



CITY OF EAGLE POINT

"Gateway to the Lakes"

OREGON

RULES OF THE CITY COUNCIL CITY OF EAGLE POINT

COUNCIL MEETINGS

1. Regular Council Meetings. The Council shall hold two regular meetings, on the second and fourth Tuesday of each month, except in those cases where the Council finds it necessary to designate another date due to conflicts. Regular meetings shall be convened in the City Council Chambers in the City Hall, and shall be called to order at 6:00 p.m., and shall adjourn no later than 9:30 p.m., unless extended by a majority of the Council or continued at a later designated date.
2. Executive Sessions. Executive sessions, held in accordance with applicable law, may be called by the Presiding Officer, any two members of the Council, or the City Administrator. Only Council members, the City Administrator and persons specifically invited by the Council or the City Administrator shall be allowed to attend executive sessions. Representatives of recognized news media may attend executive sessions in accordance with applicable law. No matter discussed during executive session may be disclosed by any person present during such session.
3. Special Meetings. Special Meetings may be called by the Presiding Officer, by request of any two Councilors, or by the City Administrator. Written notice of all special meetings shall be given at least twenty-four hours in advance of the scheduled meetings. Notice shall be given to each Councilor, the City Administrator and the business office of each local newspaper and radio and television station which has on file a written request for notice of special meetings, and may be delivered by mail, electronic facsimile (FAX), email, or by personal delivery.
4. Public Attendance. All regular and special meetings shall be open to the public.

THE PRESIDING OFFICER

5. The Mayor. The Mayor shall preside at all regular and special meetings and executive sessions of the Council and shall be the recognized head of the City for all ceremonial

purposes. The Mayor shall have all duties and privileges of any Councilor, and shall not be denied the right or privilege by reason of his or her position as presiding officer.

6. Council President. At the first meeting of each odd-numbered year, the Council shall by vote of the Council, elect a president from its membership. In the Mayor's absence from any Council meeting, the president shall act as the presiding officer. Whenever the Mayor is unable, on account of absence, illness or other cause, to perform the functions of the office, the President shall act as Mayor Pro Tem.
7. Temporary Chairman. In the event of the absence of the Mayor and Council President, the City Recorder or City Administrator shall call the Council to order and call the roll of the members; if a quorum is present, those Councilors present shall elect, by majority vote, a Temporary Chairman for that meeting. Should the Mayor or Council President arrive, the Temporary Chairman shall relinquish the Chair immediately upon the conclusion of the item of business then under consideration before the Council.

EMPLOYEE DUTIES

8. City Administrator. The City Administrator shall attend all meetings of the Council, unless excused by the Council. He or she shall make recommendations to the Council and take part in all discussions concerning the welfare of the City.
9. City Recorder. The City Recorder shall be the Clerk for the Council and keep minutes of meetings, and perform such other duties at the meetings as ordered by the Presiding Officer, the Council or the City Administrator. The City Recorder shall furnish each Councilor with a copy of the minutes of each preceding meeting in the agenda packet for the next meeting.
10. City Attorney. The City Attorney shall either in person or by deputy attend all meetings of the Council, unless excused by the Council. At any Council meeting any member of the Council may, at any time, call upon the City Attorney for an informal oral opinion. Written opinions shall be authorized by a majority of the Council. The City Attorney shall be the Parliamentarian, and advise the Presiding Officer on any questions of order.
11. The Chief of Police. The Chief of Police or his designee shall attend each Council meeting, unless otherwise directed by the Council and serve as the Sergeant-at-Arms. For the purpose of retaining order and decorum at the Council meetings, the Sergeant-at-Arms shall carry out all orders or instructions upon direction of the Presiding Officer or upon any other procedure specifically provided by these rules.
12. Officers and Employees. Any member of the City Council may request that the City Administrator direct any employee to attend regular, special or executive meetings to confer with the Council on matters relating to the City.

