

# **City of Bristol, Tennessee**



# **RULES AND PROCEDURES OF THE CITY COUNCIL**

**July 2022**

# Rules and Procedures – Bristol City Council

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## **I. Meetings**

### **A. Meetings Open to the Public**

All meetings of the Council, whether regular or special, shall be open to the public and shall be conducted according to law. [Charter, Chapter 2, Section 6]

#### **1. Voting Record of Council**

A vote upon all proposed ordinances, resolutions and motions shall be taken by "yea" and "nay" vote, indicated verbally. The vote of each Council Member shall be entered upon the minutes; except that where the vote is unanimous it shall only be necessary to so state that.

#### **2. Minutes of Meetings**

(a) Minutes shall be kept for all Council meetings and work sessions and shall be signed following Council approval by the Mayor and City Recorder. The minutes shall report the names of the Council members present, the title of each ordinance or resolution or a description of the motion made, and the vote cast by each Council Member.

(b) A recording of each Regular and Special Meeting shall be maintained for a period of at least one (1) year.

### **B. Types of Meetings**

#### **1. Regular Meetings**

(a) Regular meetings of the City Council shall be held at 7:00 p.m. on the first Tuesday of each month at City Hall (*see Section II.D. below*) unless otherwise changed by the City Council. [Charter, Chapter 2, Section 6]

(b) When the regular meeting day falls on a legal holiday, the meeting shall be held on the following Tuesday. [Code of Ordinances, Section 2-26]

#### **2. Special Meetings**

Special meetings shall be called by the Mayor, the City Manager, or any two (2) Council members by providing each Council member with twenty-four (24) hours written notice and publication of notice at least twenty-four (24) hours in advance of the meeting in a daily newspaper circulating in the city. [Charter, Chapter 2, Section 6]

#### **3. Work Sessions**

The Council shall hold regular work sessions, which shall be open to the public, at 5:00 P.M. on the fourth Tuesday of each month or as otherwise scheduled by the City Manager. Any change from this schedule shall be as shown on the City Calendar. Nothing precludes the holding of a special work session as the need may dictate. The City Manager may cancel a work session when no items are ready for Council review. No official action shall be taken at work sessions.

4. Executive Sessions

The City Council may go into closed, executive session only when permitted by law, such as attorney-client meetings or labor negotiation strategy sessions. [TCA 8-44-201]

5. Annual Meeting Schedule to be Prepared

In December of each year, the City Manager shall propose and the City Council shall approve the meeting schedule for the following calendar year. The schedule will include all normal dates of regular meetings and work sessions, deviating there from to the extent necessary due to conflicting meetings, conferences, and other events.

C. Attendance; Quorum of Council

1. Each member of the Council shall attend all meetings and attend to other duties as required. The attendance of members may be enforced by rules or ordinance with appropriate fines.
2. Three (3) members of the Council shall constitute a quorum for the transaction of business, but in the absence of a quorum, a smaller number may adjourn from day to day. [Charter, Chapter 2, Section 10]
3. If the business at any regular or special meeting is not completed on the day the Council convenes, the council may adjourn such meeting to any subsequent day. [Charter, Chapter 2, Section 6]

D. Official Council Business

The affirmative vote of three (3) members of City Council is necessary to adopt any motion, resolution, or ordinance; or to pass any measure including the appointment of Board and Commission members unless a greater number is provided in the Charter or by state law. [Charter, Chapter 2, Section 10]

E. General Rules of Order

1. The rules of order and parliamentary procedure contained in Robert's Rules of Order, Revised, shall govern the transaction of business in all cases in which they are applicable and in which they are not inconsistent with provisions of the Charter, Code or Ordinances, or this policy. [Code of Ordinances, Section 2-27]
2. The City Attorney shall serve as parliamentarian and provide guidance on questions of procedure.

F. Ordinances

1. Each ordinance, before being adopted, shall be presented on two (2) different days, not less than one (1) week apart, and read in title only provided that a copy of the proposed ordinance is provided to each council member and placed with the City Recorder at least three (3) days prior to the date of the meeting at which the ordinance is presented for first reading, and shall take effect seventeen (17) days after its adoption, except that, where an emergency ordinance for the immediate preservation of the public peace, health, safety or public welfare is required, in such event the emergency ordinance may become effective upon the day of its final passage, provided that the ordinance contains the statement that an emergency exists and provided further that all members of City Council present at the meeting unanimously approve the measure. [Charter, Chapter 2, Section 18]
2. An ordinance that is not made available to each Council Member and placed with the City Recorder at least three (3) days in advance of first reading shall be read in its entirety on first reading and by title only on final reading. [Charter, Chapter 2, Section 18]
3. If an ordinance is amended on first reading, it shall be presented in its amended form at the time of final reading.
4. All ordinances shall begin by an enacting clause, as follows: "Be it ordained by the City of Bristol, Tennessee," and shall, at the end thereof, contain the provision that: "This ordinance shall take effect seventeen (17) days from and after its final passage, the welfare of the city requiring it." [Charter, Chapter 2, Section 19]

