

The Office of
SUSAN ALIBOZEK
City Clerk



AMSTERDAM, NY
SMALL CITY. BIG HEART.



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TO: Common Council

FROM: Susan Alibozek
City Clerk

DATE: March 21, 2012

Alderwoman DeRossi has called a meeting of the Rules of Procedure Committee for **Monday, March 26, 2012 at 7:00 p.m.**

Items for discussion:

1. Draft Rules of Order (attached)
2. Any other business to come before the committee

Cc: Media
Departments

DRAFT RULES rev 1.1, 3-6-12

To be codified as Chapter 15 Common Council Rules

Purpose: The purpose of this chapter is to establish rules regulating the proceedings of the Common Council.

Meetings

MEETING TIMES - The regular meetings of the Common Council shall be held in the Common Council Chambers on the first and third Tuesdays of each month. The meeting shall begin at seven thirty in the evening, unless altered by prior resolution~~otherwise ordered~~.

SPECIAL COUNCIL MEETINGS - Special meetings of the Common Council may be held on the call of the Mayor or the call of two or more Council members. Notice to the Council members of the Special Meeting must be in writing, in the form of a copy of the agenda and contain the text of all resolutions. Notice of the meeting may be either personally delivered, sent by first class mail posted five days prior to the meeting date to the Council members' place of residence, or by electronic mail to the designated electronic mail address of the council member and must advise the Council members of the items purpose of the Special Meeting. In addition, the City Clerk shall, on the day before the Special Meeting, contact the members of the Council by telephone or facsimile. (Rules of Order, amended by Resolution #95/96-198 and introduced on March 5, 1996, passed unanimously on March 19, 1996.)—No resolutions, ordinances or local laws other than those listed in the notice may be acted upon, except by unanimous consent of all five council members.

QUORUM - The authorized number of Common Council members is five (5). A majority of the authorized number (three) makes up a quorum of the Common Council. No action of the Common Council shall be valid unless adopted by the affirmative vote of the majority of the authorized number of Common Council members. For example, if three Common Council members are present at a meeting, the quorum requirement is met. However, in order for a resolution, ordinance or local law to pass, all three Common Council members would have to vote in the affirmative. (See City Charter, Section C-28(c) and General Construction Law, Section 41,~~added by Resolution #00/01-200, dated March 6, 2001.~~)

DEFAULT RULES OF ORDER – The conduct of meetings shall be governed by the current edition of Roberts' Rules of Order unless specifically superseded by a provision of this chapter, the City Charter or State Law shall govern the proceedings of the Common Council in all cases not provided for by this the Council's rules.

AMENDMENT OF RULES - No rule in this chapter shall be altered, suspended nor rescinded unless by a majority vote of all the elected Common Council members. No motion to alter, suspend or rescind any Common Council rule shall be in order without the unanimous consent of the Common Council, unless notice of such alteration, suspension or rescission shall have been given at a previous, regular Common Council meeting. No motion to suspend shall embrace more than one rule nor relate to any other subject than the one specified in the motion.

CONDUCT OF MEETING

CHAIRPERSON – The chairperson of the Common Council shall be the mayor or in the absence of the mayor the deputy mayor.

RECOGNITION BY CHAIR - No Council Member rising to debate to make a motion or report, or to present a petition or any other paper, shall proceed until that member has been recognized by the Chairperson to do so.~~addressed the Mayor and has been recognized.~~

NO SECOND REQUIRED - ~~After a motion is made, it shall be deemed to be in the possession of the Common Council and proceeded with the same as all other matters;~~ No motion shall require a second, except a motion to amend, or a motion that requires a two thirds vote such as a motion to call the previous question.

READING OF RESOLUTIONS – The clerk shall only read the title of each resolution, local law, or ordinance. Upon the reading of the title of an item on the adopted agenda, the matter is before the common council for consideration and is deemed to have been moved by the sponsors. Prior to a vote on any motion for an amendment the clerk ~~shall will~~ read the entire proposed amendment.

RECORDING VOTE - The ayes and nays shall be recorded on all matters coming before the Common Council upon which a vote is taken.

