

# Rules of Decorum and Council/Cherokee Development Authority Procedure

## City of Cherokee and the Cherokee Development Authority

**Purpose:** This Policy is adopted to provide for orderly conduct of meetings of the Cherokee City Council and the Cherokee Development Authority (“CDA”). For purpose of simplicity only terms referring to the City will be used but the Policy shall apply to both entities with the City Council also meaning the Board of the Trustees of the Cherokee Development Authority, the City Manager also meaning the Trust Manager of the CDA, the Mayor meaning the Chairman of the CDA and the City Clerk meaning the Secretary of the CDFA.

**Background:** Cherokee Municipal Code, Section 2-121A provide that the City Council “...may determine its own rules...” and Section 2-103C of the Cherokee Municipal Code 2020” provides the City Council “may from time to time adopt rules to govern the proceedings of the council” for regular, special and emergency meetings.

**Time of Meetings:** Meetings of the Council shall be held in Council Chambers at City Hall, 112 N Grand Ave, Cherokee, Oklahoma 73728, on the **second Wednesday** of the month. Provided however, that the Council may reschedule any of its regularly scheduled meetings pursuant to the Oklahoma Open Meeting Act. Special meetings of the Council shall be called in accordance with the provisions of the Oklahoma Open Meeting Act. The Mayor, the City Manager or two (2) Councilmembers may call a special meeting. Meetings shall adjourn no later than 11:00 p.m.; except, upon majority vote of those members of the Council present, any meeting of the Council may be extended until midnight of the day of the meeting.

### **Agenda:**

- A. **Preparation of the Agenda:** An agenda for each meeting of the Council shall be prepared under the direction of the City Manager with assistance provided by the City Clerk and/or the Deputy City Clerk.
- B. **Agenda Items:** Agenda items may be presented by the City Manager, Mayor, and any two (2) Councilpersons. Council members or Department heads may present items to the City Manager for inclusion at his/her discretion. **Items submitted by other individuals or organizations shall not be accepted by the City Clerk.** All such requests must go through the City Manager for consideration of inclusion. Individuals can request items to be placed on the CDA/City Council Agenda by completing the corresponding form. If individual request is granted, each person shall limit the time of his/her comments to three (3) minutes.
- C. **Time of cutoff:** Due to the requirement for posting the Council Agenda prior to the meeting, city management will advise proper cutoff time for acceptance of items. Typically, 2pm on Monday prior to the Council meeting scheduled for Wednesday at 6pm, will be used as a guideline. In emergency situations, an exception to this timing will be allowed pursuant to the approval of the City Manager.

- D. Time of Posting:** The City of Cherokee will comply with the requirements for ‘Regular’ meetings, which are 24 hours prior to the meeting. ‘Special’ meetings require notice to the City Clerk/Deputy City Clerk, 48 hours in advance of the meeting, with 24 hours posting.

**Order of Business:**

- E. Roberts Rules of Order:** Is incorporated into these rules and shall govern all matters not specifically addressed in these rules. These rules, except those required by law or charter, may be temporarily suspended for consideration of a particular subject by two-thirds (2/3) vote of the Council members present.
- F. Call to Order:** The Mayor, or the presiding officer, will call the meeting to come to order.
- G. Invocation, Pledge of Allegiance:** The Mayor, or presiding officer, will direct this portion.
- H. Roll Call for Council members:** City Clerk or Deputy City Clerk will call the roll at the request of the Mayor or presiding officer.
- I. Awards and Special Recognition:** All awards and special recognition will be listed in the agenda or by notifying the Mayor prior to the meeting and will be included in the official minutes of the meeting.
- J. Consent Agenda:** Shall include minutes, claims list, and any other items considered non-controversial and routine in nature. Council shall act on all items in this section by a single motion and second and roll call vote, subject to questions, discussion, or the right of any member to remove an item(s) for individual action.
- K. Items Removed from the Consent Agenda:** These items shall be removed from the Consent Agenda and held until the proper place for discussion and possible action by the Council. Any council member can remove an item for discussion.
- L. Ordinances:** Discussion and action on proposed Ordinances. Requires a motion and a second, then a roll call vote of the Council. The affirmative vote of three members of the City Council shall be necessary to adopt any motion, ordinance, or pass any measure.
- M. Resolutions:** Discussion and action on proposed Resolutions of the Council. Requires a motion and a second, then a roll call vote of the Council. The affirmative vote of three members of the City Council shall be necessary to adopt any resolution.
- N. Reports of Departments, Boards, or Committees:** Reports from city staff, department heads, board or committee members, should be limited to matters of general interest to the entire Council.
- O. Business:** Agenda items requiring individual action. It may be advisable for the presiding officer to move an item to the beginning of the meeting if it has attracted a large number of interested parties. The affirmative vote of three members of the City Council shall be necessary to adopt pass any measure. Individuals will be afforded the opportunity to speak about a specific agenda item if the appropriate form is completed and submitted to the City Clerk 15 minutes prior to the meeting.