G. Resolutions

Resolutions shall be effective from and after adoption on one reading and shall be read in title only in accordance with the provisions for the reading of ordinances delineated in Section F above. [Charter, Chapter 2, Section 20]

H. Public Hearings

1. Public hearings will be conducted in advance of the second reading of ordinances and resolutions when required by law.
2. Multiple public hearings will be opened and closed one by one until all are held.

I. Proclamations

1. City Council may make proclamations on matters that have a local significance and support group or that promote a national program or objective of a governmental agency or association, and which a reasonable person would not find to be offensive. The City Manager shall evaluate the appropriateness of proclamation requests and shall place appropriate proclamations on the meeting agenda for approval. Proclamations placed on the agenda shall be publicly read.
2. The Mayor is authorized to issue proclamations that must be issued before the Council's next scheduled meeting in his/her discretion. Those proclamations shall then be distributed to City Council as items of information only.

## **II. Conduct of Meetings**

### **A. Maintaining Order**

1. Council members shall preserve order and decorum and shall not, by conversation or other means, interrupt or delay the proceedings of Council. Members shall not interrupt any other member while speaking.
2. No person in the audience at a Council meeting shall engage in disorderly conduct, including the utterance of loud, threatening or abusive language, booing, hissing, whistling, stamping of feet or other acts which disrupt, disturb or otherwise impede the orderly conduct of any Council meeting. Persons who engage in such disorderly conduct may be removed from the Council meeting.

### **B. Sergeant-At-Arms**

The City Manager shall designate a police officer to serve as the Sergeant-at-Arms of the Council and shall direct that the Sergeant-at-Arms take action as may be required.

### **C. City Manager**

1. The City Manager shall attend all meetings and shall have the right to take part in discussions but may not vote. [Charter, Chapter 5, Section1]
2. All questions about items on the agenda or about the internal operation of the municipal corporation should be directed to the City Manager. The City Manager may answer the questions directly or may direct a subordinate administrative officer to assist in responding to the question.

### **D. Meeting Time and Place**

All regular Council meetings will begin at 7:00 p.m. at the Slater Community Center Auditorium provided, however, that City Council or the City Manager may change the meeting location on a temporary basis when circumstances exist that require the same, conditioned upon the provision of adequate public notice of such relocation.

Work sessions will begin at 5:00 P.M. at the City Hall Annex provided, however, that City Council or the City Manager may change the meeting location or starting time on a temporary basis when circumstances exist that require the same, conditioned upon the provision of adequate public notice of such relocation.

E. Opportunity for Citizen Comment at Council Meetings

Citizens shall be afforded the opportunity to address City Council at three distinct periods during City Council meetings. City Council Meetings, including citizen comments, are recorded, so those wishing to address council should do so from the podium and microphone provided for that purpose. Citizens who are unable to make their way to the podium should indicate that they wish to speak from their seat in the audience, and a portable microphone will be provided to them. Citizens are encouraged to give City staff advanced notice that they will need a portable microphone. No props are permitted during citizen comments. Citizens who wish to present Council with written materials, photographs, or similar documents should hand those materials to the sergeant at arms, and should bring enough copies for each member of Council, the City Manager, and the City Recorder.

1. Public Hearings (Agenda Item 8) – The Mayor will request comments from the public at this time for each agenda item that includes a scheduled public hearing such as rezonings, annexations, and the award of franchises. The public’s opportunity to comment on the ordinance will be limited to the time of the public hearing and additional comments from the public will not be entertained when the item is formally on the floor and being considered by Council.
2. Appearance of Citizens (Agenda Item 9) – This section provides an opportunity for the public to address the City Council on any item that is not on the agenda for formal consideration. Comments are limited to matters of city business only. A response will not likely be made since in most cases neither the Council nor the City Manager will be prepared to effectively respond to the concern. The City Manager will look into the matter and report back to City Council and/or, as appropriate, have staff meet with the citizen in an effort to satisfy the concern. Comments are limited to three minutes per individual, and this time is non-transferable between individuals. Groups are encouraged to choose a spokesperson to represent them. Additional time may be granted to complete comments at the discretion of the Mayor.
3. Adoption of Ordinances and Resolutions (Agenda Item 11) - During the discussion of individual ordinances and resolutions that do not have an associated public hearing or are not on the Consent Agenda, the public will be provided an opportunity to comment on each matter prior to the vote being cast. The Mayor will ask the audience, for each and every individual agenda item, if any person would like to speak on that matter.