DIVISION OF QUESTION - Any Common Council Member may require a division of a question which contains two or more distinct propositions, such division to be made by the Chairperson ~~Mayor~~.

RECONSIDERATION - No motion for a reconsideration of any vote shall be in order, unless made by a Common Council Member who voted with the majority. A motion for reconsideration must be made at the same or the next regular Common Council meeting after a vote on the matter to be reconsidered. A motion for reconsideration, being put to a vote and defeated, shall not be renewed nor reconsidered, except by unanimous consent.

PUBLIC PARTICIPATION - During the regular meetings of the Common Council, time shall be permitted for citizen participation with the following limitations:

Any person may speak on any topic, whatsoever, within the bounds of propriety, as determined by the Chairperson.

The person shall speak no longer than five (5) minutes.

Any response by a person recognized by the Chairperson ~~by a member of the Common Council~~ shall not exceed three (3) minutes.

SERGEANT-AT-ARMS -The Chief of Police (or in his absence, the Deputy Chief of Police) shall be the sergeant-at-arms of the Common Council and, in that capacity, shall attend all meetings when not otherwise engaged in official duties and, when directed by the Common council, shall compel the attendance of absent Council Members.

ORDER OF BUSINESS -

After calling the meeting to order, the Order of Business shall be as follows:

- | | |
|----------|---|
| First: | Call to Order |
| Second: | Salute to the Flag |
| Third: | Roll Call |
| Fourth: | Adoption of Agenda |
| Fifth: | Proclamations |
| Sixth: | Public Participation |
| Seventh: | Communications |
| Eighth: | Old Business |
| | a) Tabled Resolutions, Ordinances &
Local Laws |
| Ninth: | New Business |
| | a) Resolutions |
| | b) Ordinances |
| | c) Local Laws |
| | d) Introduction of Ordinances |
| | e) Introduction of Local Laws |
| | f) Committee Reports |
| | g) Other |

Tenth: Executive session(if required)
Eleventh: Adjournment

RESOLUTIONS, ORDINANCES AND LOCAL LAWS

Requests to place a resolution, ordinance, local law or other matter on the agenda shall only be sponsored by the Mayor, Aldermen or the Controller. Such a request must be made to the City Clerk, who is ex-officio clerk of the Common Council, on or before Noon of the Wednesday preceding the regularly scheduled meeting. All requests must list the name of an appropriate sponsor and be on a form promulgated by the City Clerk for that purpose.

Requests shall contain all information necessary to draft a resolution, ordinance or local law, including a financial impact assessment.

All requests seeking authorization of contracts will include a complete copy of the contract.

All requests committing the expenditure of funds will list the source of such funds including applicable budget lines and remaining balances.

All requests to seeking budget modifications shall include all budget lines and amounts necessary to draft the resolution. Such requests shall be reviewed by the Controller for accuracy and completeness prior to submission to the clerk.

Requests that require extensive drafting or research, are incomplete or late may be included in the agenda as time and information permit.

If the sponsor desires that the request be submitted to a committee prior to inclusion on a regular meeting agenda the sponsor shall indicate this in the request.

The City Clerk shall assemble the agenda and forward same electronically in editable form with supporting documentation to the Corporation Counsel on or before 4:00PM on the Wednesday preceding the meeting.

The Corporation Counsel shall review the agenda and associated resolutions, ordinances and local laws and return same to the City Clerk by Noon on the Friday preceding the meeting.

The City Clerk shall then publish the agenda to the Council members, department heads and the press no later than 3:00PM on said Friday.

No additional resolutions may be added to the agenda, thereafter, without four-fifths consent of the members present at the Common Council meeting.

MANDATORY REFERRAL TO COMMITTEE - Requests specified below require a mandatory referral to committee, and shall be forwarded to the appropriate committee chairman. The City Clerk will schedule a committee meeting within two weeks of the submission of the request.

Requests that only involve budget modifications that do not alter staffing levels shall not require a mandatory referral. A request designated by the Mayor as a time sensitive matter shall not require a mandatory referral.

All petitions, applications, ordinances or resolutions concerning paving, grading, extensions to the sewer system or water system, or other matters relative to the Department of Public Works, shall be referred to the Committee on Public Works, and that committee shall, with their report, transmit to the Common Council a written statement from the Director of Public Works or a Consulting Engineer describing the matter, explaining the need for the project, and listing expected costs and benefits.

