

As adopted by the Jamestown Town Council
At a meeting held January 23, 2023

Attest:



Roberta J. Fagan, Town Clerk

JAMESTOWN TOWN COUNCIL RULES & PROCEDURES

Upon adoption, this document supercedes all other existing resolutions regarding Town Council procedures.

RULE 1

Charter Requirements

- 1.1 All requirements of the Town Charter with respect to the proceedings of the Town Council are to be strictly followed, and no rules shall be adopted by the Town Council that are in conflict with the Charter requirements.

RULE 2

Presiding Officer

- 2.1 The Town Council President is elected pursuant to section 204 of the Charter. In the event of the absence or the disability of the President, the Vice President shall perform such duties during such absence or disability.
- 2.2 The President shall take the chair at the hour designated for the meeting of the Council and shall promptly call the members to order. The President shall enforce, on all occasions, the observance and decorum among the members and people in attendance. The President shall decide all questions and points of order, subject to an appeal to the Town Council by one member. No other business shall be in order until the question or appeal on the point of order shall have been decided by a majority of the members present. The President may speak on points of order in preference to other members and may speak on general questions. The President shall distinctly state and put to a vote all ordinances, resolutions and questions.

RULE 3

Meetings

- 3.1 The first meeting of a newly elected Council shall be held on the first Monday following certification of the election of its members by the canvassing authority; thereafter the Town Council shall meet according to section 205 of the Charter.

- 3.2 All meetings of the Council, including special and emergency meetings and work sessions, shall be open to the public, except those exempted under the Rhode Island Open Meetings Law, G.L. 1956 § 42-46-1 et seq. All matters shall be voted upon by the Council at an open regular meeting or at an open, special or emergency meeting consistent with the State Open Meetings Act and section 207 of the Charter.

The regular meeting of the Town Council shall be held on the first Monday of the month. This shall be understood to be the meeting during which the council conducts its business. On the third Monday of the month, the council will meet to propose items for the agenda of the next monthly meeting. The council may also use the third Monday to conduct either a meeting or workshop reviewing particular, specific issues or the work or concerns of a specific town commission. Additional meetings or workshops may be arranged as necessary.

- 3.3 All regular and special meetings and their agenda must be posted in advance in accordance with the requirements of the State Open Meetings Act. Such advance notice is not required when an emergency meeting is called. Such emergencies would be those affecting public peace, health, safety, comfort and welfare of the inhabitants of the Town and for protections of persons and property. An emergency meeting must comply with the requirements described in the Open Meetings Act, as amended.

Rule 4

Developing the Agenda

- 4.1 The agenda is the mechanism by which the Town Council as a group or body communicates with the town, making evident the Council's priorities and policy initiatives as well as the administration's efforts to promote and support those priorities. In anticipation of the first meeting of the month, *understood to be the Town Council's regular meeting during which most of its business is conducted*, the Clerk of the Town Council shall prepare and/or cause to be prepared a docket or agenda on which there will be a definite statement or summary of all ordinances, resolutions, orders, reports, communications and other business to be considered at each meeting of the Town Council.

On the *third Monday* of a month, the Town Council may also meet for which a docket or agenda as described above shall also be prepared. This meeting shall include the agenda of the Town Council sitting as the Board of Water and Sewer Commissioners.

Town Councilors may also propose items for the agenda, but must do so to the Town Clerk and Town Administrator, at least five (5) days prior to the next meeting.

Should a Town Councilor object to an item that another Councilor has placed on the agenda a vote may be taken by the Council to determine if there should be discussion of the item. To prevent or inhibit discussion requires a minimum of a 4 to 1 vote in opposition to the item if a full Council is seated or 3 to 1 vote in opposition to the item if only 4 Councilors are seated. If less than 4 Councilors are seated, the Council should delay discussion of items that have provoked such controversy.

The Town Administrator shall place items on the agenda, which are the responses or plans of action for council initiatives, under Unfinished or Old Business. The Town Administrator shall propose new items or initiatives not previously discussed by the Council first by communicating them through his report and then, if the item warrants a Council vote, at a future Council meeting under Unfinished Business. This also applies to staff initiatives which should be presented or noted in either the Administrator's Report or a staff report first then at a subsequent meeting as Unfinished Business.

A citizen may seek to place an item on the agenda by putting the request in writing, where it will be placed under Communications. The Council will then vote whether to place the item on a future agenda. When a citizen appears in front of the Council under Open Forum, without any notice described on the agenda, and requests an item to be placed on the agenda, that request shall be transformed into a communication on the next agenda that can be voted on by the Council.

If possible Councilors, the Administrator and staff should note the policy initiative or goal or action plan described by the Council in their Goals and Objectives to which the agenda item is most closely aligned. This provides a clear connection between the goals and their successful fruition. If possible Councilors should note their authorship of any item they propose for New Business.

