

RESOLUTION NO. 06-07-2023-A

A RESOLUTION AMENDING RULES OF ORDER GOVERNING THE PAYSON CITY COUNCIL MEETINGS, PURSUANT TO PAYSON CITY CODE 2.08.130.

WHEREAS, Payson City Code 2.08.130 authorizes the City Council to determine its own rules of procedure for the proper conduct of its meetings; and

WHEREAS, the purpose of the Rules of Order is to promote order, courtesy and a respectful atmosphere in all public meetings.

NOW THEREFORE, BE IT RESOLVED BY THE PAYSON CITY COUNCIL, hereby adopts the Rules of Order governing Payson City Council Meetings, pursuant to Payson City Code 2.08.130.

This Resolution shall take effect immediately upon its passage by the Payson City Council adopted in a public meeting.

Passed by the Payson City Council this 7th day of June, 2023.

Attest:


William R. Wright, Mayor


Kim E. Holindrake, City Recorder



PAYSON CITY COUNCIL RULES OF ORDER AND PROCEDURES

Pursuant to the requirement of UCA 10-3-606 that “a municipal legislative body shall adopt rules of order and procedure to govern a public meeting”, the Payson City Council hereby adopts the following rules to govern the meetings of the City Council.

PURPOSE

The purpose of these Rules of Order and Procedures is to promote order, courtesy, and a respectful atmosphere in all public meetings with the expectation to encourage a free discussion of issues affecting the governance of the community. To that end, the following are accepted as procedural rules for public meetings.

BASIC GUIDELINES

Procedures:

1. The presiding officer shall preserve order and enforce the rules of order and procedures. The City Manager is also responsible for the orderly conduct and decorum of all city employees.
2. Any member wishing to speak must be recognized by the presiding officer. The presiding officer has discretionary powers in recognizing members.
3. Only one person may speak at a time.
4. The proponent of a motion, following a second to the motion, is called on as first to speak on any debate on the motion.
5. Lack of a “second” to a motion renders the motion invalid and defeated.
6. A member opposed to the motion should be given an opportunity to speak following the proponent.
7. A member who has not engaged in debate should be recognized ahead of a member who has already spoken.
8. The presiding officer has the right to refuse to recognize a member whose sole purpose is to obstruct the transaction of business.

Rules:

1. Rules are intended to facilitate action.
2. Majority rules. Final authority is vested in the majority of members present.
3. The minority must be heard. A minority member’s rights should be recognized and respected, which include the right to enter discussion and the right to speak in opposition.
4. Every proposition is entitled to full and free discussion.
5. Every member has the basic right to express an opinion fully and freely if the member abides by the rules of debate and is proper in conduct.

Item Outline:

1. The presiding officer announces the item.
2. Staff presents and explains the item.
3. The applicant presents information regarding the item, if needed.
4. The members discuss the item.
5. The presiding officer calls for a motion on the item.
6. A second is required on the motion to move forward. Otherwise, the motion fails.

7. Further discussion/debate, if needed.
8. The presiding officer calls for the vote. Members state “yes” if in favor, “no” if opposed, and “abstain” if declining to vote.

RULES OF DEBATE

Right to Speak:

1. Members’ remarks must pertain to the immediate pending question. If the remarks are not germane to the question, the presiding officer may interrupt the speaker and insist that the member confine remarks to the immediate question.
2. Remarks must be kept free of personal reference. The motion being considered is the subject to debate, not the member who proposed it.
3. Remarks must avoid personal invective. Insulting, abusive, or offensive language is sufficient cause for the presiding officer to suspend the member’s right to speak.
4. The right to speak is subject to any time limitation imposed on debate.

Debate:

1. “Suspension of the Rules” – This considers something out of the scheduled order and requires a 2/3 majority vote.
2. “Point of Order” – Appropriate as a request for enforcement of the rules of debate.
3. “Point of Privilege” - This provides an interruption to deal with an emergency such as noise, room temperature, etc. The presiding officer decides.
4. “Call for the Question” – This is not debatable and is only to cut off debate.
5. Debate is not permitted on a motion to adjourn, table, or to move the previous question.
6. Debate is not permitted on a motion to fix a time to which the meeting will adjourn.

Facilitation:

1. When apparent debate is over, i.e., no one is requesting privilege to speak, the presiding officer may bring the matter to immediate vote by saying, “Hearing no further debate, those in favor say “yes” and those opposed say “no”.
2. Clarify the options before the group.
3. Once a motion has been moved and seconded, only one amendment to the motion may be entertained. The proponent and seconder must accept the amendment.

MOTIONS

When debating motions, listen to the other side, focus on issues not personalities, avoid questioning motives, and be polite.

