

# RULES AND ORDERS OF THE HOLYOKE CITY COUNCIL

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## 1. FIRST ORDER OF BUSINESS

- A. Quorum, Simple Majority and Supermajority- Definitions
- i. A Quorum of the Council or any of its committees shall consist of a simple majority of the entire membership.
  - ii. All votes of the Council requiring a majority shall require a majority of the entire membership.
  - iii. All votes of a Council Committee requiring a majority shall require a majority of those members present. All votes of the Council or any of its committees requiring a 2/3 or more supermajority shall require that same supermajority of the entire membership.
- B. Robert's Rules of Orders shall be the authority adopted by this Council on all points of parliamentary practice not specifically covered by the city charter or any statute, ordinance, or the Rules of the City Council.
- C. All "Rules and Orders of the City Council" shall be read by the President of the Council to every newly elected City Council during the first meeting of that newly elected Council or at any time prior to said first meeting if the City Council so agrees.
- D. The seats of the City Council shall be numbered, and no member shall change his seat, but by permission of the President.

## **2. MEETINGS**

- A. Regular meetings of the City Council shall be held on the first and third Tuesday of each month at 7:00 o'clock p.m. sharp. All City Councilors are to be in the City Council Chambers by 6:45p.m.
- B. The President and/or Committee chairs can cancel meetings due to inclement weather.

### 3. PRESIDENT

- A. The President shall take the chair at the hour appointed, or to which the City Council has adjourned or been called together. The President shall call the members to order, cause the roll to be called and the names of the absentees recorded. If a quorum be present, the President shall then proceed to business. A majority of the members shall constitute a quorum, but a less number may adjourn, generally, or to a day certain.
- B. In the absence of the President, the senior member present shall call the City Council to order. The City Council shall then proceed to ballot for a President Pro Tempore, and a plurality of the vote taken shall be sufficient for a choice.
- C. The President shall preserve order and decorum. The President may speak to points of order, in preference to other members, and shall decide all questions of order, subject to an appeal to the City Council, on motion of any member, regularly seconded.
- D. The City Council President, when representing the City Council or acting in their capacity as President, shall make a written or oral report of any meeting they attend to the Full Council at the next available meeting of the City Council.
- E. The President shall call a special Meeting of the City Council for the purpose of considering all amendments and taking a final vote on the City's Annual Budget.
- F. The Mayor or President of the City Council may at any time call a Special Meeting of the Council, by causing written notification thereof, together with a statement of the subjects to be considered thereat, to be delivered to the City Clerk and deposited in the Post Office, postpaid and addressed to each member of the Council, at least forty-eight (48) hours before the time set for the meeting (See 1965 Mass. Acts c. 187) Such notice shall likewise be posted in compliance with the open meeting law of the Commonwealth of Massachusetts. Such meetings are not subject to the Order of Business specified in rule 26. (amended 5-2-17)
- G. All papers addressed to the City Council shall be presented by the President, who may explain the subject thereof, and they shall be disposed of in the order in which they are presented, unless the City Council directs otherwise.
- H. Every motion shall be reduced to writing if requested by the President. All orders and resolutions requiring the approval of the Mayor shall be presented in writing, and signed by the person presenting them.

#### 4. CITY CLERK

A. In case of the absence of the Clerk, a Clerk Pro-tempore shall be appointed who shall be sworn to the faithful discharge of their duties.

B. No order, request, resolution or other form of business shall be presented to the City Council, except as provided below, unless a true copy of same shall have been filed in the Office of the City Clerk on or before one o'clock in the afternoon of the last Friday before the regular meeting of the Council, provided that if any Friday shall fall on a legal holiday, such order, request, resolution or other business shall be filed on the last Thursday before the regular meeting. The City Clerk shall, at least forty-eight hours prior to a regular meeting prepare an agenda summarizing or identifying each order, request, resolution or other form of business and mail a true copy thereof to each member of the City Council at their last and usual place of abode.

