

To: Governance Committee  
From: Joe Wroblewski  
RE: Draft Rules Changes on Motions and Draft Memo  
Date: February 12, 2008

Governance Committee Recommendations of Motions Rules

1. The proposed rules concerning motions, which may be made by any Councilor during our regular meetings, were taken, almost entirely, from Council Rule Section 15; the motion to withdraw was added.
2. Other rules on motions scattered throughout the Council Rules were brought into new Section 16 and explained. The explanations and the ranking of the Rules were taken from Robert's Rules of Order (RRO).
3. Substantive changes in the Council Rules on motions are as follows:
  - a. A Motion to Lay on the Table is proposed to rank higher than a Motion for the previous Question. RRO ranks these This ranking makes more sense in term of efficiency because the motion to table ends all consideration of the main motion, until such time as the main motion is taken off the table; a motion for the previous question, if passed, still requires a subsequent vote on the main question.
  - b. A Motion to Suspend the Rules must have unanimous support of the Councilors present, rather than a simple majority. Section 8 of our rules requires at least four affirmative votes to pass an ordinance. Permitting a simple majority of the Council to suspend this rule could result in the passage of ordinances by three Councilors. The Governance Committee thought this was bad policy.

**PRESERVE  
ORDER:  
DECIDE ALL  
QUESTION  
OF ORDER:**

Section 13. The Chairperson shall preserve decorum and order, may speak to points of order in preference to other members and shall decide all questions of order.

**DECLARE  
VOTES:  
CAUSE RETURN  
OF VOTES**

Section 14. The Chairperson shall declare all votes, but if any member doubts a vote, the Chairperson shall cause a return of the members voting in the affirmative and in the negative without debate.

**DEBATE:  
RULES OF**

Section 15. Debate on a question shall not be suspended by the Chairperson if any Councilor shall seek recognition, and the Chair shall receive no motions, but those provided for in Section 16.

**MOTIONS:**

Section 16. The following motions take precedence in the order provided below. All motions must be seconded, may be debated, amended, reconsidered, and also may be passed by a simple majority of Councilors present, unless otherwise indicated below

- a. Motion to Adjourn: Any Councilor may call for an adjournment – even during debate – as long as a time for the next meeting has already been established. Business left unfinished at the end of the meeting becomes the first order of business at the next meeting. This motion cannot be debated, amended, or reconsidered.

- b. Motion for Reconsideration: When a vote is passed, on any matter or motion, it shall be in order for any Councilor who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards. This motion is subject to debate if the motion proposed to be reconsidered is also subject to debate; when a motion of reconsideration is decided, that vote shall not be reconsidered.
- c. Motion Concerning Priority of Business: Any Councilor may move to amend the agenda to take up a question out of order.
- d. Appeal on a Point of Order: A question on a point of order may be raised by any Councilor against any proceeding or motion that a Councilor believes is a violation of these rules. All points of order must be raised at the time of the alleged infraction, and need not be seconded. The Chair's ruling on a point of order is subject to an appeal to the Council by motion.
- e. Motion to Withdraw Motion: Any Councilor may withdraw their motion prior to a vote. If any Councilor objects, the Chair will request a vote of the Councilors on the motion to withdraw. This motion cannot be debated or amended.
- f. Motion to Suspend the Rules: Any Councilor may move to suspend any of the provisions of these rules. Such motion will be successful if all of the Councilors present vote in the affirmative. The rule to be suspended must be identified and the reason for suspending the rule must be stated in the motion. This motion cannot be debated or amended.
- g. Motion to Lay of the Table: This motion sets aside a main motion or question without establishing a time for debate to resume. This motion may not be debated or amended.
- h. Motion for the Previous Question (Close Debate or Move the Question): A motion for the previous (main) question closes debate and brings the main question or motion to an immediate vote. All debate upon the main question shall be suspended until the motion for the previous question shall be decided, without debate. After the adoption of a motion for the previous question, by a majority vote, the Chairperson shall call for a vote on all pending amendments, and then upon the main question.
- i. Motion to Postpone for a Time Certain: This motion suspends debate on the main question to another time in the meeting, or to another date as proposed by the movant.
- j. Motion to Refer: A motion to refer a matter to a committee or an administrative official may be debated or amended.
- k. Motion to Amend: A motion to amend a motion may be debated or amended.
- l. Motion for a Division of a Question: Any Councilor may move to divide a question. Such motion, if seconded, will be successful if a majority of Councilors present vote for the division.
- m. Motion to Postpone Indefinitely: This motion postpones consideration of a main motion indefinitely.
- n. Motion to Take from the Table: This motion permits resumption of debate on a previously tabled motion or question. This motion may not be debated or amended.