- 4.2 Memos for Town Council review or requests for action from any Board, Committee, or Commission of the Town or from any Department Head shall be listed under New or Unfinished business to be distinguished from simple correspondence or minutes. These items are subject to the deadlines described below.
- 4.3 Letter from constituents (*residents of Jamestown*) shall be the first items of correspondence included under the agenda heading of Correspondence, followed by requests for action from other communities in Rhode Island or state agencies or officials.

- 4.4 No ordinance, resolution, order, report, communication, and other business shall be considered as having been introduced unless notice has been filed with the Clerk, and said ordinance, resolution, order, report, communication or other business appears on the prepared docket. The Clerk shall cause a copy of the docket to be posted in accordance with the RIGL §42-46-6 governing the Open Meetings Act Requirements for meeting postings.

RULE 5

Order of Business for Regular Meetings

- 5.1 The Order of Business at each meeting shall be:
1. Call to Order;
 2. Roll Call;
 3. Town Council Sitting as the Board of Water and Sewer Commissioners
 4. Acknowledgements, Announcements and Resolutions;
 5. Public Hearings, Licenses and Permits
 6. Open Forum
 7. Administrator, Department, Solicitor Reports
 8. Unfinished Business
 9. New Business
 10. Ordinances and Appointments
 11. Consent Agenda
 12. Communications and Petitions
 13. Executive Session
 14. Adjournment.
- 5.2 Attached to the agenda (electronically through the town website and physically in the packets provided to the Town Council) are the support materials relevant to the particular items listed on the agenda or the items (license applications, proposed ordinances, minutes, communications) themselves. It shall be listed on the agenda that “attachments are available to view on our website at <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes>. It is recommended that the Town Council should not vote on any issue in New or Unfinished Business that may appear on the docket but lacks support information. Any and/or all agenda item(s) requiring or potentially requiring action by the Town Council should include, at the end of the listed item of business, the language “review and discussion and/or potential action and/or vote.” For agenda items that are continued or have additional and/or a larger volume of attachments, the language “for discussion documentation, please visit <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes>

RULE 6

Public Hearings

- 6.1 The public hearing portion of the agenda shall be conducted as follows. The Town Council President will invite the applicant or applicant's representative to give a brief explanation of the item for the benefit of the Council and the public. Members of the public may then be permitted to speak on the item until all who wish to speak have had an opportunity to do so. Members of the Council shall reserve their questions and comments until after the public has spoken. The Council President may allow brief, clarifying questions by the Council or brief discussion when such will be likely to expedite the business of the Council. After the public discussion is finished and the Council has had discussion, the Council President will close the public hearing. At this point, a motion is made for a decision to approve, deny or table the item.
- 6.2 The Council shall not enact any ordinance or resolution that shall in any way affect the Zoning Ordinance; the physical development plan of the Town; the existing and proposed location and arrangement of the uses of the land; transportation routes; plans of streets and revisions of such plans; public facilities; public utility systems; deteriorating or blighting neighborhoods planned for redevelopment, rehabilitation, or other improvement; natural resources and historic sites to be preserved; disaster survival proposals; and land subdivision plans, without first submitting any such ordinance or resolution to the Town Planning Commission for its recommendation. Nothing, however, shall be construed to restrict or prevent the Council from acting on any ordinance or resolution contrary to or in the absence of a recommendation of the Commission. The Council must further adhere to the relevant and applicable requirements of State law in implementing this Rule.
- 6.3 It is recommended that the Town Council should not grant any license or permit that lacks either the signature or affirmation by the clerk that the signature is forthcoming of any town official required to sign the application for license or permit.

Rule 7

Open Forum

- 7.1 Open Forum offers citizens the opportunity to clarify any item on the agenda, to address items not on the agenda or to comment on any communication or item listed on the consent agenda.

Persons who wish to be heard on the agenda shall present such requests in writing to the Town Clerk no later than five (5) days prior to the Council meeting for which they wish their request to be considered. In preparing the meeting agenda, a determination shall be made by the Town Clerk in conjunction with the Town Council President as to whether the request is an appropriate subject/topic for

inclusion on the final agenda. There will be a 10-minute time limit for such requests. Extensions will be granted at the discretion of the Council President. Other persons wishing to speak without prior arrangement will be given an opportunity to do so during the "Open Forum."

- 7.2 If the subject of a scheduled request to address is provided on the agenda, Town Councilors may respond to that subject. Otherwise, Town Councilors may only respond to citizens in open forum to provide information or schedule the subject for another meeting. Comments from the floor under "Open Forum" on any subject not within the purview of the Town Council should not be discussed extensively, but rather, should be considered for inclusion as an agenda item at a subsequent meeting.
- 7.3 Town Councilors may not use open forum to bring up items themselves. If a town councilor wishes to present a subject to the Council and community, it must be listed on the agenda under New Business.