An order, request, resolution or other form of business should only be presented to the City Council other than provided for above, if, in the opinion of the maker of the order, request, resolution or other form of business, the matter requires the urgent and immediate attention of the Council

In the case of such a late-filed order, request, resolution or other form of business hereafter "Order" the maker shall indicate on the order that it should be considered as a Late Filed Order, upon reading of the Order, present a brief explanation of the need to consider the Order on the night rather than waiting to consider it as a regular Agenda item.

Orders filed after the deadline presented in Rule 44 Paragraph 1 and not specifically designated as a Late-Filed Order for consideration at the next upcoming City Council shall not be considered at that Council meeting, but will instead be added to the Agenda of the next regularly scheduled Council meeting.(amended 05/15/2012).

Late Filed orders shall be limited to ten. If a late file order is deemed an emergency the City Council President may replace any order on the late file docket that is not an emergency in nature. The item replaced shall be placed on the next full Council agenda of the City Council.

C. All Council and Council Committee agendas shall be distributed to all Council Members by 1:00pm on Friday of the week prior to the scheduled meeting or by Thursday at 1:00pm in the event that the Friday falls on a legal holiday.

D. All items previously tabled in Committee shall be included on each subsequent Committee Agenda until voted out of Committee by a majority thereof, or until removed from Committee by a 2/3 vote of the full Council

E. All city council orders introduced to the City Council shall be numbered consecutively, and a log of all orders be kept by the City Clerk and the Council's Clerk of Committees showing the order number, the date the order was brought before the City Council, the action taken by the City Council on the order, or the Council Committee or city department the order was referred to, the date the order was referred back from the committee or department, and the final action taken by the City Council.

F. Co-signers of City Council orders must call the City Clerk to confirm that they do, in fact, want their name on that specific order.

## 5. PROCEDURE

- A. When a question is under debate, the President shall receive no motion, but:
- i. To adjourn
  - ii. To lay on the table
  - iii. To the previous question
  - iv. To postpone to a day certain
  - v. To commit
  - vi. To amend
  - vii. To postpone indefinitely
- B. Questions shall be propounded in the order in which they are moved, unless the subsequent motion be previous in its nature; except that in naming sums and fixing times to fill blanks, the largest sum and the longest time shall be put first.
- C. The motion to adjourn, when to adjourn simply, the motion to lay on or to take from the table, for the previous question, and for the call by yeas and nays, shall be decided without debate, but the motion for leave to withdraw is debatable.
- D. The previous question shall be put in one of the following forms: "Shall the main question be now put?"; "Move the previous question?"; or, "On the motion." and all debate upon the main question and pending amendments shall be suspended until the previous question is decided. After the adoption of the previous question the vote shall forthwith be taken upon pending amendments in their regular order and then upon the main question.
- E. All incidental questions of order arising after a motion is made for the previous question shall be decided without debate, except on an appeal; and on such an appeal no member shall be allowed to speak more than once without leave of the City Council.
- F. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

## **6. DECORUM / SPEAKING**

- A. When two or more members desire to speak at the same time, the President shall name the member who is to speak first.
- B. No person shall be interrupted while speaking but by a call to order, or for explanation. When a member is called to order the member shall immediately defer to the President, unless permitted to explain; and the City Council, if appealed to, shall decide the case without debate; and if the decision is against the member, the member shall not be permitted to speak, unless by way of excuse for the same, until the member has made satisfaction.
- C. During debate, if objection is made thereto, no member shall speak more than twice to the same question without leave of the City Council, nor more than once until all other members choosing to speak have spoken.
- D. When a member is about to speak in debate, or deliver any matter to the City Council, the member shall respectfully address the presiding officer. The member shall speak only in regard to the question under debate and avoid personalities.
- E. No member in debate shall make any references to another member or member of the general public but in respectful terms.
- F. When a member is about to make a motion or to second same on any matter, the member shall respectfully address the presiding officer.