F. Signs Not Allowed in Chambers

Signs, posters, placards, props and visual aids are not allowed within the meeting room of Council Meetings and work sessions.

G. PowerPoint Presentations

PowerPoint presentations by outside individuals or groups will only be allowed with the advance permission of the City Manager.

H. Use of Tobacco Prohibited at Council Meetings

The use of tobacco in any form, including electronic cigarettes, shall not be allowed during the course of a City Council meeting or work session regardless of location. This rule shall apply to all meetings of the Council including regular meetings, special meetings, work sessions, etc.

**III. Order of Business**

A. Agenda Format for Regular Meetings

Each item of the agenda, as appropriate, will list the title or a statement of each item to be considered. The order of business shall be as follows:

1. Call to Order
2. Roll Call
3. Invocation and Pledge of Allegiance<sup>1</sup>
4. Agenda Additions
5. Proclamations and Recognitions
6. Presentations
7. Board of Education Liaison Report
8. Public Hearings
9. Appearance of Citizens
10. Appointments
11. Ordinances and Resolutions
  - a. First Reading of New Ordinances
  - b. Adoption of Ordinances (Second Reading)
  - c. Resolutions
12. Consent Agenda<sup>2</sup>
  - a. Minutes
  - b. Resolutions
13. City Manager's Report
14. City Council Comments
15. Adjournment

B. Council Seating Order

City Council seating will be in alphabetical order by last name from the audience's left to right, with the exception that the Mayor will be seated at the center position and the Vice-Mayor will be seated to the immediate left of the Mayor. The seating order will change each time a new Council Member is seated and each time the Mayor or Vice-Mayor is selected.

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<sup>1</sup> The Mayor shall make a reasonable effort to obtain a person to present the Invocation and lead the Pledge of Allegiance. If unable to do so, a member of Council or of the audience designated by the Mayor shall make the Invocation and lead the Pledge of Allegiance.

<sup>2</sup> Those items on the Council agenda which are considered routine by the City Manager—e.g., approval of minutes; certain standard form resolutions, and others — shall be listed under Item 12, Consent Agenda and, unless a member of Council specifically requests that an item be removed therefrom and Council action taken separately, these items shall be approved, adopted, accepted, etc., by a single motion of the Council, such as "I move that the Consent Agenda be approved as indicated," followed by a roll call vote. If an item needs discussion (for example, clarification is needed or amendment is indicated), it may be removed from the Consent Agenda and considered separately in its normal sequence on the regular agenda. A typical motion to this effect might be, "I move that we approve the Consent Agenda, Items 'a' through 'e' with the exception of Item 'c'."

C. Order of Voting

The order of City Council voting will rotate quarterly on January 1, April 1, July 1, and October 1. During each quarter, the voting order will remain unchanged until the start of the next calendar quarter when the order will rotate one position. This will result in Councilman "A" voting first on all items for the first three months, second on all items for the next three months, third on all items for the following three months, fourth for the next three months, and last for the following three months. Then the cycle will repeat itself.

When a new Council Member is seated, they will assume the voting position of the person replaced. In the case of those members elected from Districts, it shall be the position of the person previously serving from that District. In the case of at-large members, it shall be the position of the person previously serving in an at-large capacity. When both at-large positions are newly seated, the voting order shall be established on an alphabetical last name basis in the same voting order position of the incumbent replaced.

D. Voting Required Except for Conflict of Interest

Council Members shall be required to vote on all matters except when there exists a legal, moral or ethical conflict of interest. The reason for abstaining shall be given at the time of the abstention. The City Attorney should be consulted in advance to determine if a legal conflict of interest exists.

E. Agenda Preparation and Distribution

1. The agenda will be prepared by the City Manager. The finished agenda with associated material for Council meetings and work sessions will be provided to each Council member at least three days in advance of the scheduled meeting day. A copy of the agenda packet shall be made available to the news media at the same time.
2. If a member of City Council desires that an item be placed on the agenda for formal consideration, such matter shall be first presented in concept to the Council under the City Council Comments section of the agenda, or at a work session, with the Council to direct the City Manager to include the requested item on the next or a future meeting agenda for formal consideration.
3. Materials concerning emergency items shall be furnished to Council members at the earliest time possible.