Rule 8 Reports

- 8.1 The Town Administrator's report shall be in writing and submitted in advance of the Town Council meeting.
- 8.2 On a revolving schedule, at least once a year, each Department head will provide a written report for their department.

Rule 9 New and Unfinished Business

- 9.1 Each item tabled or postponed by the Council at any regular meeting shall appear on the agenda of the next succeeding regular meeting, or on a subsequent date set by the Council as unfinished business, until acted upon or removed from the agenda.
- 9.2 Citizens may speak at the discretion of the Council President or a majority of Councilors during New or Unfinished Business.

RULE 10 Appointments to Boards & Commissions

- 10.1 The Town Council will consider all requests for appointment and will continue to urge interested residents to obtain and complete the volunteer application available at the Clerk's Office (also available at the Library and town website at www.jamestownri.gov). Appointments of members to commissions, boards and committees shall be by a majority vote of the Council.

- 10.2 The Council will continue the practice of appointing the best qualified persons to boards, commissions and committees without regard to personal or political affiliations, except as may be otherwise required by State law. Once appointed to a board or commission, citizens shall conduct themselves in a manner respectful of fellow committee members and the public. Failure to do so may prompt the Council to remove the person who, by virtue of a majority vote of the other committee members, is alleged to have violated decorum and propriety appropriate for committees and boards in Jamestown. Committees shall be conducted in accordance with the Open Meetings Act and all other relevant legal and procedural requirements.
- 10.3 The chairperson of each individual board, commission or committee shall keep a record of the terms of its members, as provided by the Town Clerk, and shall notify the Clerk within 45 days prior to the expiration of any member's term. Said notification shall include meeting location and schedule for that board, commission or committee.
- 10.4 The Town Clerk will announce upcoming vacancies for 30 days prior to the term expiration dates, or date set for filling vacancies.
- 10.5 The Town Clerk will communicate with individuals whose terms will be expiring by letter to determine if the person wishes to be reappointed, if applicable. The Town Clerk will also request a two-year attendance record from the Chair of the applicable board, commission or committee.
- 10.6 Application for the vacancy shall be by letter from the applicant to the Town Clerk's office stating qualifications of the applicant. Persons wishing to be reappointed shall follow the same procedure.
- 10.7 The Council Members shall make nominations from the files of applicants provided by the Town Clerk.
- 10.8 Individuals seeking appointment or reappointment must be qualified electors of the Town of Jamestown and residents of the Town of Jamestown.
- 10.9 In the event a special advisory committee is formed, a written charge will be given to the committee by the President of the Town Council. The Town Council shall have the authority to discharge the committee or to recall the committee as necessary.

RULE 11

Consent Agenda

- 11.1 Consent Agenda. In order to expedite the public business and provide additional time for deliberation by the Town Council on matters requiring such deliberation, Consent Agenda items are those items of business that are of a routine and non-controversial nature.
- 11.2 If the Town Council President, Town Administrator or Town Clerk determines that any item of business which requires action by the Town Council is of a routine and non-controversial nature, they shall cause it to be presented at a regular meeting of the Council as part of the Consent Agenda.
- 11.3 Upon objection by any member of the Council to inclusion of any item on the Consent Agenda, that item shall be removed from the Consent Agenda forthwith. Such objection may be recorded at any time prior to the taking of a vote on the motion to approve the Consent Agenda. Any item removed from the Consent Agenda shall be considered at the conclusion of the Consent Agenda to take the necessary action required.
- 11.4 The Consent Agenda shall be introduced by a motion "To approve the following listed items as the Consent Agenda" and shall be considered by the Council as a single item. There shall be a roll call vote after this motion.
- 11.5 There shall be no debate or discussion by any member of the Council regarding any item on the Consent Agenda beyond correcting typographical errors or asking questions for simple clarification.
- 11.6 Approval of the motion to approve the Consent Agenda shall be fully equivalent to approval, adoption or enactment of each motion, resolution or other item of business thereon exactly as if it had been acted upon separately.

RULE 12

Parliamentary Law

- 12.1 If there are any parliamentary practices, procedures, customs and rules not covered within these rules, the current edition of Robert's Rules of Order, Newly Revised, shall govern where it does not conflict with the applicable State or Town laws, ordinances, or the Home Rule Charter.

