



**City of Conway, Arkansas  
Resolution No. R-21-01**

**A RESOLUTION ADOPTING THE ORGANIZATIONAL RULES AND PROCEDURES FOR THE CONWAY CITY COUNCIL FOR THE CALENDAR YEAR 2021**

**Whereas**, by state law city councils are charged with organizing their proceedings and setting their rules; and

**Whereas**, City councils are task to set their organizational rules and procedures at the first business meeting every year; and

**Whereas**, the City is required by law to have a majority of the elected members of the City Council vote on a particular issue in order to adopt or approve a measure presented for consideration; and

**Whereas**, the City maintains the ability to provide electronic means which would permit a City Council Member to view a particular meeting as it is being held and also enable that Member to actively participate in the meeting despite the fact that they are not physically present in City Council Chambers, or such other location where a City Council meeting is being held; and

**Whereas**, due to health concerns regarding the COVID-19 virus, public health officials recommend limiting the number of persons physically present at public meetings; and

**Whereas**, the City maintains the ability to broadcast/livestream City Council meetings so that the meetings may be viewed electronically without physical presence at the meeting; and

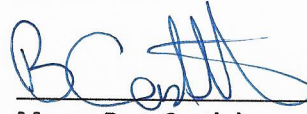
**Whereas**, the City desires a method for members of the public to present comments on agenda items without physically attending the meeting during this period of health concern.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY ARKANSAS THAT:**

**Section 1.** The Conway City Council shall formally adopt the rules and procedures of its long standing traditions and its general adherence to Robert's Rules of Order as written in the Rules & Procedures for Conway City Council, January 2021 document presented at the January 12<sup>th</sup>, 2021 City Council meeting.

**Section 2.** Special rules set forth in said Rules & Procedures for Conway City Council and regarding the conduct of City Council meetings during the pandemic emergency shall remain in effect until such time as the City Council determines that such special rules are no longer necessary to ensure health and safety due to the COVID-19 virus.

**Approved:**



**Mayor Bart Castleberry**

**Attest:**



**Michael O. Garrett**  
**City Clerk/Treasurer**

# Rules & Procedures

Conway City Council

January 2021

## **THE CONWAY CITY COUNCIL RULES AND PROCEDURES:**

### **City Council Jurisdiction:**

The City Council shall possess all legislative powers granted by state law to cities of the first class and other corporate powers of the city not prohibited in state law or by some ordinance of the city council made in pursuance of the provisions therein and conferred on some officer of the city. [A.C.A. 14-43-502(a)]

The City Council shall have the management and control of finances, and of all real and personal property belonging to the corporation. [A.C.A. 14-43-502(b)(1)]

### **City Council Meetings:**

City Council meetings are always open to the public. [A.C.A. 14-43-502 (b)(2)(A)]

The City Council shall conduct regular business meetings at 6:30pm in the City of Conway Council Chambers building located at 1111 Main street on the second and fourth Tuesdays of each month. The City Council by majority vote may reschedule or cancel such meeting as it deems necessary on a meeting by meeting basis. [A.C.A. 14-43-502 (b)(2)(A)]

Special or emergency meetings of the City Council may be called by the Mayor or any three (3) alderman by signed submittal of time and place of the scheduled meeting and its agenda to the Mayor or Office of the Mayor, City Clerk or Office of the City Clerk, or the City Attorney, or the Office of the City Attorney in a timely manner to fully comply with the two hour notification requirement [A.C.A. 25-19-106(6)(2)] for all media and for the same notification of all elected city officials. Notification shall be deemed given when those to be notified have been contacted or when an attempt to contact them has been made by the proper time, by every means of instant communications they have been submitted for notification purposes. All means of communication for notification purposes within a timely reason should be attempted regardless.

### **Agenda for City Council Meetings:**

Agenda items shall consist of all items of city business needing city council approval, judgment or review arising out of the city budget; city departments; City Council committees; city committees, boards, and commissions; and all city systems and processes submitted for the purpose of city council action according to the procedures herein described.

Agenda items may also be submitted by the Mayor or any Alderman following the procedures herein described for consideration at any city council meeting. Planning Commission items are automatically forward to the Office of the Mayor for inclusion on the Agenda.

The Agenda is prepared by the Office of the Mayor. All Agenda items for consideration at regular City Council meetings must be submitted to the Office of the Mayor by 12:00pm no later than 7 days prior to the City Council meeting. Items may be submitted later with the Mayor's approval; however, the published Agenda shall not include items submitted after 12:00pm the Friday before the Tuesday City Council meeting. All items should be submitted electronically (if applicable) with all necessary documentation including ordinances and/or resolutions.

The City Council may by a non-debatable two-thirds majority vote add an item of business to any regular, special, or emergency City Council meeting

Preparation of the Agenda packet for each regular City Council meeting should be completed and the Agenda published before close of business on Friday before the Tuesday City Council meeting. An electronic copy shall be sent to the each Alderman, Department Head, and made available on the city's website. This schedule may change for rescheduled meetings and does not apply to special meetings.

### **Conduct of the City Council Meeting:**

The Mayor shall be the ex officio President of the City Council and shall preside at its meetings regular and special. [A.C.A. 14-43-501 (b) (1) (A)]

A quorum is defined as a majority of all Aldermen on the City Council.