DECORUM AND ORDER

13. Presiding Officer. The Presiding Officer shall preserve decorum and decide all points of order, subject to appeal to the Council.
14. Councilors. Councilors shall preserve order and decorum during Council meetings, and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or Council Rules. Councilors shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office. Cell phone use, or other electronic communications, for any purpose other than emergency family or professional matters is prohibited during public meetings. Councilors shall request administrative directives for staff through the City Administrator for compliance.
15. Staff and Public. Members of the administrative staff, employees of the City and other persons attending Council meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Council.
16. Removal of Any Person. Any person who makes personal, impertinent, slanderous or unauthorized remarks or who fails to comply with reasonable rules of conduct or who causes a disturbance while addressing the Council or attending a Council meeting, shall be removed from the room if the Sergeant-at-Arms is so directed by the Presiding Officer. In case the Presiding Officer should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, Sergeant-at-Arms shall be authorized to remove the person or persons, as if the Presiding Officer so directed. In aggravated cases, an appropriate complaint shall be issued by the Presiding Officer and the person or persons prosecuted for trespass or other appropriate action.
17. Censure.
 - 17.1 The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Councilor act in any manner constituting a substantial violation of these rules or other general laws, the Council, acting as a whole, may discipline that Councilor to the extent provided by law, including public reprimand.
 - 17.2 To exercise such inherent right, the Council has the right to investigate the actions of any member of the Council. Such investigation shall be referred to the Committee of the Whole upon a finding that a reasonable ground exists that a substantial violation has occurred.
 - 17.3 The Committee of the Whole shall investigate the actions and present a report to the Council. Neither the Committee of the Whole nor the Council or any

member thereof shall have the right to make public any information obtained through such investigation.

- 17.4 Any member accused of a substantial violation of the Council Rules or any other general law shall have the right to present a defense to the allegations, including the right to present rebuttal evidence, and to have representation by counsel. Upon finding, by clear and convincing evidence, that a substantial violation has occurred, and that such violation affects the Councilor's ability to represent the interests of the City as a whole, the Council may, upon unanimous vote of Councilors other than the Councilor subject to censure proceedings, impose a proper sanction.

DUTIES AND PRIVILEGES OF MEMBERS

18. Code of Ethics. Councilors shall conduct themselves so as to bring credit upon the City as a whole, and to set an example of good ethical conduct for all citizens of the community. Councilors should constantly bear in mind these responsibilities to the entire electorate, refrain from actions benefiting any individual or special interest group at the expense of the City as a whole. Councilors should likewise do everything in their power to ensure impartial application of the law to all citizens, and equal treatment of each citizen before the law, without regard to race, national origin, sex, social status or economic position.
19. Debate
- 19.1 Any Councilor who has the floor shall confine himself or herself to the question under debate, avoid personalities and refrain from impugning the motives of any member argument or vote. No member shall address the Chair or demand the floor while any vote is being taken.
- 19.2 Councilors shall limit their remarks on a subject to five minutes unless granted additional time by the majority of the Council. No Councilor shall be allowed to speak more than once upon any one subject, until every other member choosing to speak thereon has spoken.
- 19.3 A Councilor once recognized shall not be interrupted while speaking, unless called to order by the Presiding Officer, or unless a point of order is raised by any Councilor while he or she is speaking, in which case he or she shall cease speaking immediately until the point is determined. If ruled to be in order, he or she shall be permitted to proceed; if ruled to be out of order, he or she shall remain silent or shall alter his or her remarks as to comply with the ruling.
20. Right to Appeal. Any member may appeal to the Council from a ruling of the Presiding Officer, and if the appeal is seconded, the member making the appeal may briefly state his reason for the appeal and the Presiding Officer may briefly explain his ruling but there shall be no debate on the appeal and no other question, "Shall

the decision of the Chair stand as the decision of the Council?" If the majority of the members vote Aye, the ruling of the Chair is sustained; otherwise it is overruled.

21. Dissent and Protest. Any Councilor shall have the right to express dissent from or protest against any Ordinance, Resolution or decision of the Council and have the reason therefore entered upon the Council minutes. Such dissent or protest must be filed in writing, couched in respectful language and presented to Council not later than the next regular meeting following the date of passage or the Ordinance, Resolution or decision objected to. It shall be the obligation of each Councilor to respect the Council majority decision following the final vote on any matter
22. Excusal during the Meeting. Councilors should only leave meetings when it is absolutely necessary.
23. Personal Privilege. The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are assailed, questioned or impugned.

ORDER OF BUSINESS AND AGENDA

24. Order of Business. The business of all regular meetings of the Council shall be transacted as follows; provided, however that when it appears to be in the best interest of the public, the Presiding Officer may change the Order of Business:
 - (1) Call to order
 - (2) Flag Salute and invocation
 - (3) Audience questions or comments concerning items not on the agenda
 - (4) Public Hearings
 - (5) Consent Calendar
 - (6) Consideration of items removed from the Consent Calendar
 - (7) Presentation of Bills to be paid
 - (8) Unfinished Business
 - (9) New Business
 - (10) Staff Reports
 - (11) Reports from Council and City Committee Representatives
 - (12) Reports from Staff
 - (13) Executive Session
 - (14) Adjournment
25. Agendas. Staff shall prepare an agenda for every regular, and if requested, for every special Council meeting. Items may be placed on the agenda by any person, but such items shall be presented to the City Administrator in writing at least five days prior to the meeting at which they are to be discussed. Upon approval by the Mayor, the City Administrator, or any member of the Council, the item shall be placed on the agenda for consideration.