Types of Motion:

Type	State	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote
Introduce business (main motion)	“I move to...”	No	Yes	Yes	Yes	Majority
Amend motion	“I move to amend the motion by...”	No	Yes	Yes	Yes	Majority
Adjourn	“I move to adjourn”	No	Yes	No	No	Majority

Recess	"I move to recess until..."	No	Yes	No	Yes	Majority
Table/Suspend further consideration	"I move to table..."	No	Yes	No	No	Majority
Close debate	"I move to call for the question (vote)"	No	Yes	No	No	2/3
Postpone consideration	"I move to postpone the question until..." (date)	No	Yes	Yes	Yes	Majority
Remand	"I move to remand the question back to staff."	No	Yes	Yes	Yes	Majority
Complaint (noise, room temp, etc.)	"Point of privilege"	Yes	No	No	No	Presiding Officer
<i>When any of the above motions are pending, another of the same may be introduced, but a motion in the table below may not be introduced.</i>						

Type	State	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote
Rearrange Agenda (meet unique circumstances)	"I move to suspend the agenda by..."	No	Yes	Yes	Yes	Majority
Request information	"Point of information"	Yes	No	No	No	None
Order/Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Presiding Officer decides
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Before new motion	No	No	No	None
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider disposed of item	"I move to reconsider action relative to..."	Yes	Yes	If original motion was	No	Majority
Withdraw motion	"I move to withdraw the motion."	Yes	Yes	No	No	Majority
Vote on a ruling by the presiding officer	"I appeal the presiding officer's decision"	Yes	Yes	Yes	No	Majority
<i>Any of the above motions, points, and proposals may be introduced at any time except when a motion to adjourn, recess, or point of privilege are considered.</i>						

Consideration of Motion:

1. Members can debate debatable motions.
2. Before speaking in debate, members obtain the floor.

3. The proponent of the motion has first right to the floor if claimed properly.
4. Debate must be confined to the merits of the motion.
5. Debate can be closed only by order of the assembly (2/3 vote) or by the presiding officer if no one seeks the floor for further debate.

Processing Main Motions and Vote:

1. A member addresses and is recognized by the presiding officer.
2. The member states the motion, "I move to approve/accept the _____."
3. Another member, without recognition, seconds the motion, "Second."
4. The presiding officer recognizes a motion has been made and seconded and places it before the members for discussion. "I have a motion by Councilmember _____ and seconded by Councilmember _____. Is there any discussion?"
5. Members have the right to be recognized and debate the motion. During debate, subsidiary motions (amendments or postponement) may be introduced to help the members perfect the motion and make a final decision.
6. When discussion is finished, the presiding officer puts the question to a vote. "Hearing no further debate, I'll call for a vote."
 - a. Unanimous consent – "Those in favor say yes." (pause) "Those opposed say no." (pause)
 - b. Roll call – "Councilmember _____." (pause) Councilmember _____." (pause)
7. The presiding officer announces the results of the vote. "There are five yes votes, the motion carries." "There are three yes votes and two no votes, the motion carries." There are two yes votes and three no votes, the motion fails.

MOTION EXAMPLES

Main Motion:

1. After recognition, make a main motion.
2. "I move to/that _____."

Amending a Motion:

1. To change some of the wording in the main motion.
 - a. After recognition, "I move that the motion be amended by adding the following words/language _____."
 - b. After recognition, "I move that the motion be amended by striking the words/language _____."
 - c. After recognition, "I move that the motion be amended by striking the words/language _____ and adding the following words/language _____."

Remand the Question (Item):

1. An item or proposal needs more study and investigation.
2. After recognition, "I move that the question be remanded back to staff for further study and investigation."

Postpone Definitely:

1. If more time is needed to consider the question, postpone it to a definite time and/or day.
2. After recognition, "I move to postpone the question until _____."

End Debate (Previous Question):

1. If the discussion has gone on too long, ask for a vote.
2. After recognition, "I move the previous question."

Limit Debate:

1. Discussion is getting long, but a reasonable length of time should be given to members to consider the question.
2. After recognition, "I move to limit discussion to two minutes per member."

Postpone Indefinitely:

1. To kill a motion being discussed or learn who is for or against the motion.
2. After recognition, "I move to postpone the question indefinitely."

Recess:

1. To take a break.
2. After recognition, "I move to recess for _____ minutes."

Adjournment:

1. To end the meeting.
2. After recognition, "I move to adjourn."

Withdraw a Motion:

1. Following a motion and during discussion, the proponent of the motion decides to withdraw the motion.
2. After recognition, "I move to withdraw my motion."

Call for Orders of the Day

1. The presiding officer is not following the agenda.
2. Without recognition, "I call for orders of the day."

Suspending the Rules:

1. During the meeting it becomes obvious that an item needs to be addressed sooner.
2. After recognition, "I move to suspend the rules and move item 5 to position 2."

Point of Personal Privilege:

1. The noise outside the meeting has become so great that it is difficult to hear.
2. Without recognition, "Point of personal privilege."
3. Presiding Officer: "State your point."
4. Member: "There is too much noise, I can't hear."
5. The issue is resolved before moving forward.

Point of Order:

1. The proper rules are not being followed.
2. Without recognition, "Point of order."

Point of Information:

1. A member has confusion about some of the rules.
2. Without recognition, "Point of inquiry."

Consent Agenda:

1. Items listed on the consent agenda do not need discussion. After recognition, “I move to approve the consent agenda.”
2. An item on the consent agenda needs to be discussed. After recognition, “I move that item 2 be moved to the action items for discussion and approve the remaining items on the consent agenda.”