The City Council may from as necessary compel the attendance of absent members in such a manner and under such penalties as they think fit to prescribe [A.C.A. 14-43-501 (a)(2)(C)(ii)]

The Mayor shall have a vote to establish a quorum at any regular meeting of the City council and when his or her vote is needed to pass any ordinance, by-law, resolution order, or motion. [A.C.A. 14-43-501 (b) (1) (B)]

In the absence of the Mayor, Alderman Andy Hawkins is elected president pro tempore to preside in his absent. If Alderman Hawkins is unavailable to preside in the Mayor's absence, the alderman present at the meeting shall elect a temporary president pro tempore to preside for that one meeting. [A.C.A. 14-403-501 (b) (2)]

Business shall be conducted by Roberts Rules of Order. However, it is to be understood that parliamentary procedure is not the goal. The goal is respectful conduct of business in equitable order. It is also understood that formal parliamentary procedure is not well known. Therefore, an informal form of procedure can be used provided that equity and order is maintained. If a question of order arises or if so requested by an alderman, the Mayor shall implement formal parliamentary procedure.

A positive motion is encouraged to start consideration of each business item.

Ordinances by state law are required to be read at three separate council meetings before being considered for action unless the various readings are waived by Council. The Council can choose to waive any or all readings of an ordinance when it comes up on the agenda by a non-debatable two third majority voice vote. [A.C.A. 14-55-202]

Ordinances shall require a roll call vote. Emergency clauses associated with ordinances shall require an undebatable separate roll call vote and with a two-third majority approval. The City Clerk shall maintain a random roll call list of aldermen for each separate business item requiring a roll call vote (Ord. No. O-02-200).

Resolutions and all other motions of the Council may be approved by voice vote. A show of hands will be required on all non-unanimous votes to properly record the votes in the record.

**Discussion and Citizen Commentary:**

Debate on Agenda items appearing before the City Council is reserved for the City Council. Citizen commentary at council meetings is allowed in specific situations and under conditions allowed by the City Council herein described.

While the City Council generally wishes for public input and public participation and publishes their individual contact information through the City, this willingness does not constitute an unrestricted right to speak at meetings of the Council.

**Petitioners and City Officials:** Petitioners and city officials appearing before the City Council regarding items of business arising from the agenda or placed on the agenda are recognized by the Council as having a right to speak to their petition or report subject to restriction thereof.

City Council members and the Mayor may ask questions from time to time from petitioners, city officials, or the public. Those questioned will be allowed to answer subject restriction thereof.

**General Citizenry:** The City Council restricts citizen input at any regular or special meeting to germane commentary regarding items of business before the Council arising from the meeting agenda or from the Council's placement of an item on the agenda. Citizen commentary may only occur at such time as the item of business is before the Council and under consideration for action. It is the City Council's intention to allow public input in an informal format with due regard to the equity of allowing the various sides of issues to speak and, within reason, with due regard to the number of people wishing to address the Council.

The Mayor as ex-officio president of the Council shall allow citizen input on a per business item basis provided that individual speakers are recognized in turn, identify themselves for the record and address the Council from a podium and/or position established for such. Unrecognized comments from the audience are prohibited. The City Council may at any time restrict such citizen input in any fashion including, but not limited to, the length of individual comments, the total number of speakers, and/or the total time allotted for public input.

At all times, an open conversation with or within the audience is strongly discouraged. Redundancy of commentary is strongly discouraged. More than one speaker at a time prohibited.

**Non Agenda Commentary:** The City Council may suspend the rules of order and allow citizen input/commentary on matters not included on the Agenda of the City Council meeting. Suspending the rules of order requires a non-debatable two-third majority vote.

#### **Special Procedures During Pandemic Emergency**

- (a) During the Pandemic Emergency, City Council Members are authorized to attend, speak and vote using Zoom or other virtual electronic means of communication during City Council Meetings and Committee Meetings.
- (b) That a Council Member may appear by electronic means for the purpose of providing the requisite membership attendance for matters coming before the Council; provided that the Mayor, the City Clerk, and the City Attorney, or their designees, are physically present and located at the place where the Council Meeting is being held and conducted, and who confirm such electronic appearance by such Council Member upon roll call. Council Members appearing at meetings pursuant to this subsection shall be entitled to participate by electronic means in matters coming before the Council, including discussion, debate, and voting, as if they were physically present at such meeting.
- (c) Due to public health concerns regarding the COVID-19 virus, the public is encouraged to watch the video broadcast or live-streaming Internet broadcast of the City Council meetings rather than physically attending.
- (d) Members of the public may attend as set forth herein or as permitted by a plan approved by the Arkansas Department of Health for indoor gatherings.
- (e) Any member of the public may comment on any item of business on the published agenda of the meeting by delivering a written comment (no longer than 200 words) to the City Clerk/Treasurer no later than 5pm the day of the City Council meeting. These comments can be dropped off at 1111 Main Street, Suite 102 at the black mailbox located directly in front of City Hall. Electronic delivery to [councilagenda@conwayarkanas.gov](mailto:councilagenda@conwayarkanas.gov) is encouraged. Written comments so delivered will be read at the meeting.