**IV. Officers**

A. Mayor

The Council, at its first regular meeting in the month of January each year, shall elect one of its members to serve as Mayor for a term of one (1) year. The Mayor shall preside at meetings of the Council, shall be the ceremonial head of the City, and shall be the officer to accept process against the City. The Mayor shall have no other executive or administrative powers or duties except those prescribed by State law, by the Charter or conferred by the City Council and not inconsistent with the Charter. [Charter Chapter 2, Section 6]

B. Vice-Mayor

The Council shall elect one of its members Vice-Mayor, who shall act in the absence or disability of the Mayor, immediately following the election of the Mayor in the same manner as the election of the Mayor. If the Vice-Mayor becomes Mayor, another Council Member shall be elected to serve as Vice-Mayor. [Charter Chapter 2, Section 6]

C. Absence of Mayor and Vice-Mayor at Meeting

In the absence of the Mayor and Vice-Mayor at a meeting, the other three members of Council may designate one of their numbers to preside. [Charter, Chapter 2, Section 6]

D. Full Authority to Act When Chairing Meeting

The Mayor and other Council Members presiding at any meeting has the same voting rights, privileges, and duties of the other members. [Charter, Chapter 2, Section 6]

E. Appointment of Council Members to Boards and Agencies

1. The appointment of Council Members to municipal Boards and Commissions shall be revisited annually at the January work session and formalized at the February regular meeting. Nothing prohibits the reappointment of a member to the same municipal Board and Commission from year to year .
2. The appointment of Council Members to quasi-municipal and non-municipal Agencies shall be revisited annually at the January work session and formalized at the February regular meeting. Nothing prohibits the reappointment of a member to the same quasi-municipal and non-municipal Agency from year to year.
3. Council Members shall provide Council with regular updates of the activities of Boards and Commissions to which they are appointed. Such updates may take place during Work Sessions.

**V. City Council Travel and Benefits; Service Recognition; Use of Stationery**

A. Travel

1. City Council members will be reimbursed for travel and expenses incurred while on official city business in accordance with the City travel policy. [Code of Ordinances, Section 2-84]
2. Travel by Council Members involving a cash advance, airline travel, or an overnight stay will be coordinated by the City Manager.

B. Benefits

The City Council shall be eligible to participate in the employee benefit programs offered by the city to the same extent, and under the same terms and conditions, as are other officers and employees of the city. [Code of Ordinances, Section 2-84]

C. Service Recognition

1. A recognition plaque shall be presented to each outgoing Council Member at the last regular meeting of his/her service on City Council.
2. A welcoming reception shall be held at the first meeting in January following the seating of a new council resulting from the biennial municipal election.

D. Use of City Stationery and Equipment

1. Official city stationery shall only be used by Council Members to reflect the official position of the City Council when such a position is taken on an issue; or to correspond on matters relating to official city business only; or to take a position on an issue that the Council has yet to take a position provided the letter indicates that the author is not speaking for the Council.
2. City stationery shall not be used by a Council Member in contradiction to an official position taken by the City Council, or for personal or campaign purposes. Nothing herein shall prohibit a Council Member from writing on behalf of a student a letter of recommendation on city letterhead.
3. Ipads and cellular telephones issued to Council Members shall be used in accordance with the City's policies on the use of Cellular Telephones and Information Technology Equipment (Administrative Policies E-510 and E-620). All Ipads and cellular telephones shall be returned to the City Manager at the conclusion of the Council Member's term in office.

E. Key to City

The ceremonial "Key to the City" may be presented to distinguished persons, celebrities, dignitaries and visitors who the City wishes to honor.

**VI. Appointment of Citizens to Municipal Boards and Commissions**

A. Notice of Opportunity for Appointment

The month before the normal expiration of a term of office or upon receipt of a resignation, the Manager shall notify Council members and the public that an appointment will be held to fill the Board or Commission vacancy at an upcoming Council meeting.

B. Filing Deadline

1. A person desiring to be a candidate for Council appointment to a board or commission shall submit a resume and/or application form to the City Council at the office of the City Manager by midnight on the Tuesday one week prior to the Council meeting at which the appointment is scheduled.

2. All resume and application material submitted from eligible candidates seeking appointment to a Board or Commission vacancy shall be distributed to the City Council upon receipt. Council members should be aware that this material may include information about candidates that the City is required to keep confidential, and so should not disseminate these materials to anyone.
3. Unless otherwise provided by statute, ordinance or resolution, a person must be a resident of the city at time of appointment and shall maintain residency during the term of office, or shall be deemed to have resigned the appointment. [Code of Ordinances, Section 2-122]
4. The application shall provide each City Council member's city email address. Applicants are encouraged to contact each City Council member regarding their interest in serving on a particular Board.