## 7. AGENDA

A. At every regular meeting of the Council, the order of business shall be as follows:

- i. Calling the roll of the members.
- ii. Pledge of Allegiance followed by the statement "God Bless America, God Bless the City of Holyoke and All its Citizens, and God Bless the City Council."
- iii. Presentations and reports by invitation of the City Council
- iv. Public Comment
- v. Reading the journal of the previous meeting, if requested by the City Council.
- vi. Unfinished business of previous meeting.
- vii. Communications and reports from city officers
- viii. President's Report.
- ix. Presentation of petitions, memorials
- x. Reports of Committees.
- xi. Motions, orders and resolutions
- xii. Late-Filed orders: A listing of all late file orders from the prior City Council Meeting be listed and attached to the subsequent meetings agenda as an addendum.

The above shall not be departed from but by vote of the majority of the City Council present.

B. There will be a public comment agenda item at each regular council meeting. This shall be a time where citizens may speak freely about issues both on and off the meeting's agenda. The City Council will allow up to 10 speakers and each speaker is allowed to speak for 1 and a half minutes (90 seconds).

## 8. VOTING

- A. All orders presented to the City Council shall be fully read by the presiding officer before any action is taken.
- B. The President shall declare all votes, but if any member doubts the vote, the President, without further debate, shall require the members voting in the affirmative and the negative to raise hands until they are counted, and shall then declare the result. All votes shall be decided by a majority of the body vote for all appointments, unless the provisions of the City Charter or any statute, ordinance or rule herein provides otherwise.
- C. The President shall rise to address the City Council to state facts, or to put a question, but may read sitting.
- D. The President may call the senior member or any member to the chair, who may preside during one meeting; and when out of the chair may participate in any debate, but shall not resume the chair while the same question is pending, provided the same is taken previous to adjournment.
- E. The vote of the City Council upon any question shall be taken by roll call, when the same is requested by at least three members.
- F. In all cases the President may vote.
- G. Every member who is present when a question is put shall vote on the matter unless the City Council for special reasons excuses the member or unless the member's private interests are involved therein.
- H. When a vote has been taken by either an affirmative or negative vote it shall be in order for any member to move a reconsideration thereof at the same session, but not afterwards; but when a motion for reconsideration is decided, that vote shall not be reconsidered.
- I. No member shall participate in any discussion, deliberation or vote on any matter before the City Council or any committee thereof that may constitute a conflict of interest under the laws of the Commonwealth of Massachusetts. If a conflict of interest possibly exists, the member shall excuse himself or herself from the Council chambers and abstain from any participation in the discussion, deliberation or vote on such matter.
- J. At the outset of each meeting of the City Council the President shall request a member to draw by lot the name of a councilor. The name so drawn shall be the first name called for that meeting on every roll call vote, followed in alphabetical order by the rest of the names appearing after the name so drawn.
- K. Every ordinance shall be considered as adopted by final action of the Council only after passing the following three votes: (1) Motion to pass the first reading, by a majority of the full Council, (2) Motion to pass the second reading by a majority of the full Council, and (3) Motion that the Legal Form be Ordained, by a 2/3 supermajority of the full Council voting in a recorded roll-call vote.
- L. No rule or standing order of the City Council shall be suspended unless two-thirds of the members present consent thereto; nor shall any rule or order be repealed or amended without giving notice thereof at the preceding meeting, nor unless a majority of the whole Council concurs therein.

M. Any ordinance, order, resolution, or vote involving the appropriation or expenditure of money to an amount which may exceed two hundred dollars, shall require for its passage the affirmative votes of a majority of all eligible members of the City Council.

Every such ordinance, order, resolution, or vote shall be read twice, with an interval of at least three days between the two readings, before being finally passed; and the vote at its final passage shall be taken by roll call; provided, however, that up on and after the written recommendation of the Mayor, the City Council may pass such ordinance, order, resolution, or vote on the same day by a two-thirds yea and nay vote. {See City Charter s. 22}

N. That any expenses for travel incurred by members of the City Council shall be incurred only after a vote by the City Council. However, if in the opinion of the President of the City Council, circumstances make it necessary that travel be undertaken without such vote, their written approval for such travel shall make the same valid, and in the absence of the President of the City Council, the Chair of the Finance Committee may give such approval under like circumstances.