Agendas and informational material for regular meetings shall be distributed to the Council at least four days prior to the meeting.

New business brought before the Council in a meeting may be referred to the City Administrator for a report at a future Council meeting.

26. Additions to Agenda. A request to add an item for Council consideration to the Council agenda may be presented at the Council meeting but shall require a majority concurrence of the members present to be so added. These items should be limited to emergency items.
27. Special Orders of Business. Agenda items that are of special importance to the Council may be treated as Special Orders of Business. Special Orders of Business agenda items take precedence over all other items except Flag Salute.
28. Consent Calendar. The approval of minutes and other routine agenda items may be placed on the Consent Calendar. Discussion of the Consent Calendar shall be limited to five minutes. Any item may be removed from the Calendar and placed in its otherwise appropriate position in the order of business at the request of the Presiding Officer or of any two members of the Council.

CONSIDERATION OF BUSINESS

29. Quorum. A majority of the Council shall constitute a quorum to do business. A lesser number may meet and adjourn from time to time and compel the attendance of absent members.
30. Voting. Unless otherwise provided by statute, ordinance or resolution, upon any question before the Council, a roll call vote shall be taken. No Councilor may explain the reasons for his or her vote during the roll call.
31. Procedure Generally. After a vote has been taken, the meeting Secretary shall announce the results of the vote.
32. Voting Required. Every member present when a question is called shall vote either affirmative or negative, unless a member has a conflict of interest under applicable law, or other circumstance, in which case an abstention may be recorded. There shall be no debate during voting.
33. Minimum Votes Required in Certain Situations. The passage of any ordinance shall require the affirmative vote of at least a majority of the whole membership of the Council. Any other action or direction of the Council shall require the affirmative vote of a majority of those Council persons in attendance at a meeting for which a quorum is present to conduct business. In those cases where state or federal law requires the affirmative vote of the full Council, state and federal requirements shall prevail.

34. Affirmative and Negative. On the passage of every Council policy action, the vote shall be taken in the affirmative or negative and entered upon the record.
35. Tie Vote. In case of a tie in votes of any proposal, the proposal shall be considered lost.

PUBLIC COMMENT

36. Policy. The Council recognizes that public input into the governmental process is an invaluable aid to informed decision making. Therefore, it is the policy of the Council that all citizens shall have the right to speak before the Council on matters of public concern, but each citizen shall be responsible for abuse of such right. Consequently, to ensure that the greater public interest is fostered, each citizen or group of citizens who desires to speak before the Council shall have the duty to exercise this right in a manner which furthers the greater public interest.
37. Public Comment Generally. Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public comments during each regular session of the Council. Any member so addressing the Council shall be limited to a period of three minutes within which to make themselves heard. The Council, in its sole discretion, may extend this time, or may request further information be presented to the Council on such date and in such manner as it deems appropriate.
38. Persons Sharing Common Concerns. If any group of three or more persons sharing a common viewpoint on any subject wishes to address the Council during the time for public comment, the group shall select a spokesperson, who shall present the views of the group to the Council. The Council, in its sole discretion, may request to hear the views of additional speakers from the group. Additional support for the views of the group, in the form of petitions, letter, videotapes, etc., may be presented to the Council for consideration at the conclusion of the spokesperson's remarks.
39. Roster. All persons or groups wishing to address the Council during the time set for public comments shall, prior to the convening of the meeting, sign the roster provided by the City Recorder or City Administrator, indicating the name of the person, the residence of the person, and the subject of public concern on which the persons or groups wishes to address the Council.
40. Complaints and suggestions to the Council. When any citizen brings a complaint before or makes a suggestion to the Council, other than for items already on the agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:
 - 40.1 If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint

suggests a change to an ordinance or resolution of the City, the Council may refer the matter to the City Attorney, a committee, the City Administrator or the Committee of the Whole for study and recommendation.

- 40.2 If administrative, and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the City Administrator, the Presiding Officer shall then refer the complaint directly to the City Administrator for his or her review if the complaint has not already been reviewed. The Council may direct the City Administrator to report to the Council when his review has been made.

PROCEDURE FOR COUNCIL MEETINGS

41. Rules of Order. Unless otherwise provided by law or by these rules, the procedure for Council meetings shall be governed by Robert's Rules of Order.
42. Construction of Rules of Order. The Council has an obligation to the citizens to be clear and simple in its procedures and in the consideration of the questions coming before it.