C. Appointment Process

1. The City Manager shall include the application form, resume, or other material submitted by each eligible candidate in the agenda packet for the meeting at which the appointment is scheduled, along with a ballot that lists the names of all eligible candidates and offers the opportunity to abstain.
2. At the time requested by the Mayor, each Council Member will mark his ballot for up to as many appointments as are scheduled to be made, or for none altogether, and pass them to the City Manager to be publicly read and the vote therein recorded.
3. If no candidate is elected to fill a vacant Boards and Commissions position, then the appointment shall be deferred to the next regular meeting of City Council. Applicants must resubmit their applications in order to be considered for the position.
4. No citizen shall be appointed to serve on more than two (2) Boards and Commissions; provided however, that membership on the Health and Educational Facilities Board and the Board of Code Appeals will not be considered in applying this rule.

D. Notification of Appointment Results

Following appointment, appropriate letters shall be sent to all candidates and outgoing board members over the Mayor's signature and an updated roster shall be sent to City Council members and concerned City staff members. An updated roster of board and commission members shall also be distributed to City Council members on a monthly basis.

E. December Appointments to be Delayed

All Board and Commission appointments that are scheduled to occur in the month of December will be delayed until the January meeting for formal action.

#### F. Background Checks

Local background checks of prospective board and commission members will be conducted by the City Manager in advance of scheduled appointments on an as-needed basis. The City Manager has the discretion to request applicants to consent to a national background check performed by a third-party in the case of appointments to Boards and Commissions that have quasi-judicial or fiduciary functions. The City Manager will also verify that the applicant does not owe the City delinquent real or personal property taxes at the time of appointment. Any discrepancy identified that brings into question the suitability of a person to serve in a position will be brought to the attention of City Council prior to appointment action.

#### G. Removal of Members for Excessive Absences

Boards and Commission members who miss three (3) consecutive meetings without cause may be removed by the City Council, upon recommendation of the board or commission. The chairman of the Board or Commission is responsible for bringing the excessive absences to the attention of the Board or Commission. [Code of Ordinances, Section 2-121]

#### H. Boards and Commission Reception

A social reception for members of city boards and commissions will be scheduled annually in recognition of their service to the City of Bristol and to provide an informal gathering for City Council and Board Member to mingle and become better acquainted.

#### I. Outgoing Board and Commission Members

A certificate of appreciation signed by the Mayor and City Manager will be sent to all outgoing board and commission members to thank them for their service to the community.

#### J. Formation of Ad-Hoc Committees

Periodically, City Council may desire to impanel a temporary ad-hoc committee for a specific purpose or to function as a task force. This action would generally be taken to request input or guidance from citizens regarding a matter of importance to Council. Any member of Council may recommend the formation of such a committee. The recommendation should be made during a regular meeting or work session. Once a recommendation is made and a consensus is reached by Council to impanel an ad hoc committee or task force, the matter will be placed on the agenda for discussion at the next work session. During the work session discussion, the Council may consider the anticipated purpose of the committee, how the membership will be selected, and a timeframe for the committee to complete its work.

**VII. Application of Other Policies; Violations**

Council members shall adhere to the City’s Code of Ethics and to those city policies and procedures made applicable to appointed officials of the City through City Council’s adoption of a Boards and Commissions handbook in Resolution 17-99. [Municipal Code, Chapter 2, Article III, Division 2.]

A member of Council who violates these rules and procedures may be subject to censure by a majority vote of Council, or to other penalties prescribed by the City’s Charter, Code, or other applicable law.

**VIII. Amendments to Rules of Council**

These Rules and Procedures may be amended by resolution in the normal manner provided for the adoption of resolutions.

Adopted 09-06-05 Resolution No. 05-84 Effective 09-06-05

- Revised November 1, 2005 - Resolution 05-105
- Revised April 4, 2006 - Resolution 06-46
- Revised September 6, 2011 - Resolution 11-94
- Revised December 4, 2012 - Resolution 12-311
- Revised February 3, 2015 - Resolution 15-3
- Revised December 6, 2016 - Resolution 16-107
- Revised January 2, 2018 - Resolution 18-5
- Revised January 8, 2019 - Resolution 19-6
- Revised January 5, 2021 - Resolution 21-14
- Revised July 12, 2022 - Resolution 22-53