## 9. COMMITTEES

A. All Committees shall be appointed and announced by the President, unless otherwise provided for, or especially directed by the City Council.

B. STANDING COMMITTEES shall be appointed on: Ordinance, Finance, Public Safety, Public Service, Development and Governmental Relations, and Charter Rules. The jurisdiction of the standing committees shall be generally defined as follows:

- i. The Ordinance committee shall have jurisdiction over matters relating to the adoption, amendment or deletion of any city ordinance; petitions for the establishment of telephone poles and wires; and petitions for zone changes.
- ii. The Finance Committee shall have jurisdiction over matters related to the finances of the city; appropriations; the accounts of all city officers and departments; the issuance of municipal bonds; petitions for licenses; and, matters related to cable television.
- iii. The Public Safety Committee shall have jurisdiction over matters related to the affairs of the police and fire departments; the board of public works, the gas and electric department and the water department; and, the adoption or abandonment of any public way or the change of name of any public or private way.
- iv. The Public Service Committee shall have jurisdiction over matters related to transportation, the affairs of the parks, recreation and forestry department; the appointment or election of any city official; permits for home occupation issued by the City Council; and, matters pertaining to the elderly, the Geriatric Authority and the Council on Aging. (amended 05/15/2012)
- v. The Development and Governmental Relations Committee shall have jurisdiction over matters related to the affairs of the office of community development, the office of industrial affairs, and any matters related to the housing or community economic or industrial development and city's acquisition or disposition of any interest in real property; (amended 05/15/2012) the Redevelopment Committee shall act as the Council's "Legislative Affairs Committee". The D&GR Committee shall have jurisdiction over all Council-issued Special Permits (except for Home Occupation).
- vi. The Charter & Rules Committee shall have jurisdiction over matters related to review and amendment of the City Charter and City Council Rules.
- vii. The Joint Committee of the City Council and School Committee shall have jurisdiction over matters relating to joint matters of the City Council and School Committee.

Except as otherwise provided in the city charter or any statute, ordinance or rule herein, the City Council may refer any matter, by a majority vote, to a different committee other

than provided for above. Further, the City Council may establish additional special committees as the City Council deems appropriate. City Council members serving on other municipal committees do not represent the entire Council unless they were appointed to that committee by the Council or its President.

C. The chair of the Committee on Development and Governmental Relations shall organize twice annually a presentation and Q&A session with our State legislative delegation to be held at a meeting of the full City Council.

D. No committee shall sit during the sitting of the City Council without special leave, except the Committee on Ordinance, the Committee on Finances.

E. When a committee is nominated by the President, the first person named shall be the chairperson and the second person named shall be the vice-chairperson.

F. The Ordinance, Finance and Development and Government Relations committees of the City Council shall consist of five members and the Public Safety, Public Service, Joint School Committee, and Charter and Rules contain 3 members. No report shall be received from any committee unless agreed to in committee actually assembled, and all reports shall be in writing. If any committee lacks a quorum, the President of the Council can sit in to meet that quorum requirement. If and only if the City Council President is not present to stand in for a committee meeting for that committee to reach a quorum, the Committee Chair will pick any City Councilor present to fill in to reach a quorum.

G. No ordinance shall be adopted, amended or deleted by the City Council until it shall have been first referred to the standing Committee on Ordinances.