**Conduct at Council meetings shall be as follows:**

- a. Agenda item is read aloud by the Mayor or Vice-Mayor (in Mayor’s absence).

- b. City Manager or a staff member presents the substance of what the agenda item concerns.
- c. Mayor thanks the presenter and asks if the Council has any questions for the staff member or of the City Manager concerning the item.
- d. After Council questions have been answered, the Mayor will ask if the City Clerk has received any requests to speak. Forms will be available in the City Clerk's office, and in the Council Chambers prior to the meeting. A time limit of 3 minutes for each response will be recognized.
- e. An officer of the Cherokee Police Department shall serve as *ex officio* Sergeant at Arms of the City Council, to maintain order and decorum and compliance with applicable rules adopted by Council. The Sergeant at Arms shall carry out all orders and instructions given them by the City Manager or his/her designee, including ejection of persons from the room that are displaying disruptive, threatening, or obscene behavior.
- f. The City Attorney and/or City Manager will be responsible for advising Council on 'Points of Order' to ensure that correct procedures are being followed and will be charged with drawing attention to rules violations as they occur through parliamentary procedure.
- g. Those addressing the Council are required to stand at the podium.
- h. Anyone addressing the Council must give their name, address, and the topic they wish to address. Name and address are only required for the first time a person is to speak. No person may speak to a single issue more than twice. Cross talk between persons making presentations shall not be allowed.
- i. After staff and the public have expressed their views, the City Manager, Mayor, Vice-Mayor, and Council shall begin discussion and proceed to debate the merits of the issue without further interaction from staff or the public, unless further information is needed.
- j. Remarks should be made with recognition from the presiding officer, and those remarks shall be addressed to the Council rather than an individual member. Best practices is to always entertain discussion of an item, and it is commonplace and acceptable to set a time limit for those discussions.
- k. Discussion shall be limited to the matter before the Council and shall be confined to the merits of the matter. Comments meant to embarrass or attack others shall not occur.
- l. The Mayor will call for a motion (Robert's Rules require a motion first before discussion, but on a municipal level discussion is usually held first, then the call for a motion).
- m. Only one motion can be pending at a time. If no motion is made, the agenda item is dead and the meeting proceeds to the next item.
- n. If a motion is made and seconded, the Mayor will ask if there is any further discussion. If additional time is needing, the presiding officer can call for a

motion to extend time for additional discussion (a separate vote will be taken for this time).

- o. Once discussion has concluded, the Mayor will call for/announce that there is a motion and a second on the floor, and it is now time to vote on the motion.
- p. The City Clerk will call the roll for the vote which will be recorded in the official minutes of the meeting.
- q. The Mayor will then move to the next agenda item.

**P. New Business:** Is defined by the Oklahoma Meeting Act, 25, O.S. 311 A (9), and which must be acted upon before the next regularly scheduled meeting and was not known about or which could not have been reasonably foreseen prior to the time of posting.

**Q. Executive Session (as needed):** If the Governing Body goes into Executive session, it must be for consideration of an item as provided for in Section 307, Title 25 of the Oklahoma State Statutes, as amended. This section provides that the agenda shall, contain sufficient information for the public to ascertain that an executive session will be proposed, identify the items of business and the purpose of the executive session, and state specifically the provision of Section 307 of this title authorizing the executive session. The fact that the governing body is going into executive session must be listed on the agenda.

**R. Remarks and Inquiries by the Governing Body Members:** The Mayor will ask members of the Governing Body if they wish to address the Council or the City Manager. Remarks in general and inquiries are appropriate here. Information regarding special interests of the wards or meetings can be made to the public.

**S. Adjournment.**

Dated the \_\_\_ day of April 2021.

THE CITY OF CHEROKEE, OKLAHOMA

\_\_\_\_\_  
By: \_\_\_\_\_, Mayor

(Seal)                      ATTEST:

\_\_\_\_\_  
Amber K. Wilhite, City Clerk

Approved as to Content:

Approved as to Form and Legality:

\_\_\_\_\_  
Michael Jones, City Manager

\_\_\_\_\_  
Bryce S. Kennedy, City Attorney