty (60) days, be referred to the COW.
- h) All matters to be deleted from the referral list will be listed in the Consent Calendar. After six (6) months, any non-recurring referral that has not been acted upon shall be placed on the Consent Calendar for deletion.
- i) The Committee of the Whole (COW) shall be chaired by the Mayor, or in the Mayor's absence, by a Chairman pro tem, elected by the members for that purpose only. The COW shall meet to act:
 - 1) on items referred to it by means of tie votes in any other committee;
 - 2) on items which will result in a proposed ordinance;
 - 3) where there is agreement between committee chairmen and the Mayor on major items and/or items of importance to all Councilors.
 - 4) on items referred to it by the Mayor or Town Manager and referrals requested by councilors.
- j) Agenda items for the COW can be requested by a Councilor or the Town Manager. Councilors should submit their agenda requests to the Mayor in writing seven (7) days prior to the meeting. The Mayor and the Town Manager will meet and decide what items are placed on COW meeting agendas. Action on any other items shall require Suspension of the Rules and be in accordance with the FOIA.
- k) At COW Meetings, not later than 10:00 p.m., the Mayor shall entertain a motion to adjourn; such motion to adjourn shall require a simple majority of those present to pass.
- l) The COW has one Budget Meeting, which consists of several sessions. Each session adjourns to a definite time "*Fix the Time to which to Adjourn.*"

Rule 11 – Citizen's Petitions

- a) In accordance with Section 5.3 of the Town Charter, the Order of Business at regular Council Meetings shall provide for Citizens' Petitions. A citizen's comments may be presented orally or in writing. All presentations by citizens under this rule shall be limited to five (5) minutes unless otherwise indicated by a majority vote of the Councilors present. No speaker may yield his or her time to another speaker. Citizens should address their comments to the Mayor and maintain a courteous tone.
- b) Citizens' petitions shall be accepted as presented. There shall be no questions or cross-examination by members of the Council, except for questions necessary to clarify the citizen's intent.
- c) The Council reserves the right to adopt guidelines to ensure that any recording of its proceedings does not disrupt the conduct of its business or other citizens' right to access the Council's proceedings.

Rule 12 – The Town Manager

The Town Manager or his delegate shall be present at the Council meeting and report on all matters requiring Council action and attention.

Rule 13– Amendments to the Rules of the Council

- a) The Rules of the Council, excepting Rule 1, may be altered, extended, or repealed by a vote of at least five (5) Councilors at a regular meeting of the Council, provided descriptive notice of the proposed changes shall have been given in writing at a preceding regular meeting.
- b) Any single rule, except Rule 1, may be suspended for the proceedings of any meeting of the Council upon a two-thirds (2/3) vote of the Councilors present, which vote shall specifically refer to the rule which is to be suspended

Rule 14– Conduct by Town Councilors

No Councilor may speak, or give the impression that he or she speaks, on behalf of the Council without prior Council authorization to do so.