#### **MANNER OF SPEAKING**

Section 17. When a member is about to speak, he/she shall respectfully address the Chairperson, confine himself or herself to the question under debate and avoid personalities.

#### **NOT TO INTERRUPT**

Section 18. No member speaking shall be interrupted by another, but only by a call to order or to correct a mistake.

#### **BREACH OF RULES AND ORDERS**

Section 19. When any member shall be guilty of a breach of any of the rules or orders of the Council, he/she may on motion be required to make

satisfaction therefore and shall not be allowed to vote or speak, except by way of excuse, until he/she has done so.

**MEMBER  
EXCUSED  
FROM VOTING:  
WHEN**

Section 20. Any Councilor may abstain from voting upon any question if he/she so chooses provided that the Councilor has stated his/her reason for abstaining. Unless otherwise stated, wherein these rules a majority vote is required, it shall mean the majority of the votes cast.

1. If a Councilor is to abstain from a vote due to reasons of conflict of interest, that Councilor shall declare his/her intention at the earliest practical moment after the introduction of the item. The Councilor shall then refrain from further participation in the discussion, comment, or debate of the item, except that the Councilor shall retain his/her right to participate as a member of the public pursuant to Section 29.
2. Nothing in this Section 23 shall invalidate any of the requirements of Section 8 of these rules. (Amended 8/27/90)

**MOTION TO  
BE REDUCED  
TO WRITING  
WHEN**

Section 21. Every motion shall be reduced to writing if the Chairperson shall so direct.

**PROCEDURE  
FOR  
ADDRESSING  
COUNCIL**

Section 22. Members of the Public shall be allowed to address the Council in accordance with the following provisions:

1. Any person seeking recognition must do so by raising his/her hand and, when recognized shall give his/her name and address prior to proceeding with questions or comments. All questions or comments shall be directed to the Chairperson. Recognition shall be granted in accordance with the provisions of paragraph 2 of this Section 29.
2. The time restrictions delineated below do not apply to persons who represent boards or committees of the Town or State, to other quasi governmental agencies, or to other parties who have been specifically invited to report to the Council on a particular issue under consideration, including applicants for various permits, waivers, and approvals. The time restrictions for all of the persons described above shall be left to the discretion of the Chairperson.
  - A. Public forum. Prior to the first agenda item of each regular Council meeting, the Council shall conduct a Public Forum during which any resident will be allowed five minutes to address the Council on any matter, except those for which public input will be accepted later in that meeting as delineated in subparagraphs B and C below.

- B. Public Hearing. A Public Hearing shall consist of at least one, or at the discretion of the Chairperson, more than one distinct period of comment during which every person present will be allowed five minutes to address the Council.
  - C. Agenda Item Requiring a Vote. Any resident will be allowed three minutes to comment on any agenda item which calls for a vote on any ordinance, order, or resolve; except for items for which a Public Hearing is required or has been previously held. Public comment will be accepted after the item has been introduced, but prior to Council deliberation of the item.
  - D. Consent Agenda. For purposes of public comment, the Consent Agenda shall be considered a single item and shall be subject to the provisions of subsection 2.C of this section 29.
- 3. No failure to observe any of the provision of this Section 29 shall invalidate any vote or action of the Council.
  - 4. Persons present at the Council meeting are requested not to applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting. The time limits defined in paragraph 2 of this Section 29 apply to each person addressing the Council whether that person is speaking on his/her behalf or on the behalf of others.

(Amended 8/27/90, 8/26/91)