Therefore, the rules of procedure should be liberally construed to that purpose, and Councilors should avoid invoking the fine points of parliamentary procedure when such points serve only to obscure the issues before the Council as a whole, and confuse the audience at public meetings and the citizens in general.

43. Convening the Meeting. At the time appointed, the presiding officer shall take the Chair at the hour appointed for the Council to meet and shall immediately call the members to order. The Recorder shall enter in the minutes of the meeting, names of the members present.
44. Recognition. Every Councilor desiring to speak shall first address the Chair, and await recognition to obtain the floor. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council without the permission of the Presiding Officer.
45. Requirement of a Second Before Debate. No motion shall be debated until it has been seconded and announced by the Presiding Officer.
46. Motions Reduced to Writing. Any Councilor may request that a motion be reduced to writing and read by the City Recorder.
47. Citizen Participation. Except as specified in Section 37 herein, citizens desiring to address the Council shall first be recognized by the Chair and shall limit remarks to the question then under discussion. All remarks and questions shall be addressed to the Council as a whole and not to any individual Councilor thereof. Any remarks and

questions regarding administration of the City shall be referred to the City Administrator by the Presiding Officer.

48. Precedence of Motions. When a question is before the Council, no motion shall be entertained except:
- 1) to abide by the rules
 - 2) to adjourn
 - 3) to lay on the table
 - 4) for the previous question
 - 5) to postpone to a certain date
 - 6) to refer
 - 7) to amend
 - 8) to postpone indefinitely

These motions shall have precedence in the order indicated. Any such motion except a motion to amend, shall be put to a vote without debate.

49. Motions to be Stated by Presiding Officer/Withdrawal. When a motion is made and seconded, it shall be stated by the originator or the Presiding Officer before debate. A motion may not be withdrawn without the consent of the member seconding it.

50. Motion to Adjourn - When Not in Order - When Not Debatable. A motion to adjourn will be in order at any time except as follows:
- 1) when made as an interruption of a member while speaking
 - 2) when the previous question has been ordered
 - 3) while a vote is being taken

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

51. Motion to Lay on the Table. A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of two-thirds of the members present.
52. Division of Question. If the question contains two or more divisionable propositions, the Presiding Officer upon request of the members shall divide the same.
53. Motion to Postpone. All motions to postpone excepting to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely is carried, the principal question shall be declared defeated.
54. Suspension of Rules. No rule shall be suspended except by the vote of the majority of Councilors present at the meeting. A motion to suspend a rule is not debatable.

55. Adjourned Meetings. Upon motion and majority vote of Council members present, any meeting of the Council may be continued or adjourned from day to day or for more than one day, provided that no adjournment shall be for a period longer than until the next regular meeting thereafter.

CITY COMMISSIONS, LAY COMMITTEES AND COUNCIL COMMITTEES

56. City Commissions and Lay Committees. Unless otherwise provided by statute, ordinance or resolution, the following shall be the procedure for the creation of and appointments to all City Commissions and Lay Committees:
- 56.1 Creation and Dissolution. At any time, the Council may by ordinance or resolution, establish any City Commission or Lay Committee deemed necessary and in the best interests of the City, other than the Planning Commission and Budget Committee, which will adhere to State of Oregon law. Any committee so created may contain one or more Councilors as members, unless otherwise provided. Lay Committees so created shall sunset at the end of their mission, but in all events shall be reviewed yearly from the date of initial creation. At the end of each subsequent year, each committee shall either be reauthorized or dissolved.
- 56.2 Qualifications. All appointees to City Commissions and Lay Committees shall be registered electors, and have resided in the City of Eagle Point for a period of one year. The City Council may approve exceptions to the residency requirements, except when not allowed by State of Oregon law. No appointee may serve on more than two City Commissions or Lay Committees at any one time.
- 56.3 Term. Terms of all appointments will begin in January. Length of terms will be specified by resolution or code. Appointments may be renewed for any number of terms.
- 56.4 Vacancies. Any qualified citizen may submit a letter of interest for any open position on a City Commission or Lay Committee. Vacancies shall be advertised in the local media, and a letter of interest shall be received only during the time set forth in the advertisement.
- 56.5 Nomination and Confirmation. Nominations for positions on City Commissions or Lay Committees shall be made by the Mayor, and shall be subject to a confirmation vote by the Council.
- 56.6 Notification of Expiration of Terms. The City Clerk shall give written notice to the Council of the expiration of the term of office of all members of City Commissions and Lay Committees at least thirty (30) days prior to expiration date of any appointee's term of office.

