

TOWN OF EAST GREENWICH
TOWN COUNCIL
RULES AND GUIDELINES

The following Rules are hereby adopted as the Rules and Guidelines of the Town Council for the ensuing term 2017-2019 pursuant to the ~~United States Constitution, the~~ General Laws of the State of Rhode Island and the Town of East Greenwich Home Rule Charter. As set forth herein at Rule 17, below, these Rules and Guidelines are to be reviewed biannually.

RULE 1. PRESIDENT AND VICE PRESIDENT

(a) The President of the Town Council and in his/ her absence, the Vice President of the Town Council, shall preside over all regular and special meetings of the Town Council. In case of the absence of both the President and the Vice President, or the inability of both of them to discharge the duties of the office of President, or Vice President, the Town Council shall, ~~with the senior member in point of service presiding,~~ elect one of its other members to perform such duties during the absence or disability of both President and Vice President.

(b) The President and Vice President shall be sworn to their respective offices at its first meeting in the month ~~following the general municipal election of officers, of January next following a regular municipal election,~~ or as soon thereafter as possible.

RULE 2. REGULAR MEETINGS

(a) The Town Council shall hold regular meetings of the Town Council at seven (7:00) o'clock p.m. on the first and third Mondays in each month.

(b) All meetings of the Town Council shall be open to the public; but the Town Council may authorize an executive session, which shall comply with the Rhode Island Open Meetings Act. Council and staff members shall keep matters discussed in executive session confidential.

(c) If any regular meeting day shall fall on a legal holiday, the meeting shall be held on the day following or a day certain determined by the President after polling members.

(d) In case of emergency, including but not limited to inclement weather, the President of the Town Council, on the day of a regular meeting, as soon as possible in his/ her discretion, may cancel the meeting and shall reschedule the meeting to a date certain in compliance with Rhode Island Open Meeting Law. The Town Clerk shall post notice of the cancellation and rescheduling.

RULE 3. SPECIAL MEETINGS

(a) Special meetings of the Town Council shall be called by the Town Clerk in accordance with § C-63 (B) of the Charter.

Reviewed – October ~~22~~, 2017

(b) At any special meetings called by the Town Council through the Town Clerk, the first order of business shall be the special business for which such meeting is called and no other business shall be acted upon.

RULE 4. AGENDA

(a) The Town Manager, ~~Town Solicitor~~, and Town Clerk shall prepare a draft of the Town Council agenda in a timely fashion. The President, or in his/her absence, the Vice President shall provide final review and approval of the agenda. Any two (2) members of the Town Council may add items to the agenda by providing timely notice to the Town ~~Manager, Town Solicitor, and Town Clerk.~~ Manager. The agenda shall be sent to the Town Solicitor and reviewed for Rhode Island Open Meetings Act and other legal compliance issues prior to being posted.

(b) An opportunity will be provided in each regular meeting to allow for Public Comment and will be placed on the agenda for each regular meeting. This time will be limited to no more than thirty (30) minutes. Those wishing to comment will use a sign-in sheet available at the start of the meeting. When appropriate to an agenda item, the presiding officer may allow Public Comment on an item.

(c) In accordance with the Rhode Island Open Meeting Act, any item not on the agenda for which a collective discussion will take place may be added to the agenda for discussion only by an affirmative vote of the Council. [Reference: RIGL § 42-46-6.]

RULE 5. CALL TO ORDER, QUORUM, DECORUM

(a) The President shall take the chair at the hour designated for the meeting of the Town Council and shall promptly call the members to order.

(b) A majority of all members of the Town Council shall constitute a quorum. ~~A lesser number of members of the Town Council than a quorum may adjourn from time to time and compel the attendance of absent members.~~

~~(c) On request of the Town Manager, the Town Solicitor, or a majority of the members of the Town Council, a department head or any employee of the Town of East Greenwich shall appear before the Town Council to answer questions of members and/or explain any matter.~~

~~(c)(d)~~ The President shall preserve decorum and order; he/ she shall decide all questions of any points of order, subject to an immediate appeal to the Town Council by any member present. No other business shall be in order until the question on appeal shall have been decided by a majority of the members present. He/ she may speak on points of order, in preference to other members and may speak on general questions as other members, ~~but he/ she shall take the floor to do so.~~ The President shall enforce order and decorum among persons and any person addressing the Town Council. The Council shall follow Roberts Rules of Order when addressing matters of parliamentary procedure, not otherwise covered by these Rules.

RULE 6. VOTING

- (a) The President of the Town Council shall clearly and succinctly state every question before the Town Council as a whole.
- (b) The Town Clerk, if so requested by any member, shall present motions made at any session in written form.
- (c) Items on the Consent Calendar of the agenda may be voted on by a single motion, however, items may be removed for separate action by the request of any Council member.