All petitions, applications, ordinances or resolutions concerning the Police Department, Fire Department, or any matter relative to Public Safety, shall be referred to the Committee on Public Safety, and that committee shall, with their report, transmit to the Common Council a written statement from the department head of the relevant department describing the matter, explaining the need for the project, and listing expected costs and benefits.

REQUESTS THAT REQUIRE SPECIAL PRELIMINARY CONDITIONS

All petitions and applications for new electric lights or changes in locations of electric lights shall, when filed with the City Clerk or presented to the Common Council, be referred to the Chief of Police, who shall report his recommendations to the Common Council for action. No resolution to approve a new electric light shall be placed on the agenda without a petition signed

by ten residents from the affected area and a letter from the Chief of Police recommending the additional lighting. A request for additional lighting initiated by the Chief of Police for the purpose of enhancing public safety shall not require a petition.

NUMBERING OF RESOLUTIONS - All resolutions will be consecutively numbered from January 1, 1991 to June 30, 1991, and from July 1, 1991, onward resolutions will be numbered consecutively, each fiscal year, from July 1, to June 30, with the first resolution of the new fiscal year bearing the number one (1), prefixed by the fiscal year (example #91/92-1).

NUMBERING OF ORDINANCES AND LOCAL LAWS – Local Laws and Ordinances shall be assigned a numerical designation indicating the year and the sequential number of the enacted law or ordinance. The Clerk shall number local laws and ordinances prior to enactment with a consecutively assigned letter, as received, this shall serve as an introductory identifier.

ENACTED LOCAL LAWS AND ORDINANCES - The City Clerk shall file, in the Clerk's office, every local law upon its enactment and all local laws subject to mandatory referendum or referendum on petition. The City Clerk shall, within three (3) days after a local law takes effect, file three (3) certified copies of the local law in the office of the Secretary of State. The City Clerk shall cause to be published all enacted ordinances as required by the City Charter.

FORMAT OF AMENDMENTS - Resolutions, ordinances or local laws that amend the city code or charter shall show the complete section that is to be amended and shall indicate the items to be added as underlined and the items to be deleted as struck through.

COMMITTEES

The Common Council at its organizational meeting shall form Standing and Special Committees. The Common Council, by majority vote, shall appoint and remove Council Members to the committees, from time to time, as the Common Council shall deem necessary. The names of the Common Council Members of appointed to a committee together with its Chairperson, shall be designated in the appointment resolution.

Standing Committees shall be as follows and shall be assigned the described areas of responsibility:

Audit;

Bus Transportation

Public Works;

Public Safety;

Water/Sewer;

Solid Waste;

Housing and Code Enforcement;

Rules and Procedures;

Finance;

Insurance;

Intergovernmental;

Recreation.

ACTION BY COMMITTEE - All committees, to whom any petition, resolution, ordinance, or other matter is referred, shall submit a written report at the next regular Common Council meeting, after such referral. The presiding officer, at the next regular Common Council meeting, shall call upon such committees for their reports. The committees, upon making their reports, shall return the petition, or other matter, so referred. A committee neglecting or refusing to report, for two successive, regular Common Council meetings, on matters that may be referred to it, shall be discharged from the further consideration of the matter at the request of any three members of the Common Council and the matter shall be referred to the Committee of the Whole. The Committee of the Whole may be ordered by a vote of the Common Council. The committee meetings shall be recorded and minutes prepared if required by the committee chairman.

LIAISONS TO VARIOUS BOARDS -The Common Council shall, by resolution, appoint and remove Council Members as liaison to the following boards, authorities or commissions:

Amsterdam Housing Authority;
Amsterdam Industrial Development Agency;
Urban Renewal Agency;
Veterans Commission.

TRAINING REQUIREMENTS – The training requirement of C-9 of the City Charter for elected officials can be satisfied by any training program presented by the New York Conference of Mayors or in the alternative any program closely related to the duties of the elected official, such programs are to be pre-approved by the Controller.

Note: The definitions of scope of the various committees should be added.