Rule 13

Participation in Discussion

- 13.1 The heads of Departments or Divisions thereof and members of Boards and Commissions, in matters relating to the functions of their offices, and any other elected officials, shall have the right to appear before the Council for the purposes of expressing their views on matters pending before it. Any citizen or group of citizens shall have the right to petition the Council with regard to any matter within the jurisdiction of the Council, setting forth specifically the purpose of the petition and relief desired. The press shall be allowed on the floor of the Town Council chambers.
- 13.2 With the objective of facilitating prompt attention to Council Member concerns, any member of the Town Council who knows in advance of a meeting that the member wishes to obtain certain data, or have a question or questions answered, or wishes specific figures or expenditures, or budget balances, etc., should, insofar as possible, inform the Administrator in writing of the nature of the inquiry so that the Administrator will have the opportunity to have the answer available at such meeting.
- 13.3 The Town Council requests that members of the public follow a similar procedure wherever possible.
- 13.4 The Town Administrator shall submit reports to members of the Town Council in advance of a Town Council meeting.

RULE 14

Motions

- 14.1 When a motion is made and seconded it shall be stated by the Town Council President.
- 14.2 No motion shall be debated until it is seconded. Any motion may be withdrawn by the mover at any time before the taking of a vote thereon or before an amendment is made to such motion.

RULE 15

Motions of Precedence

- 15.1 When a question is before the Town Council, no motion shall be received, except to:
 1. Fix the time at which to adjourn;
 2. Adjourn;
 3. Take a recess;
 4. Raise a question of privilege;
 5. Call for the orders of the day;
 6. Lay on the table;

7. Previous question;
8. Limit or extend the limits of debate;
9. Postpone to a certain time;
10. Commit or refer;
11. Amend;
12. Postpone indefinitely;
13. Main motion

The last motion on the list ranks lowest and the first on the list ranks highest. When any of the above motions are immediately pending, the motions before it on the said list shall be acted on first, and the ones below shall be acted on in order. Motion #s 13, 12, 11, 10, and 9 are debatable. Motion #s 13, 11, 10, 9, 8, 3 and 1 are amendable. Motion #s 13, 11, 10, 9, 7 and 1 are subject to reconsideration.

RULE 16

Actions of Members of the Town Council

- 16.1 Any Council member wishing to speak shall address the President, and after the right to speak has been recognized, the member shall not be interrupted while speaking except by a call to order, or for the correction of a mistake, or yield to a member. The member shall confine remarks to the question under debate and refrain from personal comments. *No member shall speak more than once on the same question until all members desiring to speak thereon shall have done so.* There shall be no conversation among members while another member is speaking or while anyone else is speaking, while a roll call is being taken, while a paper is being read or while the President is stating a question.
- 16.2 The affirmative roll call vote of three (3) Council members shall be necessary for the passage of any ordinance. The vote upon any matter shall, upon the request of two Council members, be taken by roll call which shall be called for by the President. The “yeas” and “nays” of the Council members shall be called for individually by the Town Council President or presiding officer, in the event of a conflict, and shall be recorded on the records of the Town Council by the Clerk. After a roll call vote has been ordered, said roll call shall not be interrupted, delayed or stopped by the President or any member of the Council for any reason whatsoever, including points of order, personal privilege or for a member to explain his or her vote. After the roll call and before the President announces the result, any member may change his or her vote. All roll calls shall be taken alphabetically, except that the name of the President of the Council shall be called last. In case of a tie vote, the motion is not carried or passed. A member may explain the vote only with the consent of the Council.

- 16.3 After the result of a vote is announced, a motion to reconsider is in order. A member who voted with the prevailing side must make the motion. Any member may second the motion. No ordinance, resolution, question or vote can be twice reconsidered.
- 16.4 Any member who realizes or anticipates a conflict of interest with respect to a matter before the Town Council for consideration should announce the intent to recuse themselves and to abstain from voting on the matter as soon as the conflict becomes apparent, and should thereafter refrain from further discussion of the matter.
- 16.5 Any member who believes they lack the information to make a proper vote may abstain from voting.

These rules and procedures shall take effect upon passage. The foregoing rules shall not be altered, amended, suspended or repealed at any time, except by a vote of the majority of the whole number of members elected to the Town Council.

Adopted by the Jamestown Town Council at a meeting held February 4, 2013

Attest: _____
Cheryl A. Fernstrom, CMC, Town Clerk

Revised and Adopted by the Jamestown Town Council at a meeting held March 22, 2016

Attest: _____
Cheryl A. Fernstrom, CMC, Town Clerk

Revised and Adopted by the Jamestown Town Council at a meeting held March 20, 2017

Attest: _____
Cheryl A. Fernstrom, CMC, Town Clerk

Adopted by the Jamestown Town Council at a meeting held December 7, 2020

Attest: _____
Erin F. Liese, CMC, Town Clerk

Adopted by the Jamestown Town Council at a meeting held January 23, 2023

Attest: Roberta J. Fagan
Roberta J. Fagan, Town Clerk