H. A draft of the adoption, amendment or deletion of an ordinance to be reported to the City Council by the Committee on Ordinances, whether reported by a majority or a minority of said committee, shall first be submitted by the committee to the City Solicitor for examination and approval as to form and legal character. The City Solicitor shall forthwith examine the same, and if he disapproves of the form and legal character thereof, shall signify his disapproval thereon, and return the same to the committee; and if he approves of the form and legal character thereof, shall signify his approval thereon and transmit the same to the City Clerk, who shall cause the same to be printed in the usual form of printed ordinances, and shall mail a printed copy thereof, showing thereon the approval of the City Solicitor, to the following: the Mayor, the City Solicitor, and each member of the City Council, at least two days before the meeting at which the report is to be offered. If, after the draft of a proposed ordinance has been returned to the committee by the City Solicitor disapproved, and after further consideration, the committee or a minority thereof decide to report the ordinance to the Council unchanged, the draft shall thereupon be filed with the City Clerk, who shall cause the same to be printed, and printed copies showing thereon the disapproval of the City Solicitor, mailed to the Mayor, City Solicitor, and each member of the City Council in the same manner herein before provided for ordinances approved by the City Solicitor.

I. Subcommittees should not be allowed to meet at the same time/same night.

J. Ordinances shall not be drawn into legal form unless the Ordinance Committee has taken a vote on the matter.

K. All petitions for dealers in junk, second hand articles, and pool room licenses, temporary shows and exhibitions, and any other license that calls for police surveillance shall be presented

to the City Council unless otherwise provided for by the city charter or any statute or ordinance, and by the City Council referred to the Finance Committee.

L. All new appointments and reappointments submitted to the City Council for confirmation shall be referred to the Public Service Committee for its recommendation.

M. The Public Service Committee will be the committee that will represent the City Council where requested by local civic, fraternal, social, or business groups or organizations.

N. No council committee shall take any action on any business referred to that committee by the full City Council unless the committee has in writing a City Council order, a petition, letter, or communication referring to the subject to be studied by the committee.

O. Any sub-committee meeting held on the same night (prior) to a regularly scheduled meeting of the full City Council MUST adjourn at least 20 minutes prior to the start of the full City Council meeting. (amended 05/15/2012)

P. All orders sent to any subcommittee be acted up on (taken up, not disposed of) within 30 days.

## 10. OTHER

- A. All petitions for laying out, widening, altering, or relocating streets or ways shall be presented to the City Council, and by them referred to the Board of Public Works.
- B. The following information must be submitted to the City Council with every loan or bond order:
- i. A statement as of that date of the bonded indebtedness of the city, exclusive of the self-supporting bonds of the Gas and Electric Department and the Water Department
  - ii. A statement of the borrowing capacity remaining within the limits as set by law, after issuance of the bond being applied for.
- C. City Council shall appoint a Youth Ambassador to the City Council. The term shall last one year starting July 1 to June 30. Appointees shall only be Eligible to serve one term. Individuals eligible for this position must be a Holyoke Resident, enrolled in a local high school or equivalent program and be in the range Of 15 to 17 years of age.

The Youth ambassador shall be required to attend all full City Council meetings and may attend any subcommittee meetings. As well as:

- Be allowed to speak during public comment period
- Attend all regular meetings of the City Council and whichever subcommittee Meetings they would like
- Give a “Youth Ambassador Report” at the beginning of the first meeting o E very month updating the Council about the Youth Community, Positive Or Negative (Similar to the Presidents Report)
- Request that a City Councilor file an order to give a proclamation to a young Person or someone who works with City youth
- Sit in Council Chambers and assist the Administrative Assistant during Full Council Meetings and any Subcommittee Meetings
- Attend Youth related events on behalf of the City Council
- Meet with Youth in other Municipalities
- Sit at the committee table during regular meetings

Selection Process: Opening for Youth Ambassador position shall be posted for 2-3 Weeks. Youths will apply through their Guidance Counselor who will then screen the applicants and forward qualified resumes to the City Council. All qualifying Candidates will be interviewed by Public Service Committee and provide two letters of recommendation. First candidate to reach eight votes by full Council shall get the position. Individual chosen for position is subject to removal upon two thirds Vote of the City Council.

D. Every month the City Council invite in a Holyoke School Student to lead in the Pledge of Allegiance.