

## **ORDINANCE NO. 2016-11-07-01**

### **AN ORDINANCE TO ADOPT COUNCIL RULES OF PROCEDURE**

BE IT ORDAINED BY THE COUNCIL OF ASHLAND, ALABAMA, that the order procedure in all instances for meetings of the council shall be as follows:

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the Council of Ashland, Alabama.

Section 2. Regular meetings of the council shall be held on the following dates: the first and third Mondays of each month except when a holiday falls on Monday, then the council will reschedule to a new date.

Section 3. Special meetings may be held at the call of the presiding officer by serving notice on each member of the council not less than 24 hours before the time set for such meetings; or special meetings may be held as provided by Section 11-43-50, Code of Alabama, 1975, whenever two council members making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least 24 hours prior to such meeting.

Section 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama, 1975.

Section 5. All regular meetings shall convene at 6:00 p.m. at the City Hall and all meetings, regular and special, shall be open to the public. The City Clerk will receive requests for items to be placed on the agenda until 12:00 p.m. on the Thursday prior to the meeting.

Section 6. The order of business shall be as follows:

1. A call to order
2. Invocation
3. Approval of agenda
4. Approval of the previous council meeting minutes
5. Informational items
6. Committee reports
7. New business
8. Old business
9. Resolution, ordinance, orders and other business
10. Adjournment

## **ORDINANCE NO. 2016-11-07-01**

Section 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 8. No person, not a member of the council, shall be allowed to address the same while in session without permission of the presiding officer.

Section 9. Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council. All resolutions and ordinances and any amendments thereto shall be in writing at the time of introductions.

Section 10. Motions to reconsider must be made by a member who voted with a majority and at the same or next succeeding meeting of the council.

Section 11. Whenever it shall be required by one or more members, the yeas and nays shall be recorded and any member may call for a division on any question.

Section 12. All questions of order shall be decided by the presiding officer of the council, with the right of appeal to the council by any member.

Section 13. The presiding officer of the council may, at his or her discretion, call any member to take the chair, to allow him or her to address the council, make a motion, or discuss any matter at issue.

Section 14. Motions to lay any matter on the table shall be first in order, and on all questions, the last amendment, the most-distant day, and the largest sum shall be first-put.

Section 15. All meetings of the council shall be open to the public, except when the council meets in an executive session as authorized by state law.

Section 16. The council may meet in an executive session only for those purposes authorized by state law. When a council member makes a motion to go into an executive session for an enumerated purpose, the presiding officer shall put the motion to a vote. If the majority of the council shall vote in favor of the motion to go into an executive session, the body shall then move into an executive session to discuss the matter for which the executive session was called. No action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberations in public.

## **ORDINANCE NO. 2016-11-07-01**

Section 17. A motion for adjournment shall always be in order.

Section 18. The rules of the council may be amended in the same manner as any other ordinance of general and permanent operation.

Section 19. The rules of the council may be temporarily suspended by a vote of two-thirds of the members' present.

Section 20. The chairman of each respective committee, or the council member acting for him or her, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.

Section 21. All ordinances, resolutions or propositions submitted to the council which require the expenditure of money shall lie over until the next meeting; provided, that such ordinances, resolutions, or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the city.

Section 22. The clerk, engineer, attorney and chief of police, and such other officers or employees of the City of Ashland, shall, when requested, attend all meetings of the council and shall remain in the council room for such length of time as the council may direct.

Section 23. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon be spread on the minutes.

Section 24. Roberts Rules of Order is hereby adopted as the rules of procedure for this council in those situations which cannot be resolved by the rules set out in this ordinance.

Section 25. This ordinance shall go into effect upon the passage and adoption by the City Council of the City of Ashland, Alabama and posting as required by law.

**ORDINANCE NO. 2016-11-07-01**

Billy J. Smith, a member of the City Council of the City of Ashland, moved that all rules which would prevent the immediate consideration of Ordinance No. 2016-11-07-01, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Tommy Cantrell, a member.

The roll call vote on said motion was recorded as follows:

Mayor Larry Fetner	Yea
Council Member Billy J. Smith	Yea
Council Member Bobbie J. Steed	Yea
Council Member Kim M. Cain	Yea
Council Member Annette F. Gaither	Yea
Council Member Tommy Cantrell	Yea

The Mayor declared the motion passed by a unanimous vote of those members present in order to give immediate consideration to Ordinance No. 2016-11-07-01.

**ORDINANCE NO. 2016-11-07-01**

THEREUPON Bobbie J. Steed, a member of the City Council of the City of Ashland moved to adopt Ordinance No. 2016-11-07-01 adopting the rules of procedure containing Robert’s Rules of Order and Annette F. Gaither, a member of the City Council of the City of Ashland seconded the move that said Ordinance No. 2016-11-07-01 be given vote. The roll call vote on said motion was recorded as follows:

Mayor Larry Fetner	Yea
Council Member Billy J. Smith	Yea
Council Member Bobbie J. Steed	Yea
Council Member Kim M. Cain	Yea
Council Member Annette F. Gaither	Yea
Council Member Tommy Cantrell	Yea

Said Ordinance passed by votes of all members of the Council present and the Mayor declared the same passed.

**ORDINANCE NO. 2016-11-07-01**

ADOPTED this the 7<sup>th</sup> day of November 2016.

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Council Member Billy J. Smith

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Council Member Bobbie J. Steed

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Council Member Kim M. Cain

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Council Member Annette F. Gaither

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Council Member Tommy Cantrell

{SEAL}

ATTEST

APPROVED

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Chelsey Wynn, City Clerk/Administrator

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Larry J. Fetner, Mayor

# ORDINANCE NO. 2016-11-07-01

## POSTING AFFIDAVIT

I, the undersigned, Clerk of the City Council of the City of Ashland, Alabama, do hereby certify that the above and foregoing Ordinance No. 2016-11-07-01 was duly ordained, adopted, and passed by the City Council of the City of Ashland, Alabama at its organizational meeting on the 7<sup>th</sup> day of November 2016 and duly published by posting an exact copy thereof on the 8<sup>th</sup> day of November 2016 at three public places within the city, including City Hall, Ashland City Library and Ashland Post Office, all places being public places in the City of Ashland, Alabama.

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Chelsey Wynn, City Clerk/Administrator

{SEAL}