~~(bd) In case of a tie vote, the motion is not carried or passed. A motion to reconsider a vote shall only be made by a member on the prevailing side and may be seconded by any member. Adoption of the reconsideration shall be by a simple majority vote on the motion to reconsider. No motion shall be discussed or debated until it has been seconded. Any member may explain his/ her vote during the discussion or debate of any motion or question pending. 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 a motion.~~

RULE 7. DISCUSSION AND DEBATE

At any meeting of the Town Council, any member desiring to speak, shall address the President, and after his/ her right to speak has been recognized, he/ she shall not be interrupted while speaking, except by a call to order, or to yield to another member. He/ she shall confine his/ her remarks to the question under discussion or debate, ~~and shall avoid personalities.~~ No member shall speak more than once on the same question, until all other members desiring to speak thereon shall have done so, ~~and in no event, shall a member speak more than twice on any question.~~ There shall be no conversation among members while a member is speaking, while a vote is being taken, while any paper is being read or while a question or motion is being stated by the President.

RULE 8. ~~PERSONAL OPINION OR EXPRESSION~~

~~At any meeting of the Town Council, any member desiring to speak on a matter of personal opinion regarding an item not appearing on the docket, shall address the President, and request a point of personal opinion or expression. After his/ her right has been recognized, he/ she shall speak no longer than five minutes. No member shall speak more than once on a point of personal opinion or expression at any meeting of the Town Council. The order of business under Rule 9 (Reconsideration) shall prevail over any request of personal opinion or expression.~~

RULE ~~9~~8. RECONSIDERATION

When a vote has been passed, it shall be in order for any member voting with the prevailing side to move a reconsideration thereof, in accordance with the provisions of these

rules, at the same meeting. The same ordinance, resolution, paper or vote shall come but once before the Town Council for reconsideration. A motion for reconsideration may be seconded by any member and must be voted upon in the same meeting in which it was made.

RULE ~~409~~. FINANCIAL REPORTS

The Finance Director shall present financial reports on a quarterly basis by the second Council Meeting of the month following the fiscal quarter end. The financial reports will include a comparison of unaudited actual amounts to the annual budget and an explanation of significant dollar value variances.

RULE ~~410~~. COMMUNICATIONS

- (a) Non-confidential mail or written communications received by Council members related to Town business or issues may be forwarded to the Town Manager's office for copying and/or e-mail distribution to the entire Council, upon request by said Council member.
- (b) E-mail messages will be utilized to keep all Council members updated on issues or matters of interest.
- (c) As Council members are made aware of problems or concerns within the Town, the Council member may notify the Town Manager or Chief of Staff either by e-mail or telephone so the matter may be addressed promptly.
- (d) Messages and information posted to the Town website or press releases distributed to the media will require Council approval and a vote, provided said communications are ascribed to the "Town Council". All town-wide mailings shall require Council approval and a vote on the substance of the communication prior to its issuance. This does not preclude emergency messages and information from being distributed through, or posted to, any Town website or email distribution list without Council approval if the circumstances of the emergency so require.
- (e) Messages from individual Council members shall not be posted to the Town's website, without having first been voted on by the Town Council.

RULE ~~421~~. BOARDS, COMMISSIONS AND STUDY COMMISSIONS

- (a) The Council will only consider applicants for appointment to boards, commissions or study commissions if they have a letter of interest (mail or electronic) on file stating their qualifications.

RULE 13. STUDY COMMISSIONS

- (ab) A study commission as used herein is defined as a group formed and tasked by the Town Council with a specific, limited purpose, and from which the Council seeks advice or requests a report, for further action by the Council.

(c) The Town Council may create a study commission by resolution, outlining the -which shall have a fixed purpose and charge. The term of all study commissions shall expire upon the completion of the performance of its duties charged, a fixed date or the expiration of the municipal term, whichever is earlier in time.

(bd) ~~The Council will only consider applicants for appointment to boards if they have a letter of interest (mail or electronic) on file stating their qualifications.~~ Each study commission shall have a chairperson and vice-chairperson appointed by the President of the Town Council. The vice-chairperson shall act as chairperson in the absence of the chairperson.

(ec) Any and all reports from said study commissions shall be submitted to the Town Council by filing said report with the Town Clerk.

RULE 4412. DISCRIMINATION

The Town Council is committed to the enforcement of all applicable laws and regulations which prohibit discrimination.

RULE 4513. INVITATIONS TO PUBLIC FUNCTIONS

When invited to a public function as a representative of the Town, the Town may pay for the cost for the Council member or Council member and guest.

RULE 4614. UNFINISHED BUSINESS

The Town Council is a continuing body, and unfinished business pending before it shall not lapse or go down with the council term, but all pending business before the Town Council at the termination of any council term, shall be considered as pending before the Town Council of the next succeeding council term and with the same effect as if no change in such Town Council had taken place by the expiration of a council term. Provided, however, nothing herein shall compel the successor Council from making policy determinations that differ from the prior Councils and due consideration shall be given to whether such pending business is for a governmental or non-governmental purpose.

RULE 4715. REVIEW OF TOWN COUNCIL RULES AND GUIDELINES

Town Council Rules and Guidelines will automatically be placed on the agenda for review every January and July.