- 56.7 Removal. All lay members of City Commissions or Lay Committees serve at the pleasure of the Council, and may be removed at any time, for any reason whatsoever upon motion and vote by a majority of the Council.

All Council seats on City Commissions or Lay Committees are reserved for sitting Councilors; upon expiration of any Councilor's term, or upon resignation, removal or death, the Councilor's seat on any City Commission or Lay Committee occupied by that person shall be immediately declared vacant, and a sitting Councilor appointed as a replacement.

57. Council Committees

- 57.1 Creation and Dissolution. Council Committees may be created at any time by consent of the City Council. All Council Committees may have a Chair and Secretary, who may be either appointed by the Mayor, or by a majority vote of the members of the committee in the absence of such appointment. Such committees shall report to the Council without unnecessary delay upon matters referred to them. All Council Committees so created shall sunset at the end of their mission.

- 57.2 Membership. Membership on such Council Committees shall include only sitting Councilors, who shall be appointed by the Presiding Officer, subject to consent by the Council. Council Committee appointments shall last until the sunset of the Council Committee.

- 57.3 Meetings. Council Committee meetings may be called by the committee members. A majority of the members of a Committee shall constitute a quorum to do business.

58. Council Liaison Roles

- 58.1 The Mayor shall appoint a Councilor to serve as a non-voting member and liaison between Council and each Committee and Commission.

- 58.2 The importance of communications between City Council and each Commission or Lay Committee is recognized.

- 58.3 The City Council shall have the right to create Commissions and Committees as advisory to the Council and are not policy-making bodies.

- 58.4 Other independent non-government groups may have Mayor-appointed liaisons either at the groups' request, as a result of a special relationship with the City, or as a result of provisions contained in an agreement between the organization and the City. These groups may be policy making organizations relating to their own independent functions from city government.

58.5 The appearance of impropriety by a Council member may be created when the Councilor is a voting member of an agency's board or member of a Council created Commission or Lay Committee. Voting on an issue as a member of the group either Council created or independent of city government, and subsequent votes as a Councilor on that same issue, particularly if funding is involved, may create the appearance of impropriety.

58.6 General Council Liaison Roles

Council liaisons to the City's advisory Commissions, its ad hoc groups and Task Forces, shall be non-voting members of those groups.

- a. Council liaisons serve to establish two-way communication conduits between the Council and the organization.
- b. Liaisons will be:
 - Conscientious in meeting attendance
 - Informed about group activities
 - Responsive to questions from the organization, understanding that she or he speaks as a Council representative in most matters and is seen as such by others; and
 - Information sharers to the Council regarding the organization and their activities.
- c. At the desire and request of the group, the Council Liaison may serve as a non-voting Chair or Vice Chair.

58.7 Non City Council Liaison Roles

- a. City appointed representatives to government or quasi-government bodies such as but not limited to transportation, regional planning, economic development or other necessary functions of general cooperation with other regional governmental or quasi-governmental partners shall be granted the ability to function as full voting members of that organization. Representatives shall act in the best interest of the City and under the general direction of the full Council. It shall be the representative's responsibility to keep the Council informed of actions and functions of the organization particularly when voting action on behalf of the City is required.
- b. It is recognized while serving on a non City related board or committee that Councilors occasionally serve as independent appointed members of an organization rather than as a Mayor appointed liaison.
- c. In those instances while serving on a non city board or committee as a member and not a city-appointed liaison, the Councilor will need to use

individual judgment in deciding whether to vote on matters relating to that organization. It must be disclosed that any vote be given only as a citizen and not representing the city government.

59. Quasi-judicial matters before the Council. In any quasi-judicial matter before the Council in which a member of the Council has participated in discussions as a Council Liaison, the Councilor shall declare whether she or he has bias or whether there has been an ex parte contact.
60. Council Rules shall be reviewed every four years by the Council.
61. Meetings Subject to Oregon Open Meetings Law. All meetings of any City Boards, Commission, and Lay-Committees or Council Committee shall be subject to and comply with the Oregon Public Meetings Law, ORS 192.610-192.710.
62. Quorums. A majority of the then sitting members of any City Board, Commission, or Lay-Committee or Council Committee shall constitute a quorum to do business.
63. Registry. The City Recorder shall prepare, keep current and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, Lay Committees and Council Committees, the date of their appointment, the length of their unexpired term, and their addresses and phone numbers. All Councilors shall be given a copy of this list at least once yearly or upon any substantial change in membership of any City Board, Commission, Lay Committee, and Council Committees.

MISCELLANEOUS

64. Amendments to Council Rules. Amendments to these rules shall be made by resolution.
65. Anonymous Communications. Anonymous and unsigned communications shall not be introduced in Council meetings.