

## **CITY OF ESSEX JUNCTION POLICY REGARDING CITY COUNCIL MEETINGS**

**PURPOSE:** To provide guidance regarding legislative, administrative, and citizen participation at meetings of the City Council.

### **Section 1. Meetings**

All meetings shall be open to the public at all times, except as provided in 1 V.S.A. 313 in regard to executive sessions. In accordance with Section 2.07 of the City Charter, "As soon as possible after the election of the President and Vice President, the Council shall fix the time and place of its regular meetings, and such meetings shall be held at least once a month."

- A. **Regular Meetings:** Regular meetings of the City Council shall be held on the second and fourth Wednesday of every month at 6:30 PM. These meetings will normally be held in the Lincoln Hall conference room, unless another physical location is identified on the agenda, and virtually so that attendees may participate remotely as allowed under state statute. Agendas for regular meetings must be posted at least 48 hours in advance of a regular meeting in accordance with 1 V.S.A. 312 (d)(1)
- B. **Special Meetings:** Special meetings may be held on the call of the President and the City Manager and, whenever practicable, upon no less than 48 hours' notice to each member. In accordance with 1 V.S.A. 312 (c)(2), "The time, place, and purpose of a special meeting subject to this section shall be publicly announced at least 24 hours before the meeting."
- C. **Emergency Meetings:** In accordance with 1 V.S.A. 312 (c)(3), "Emergency meetings may be held without public announcement, without posting of notices and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting."

### **Section 2. Agenda**

- A. The agenda for each regular meeting shall be prepared under the direction of the City Council President and City Manager, and it shall contain only such matters of Council business as have been presented, delivered, or requested of the Manager not later than 10 am of the Wednesday preceding the regular meeting. Individuals or parties shall be encouraged to put their request(s) in writing.
- B. The City Council President and City Manager determine whether an item belongs on the Consent Agenda. A Consent Agenda is a practice by which the ministerial action items are organized apart from the rest of the agenda and approved as a group. This includes all of the business items that require formal Council approval but no discussion before taking a vote. Examples include approval of minutes, routine approvals, approval items from past meetings, and other similar matters.

Items may be removed from the Consent Agenda at the request of any Councilor and placed on the regular agenda. Items not removed may be adopted by general consent without debate.

- C. The City Council President and City Manager determine what goes in the Reading File. The reading file contains reports provided for information only and correspondence requiring no action.
- D. No request for an item to be added to the agenda will be unreasonably withheld. However, it is recognized that a requested agenda item will be considered in relation to the Council's priorities and work programs. If the request aligns with the priorities and work program, it will be scheduled for a future meeting. If the request does not align with the current priorities and work program, it may be added to a future considerations list.
- E. When Councilors are contacted directly by a resident either by phone, email, or in person and that resident is making a request for the Council's consideration, the Councilor will specify that they are able to listen to the request and/or concern, but shall not comment or make a commitment to that citizen. Rather, the Councilor(s) shall indicate that the Council works together to resolve issues for residents and will refer that person's request to the City Manager's office for consideration by the City Manager, City Council President, and if necessary, by the other Councilors for placement on the agenda.
- F. Whenever practicable, agendas and meeting packet information will be available on the City's website on the Friday evening before the meeting. The agenda is also posted at the City Office at 2 Lincoln, Brownell Library, and Essex Junction Recreation and Parks Department at 75 Maple Street in accordance with 1 V.S.A. § 312(d). In addition, and in accordance with 1 V.S.A. 312 (d), "A meeting agenda shall be made available to a person prior to the meeting upon specific request."

### **Section 3. Business**

- A. Business shall be taken up for consideration by the Council and addressed in the following order. The Council may reorder agenda items to accommodate schedules, prioritize pressing items, or for other reasons determined necessary by a vote of the Council.
  - I. Call to Order
  - II. Agenda Additions/Changes
  - III. Approve Agenda
  - IV. Public to Be Heard
  - V. Public Hearing (when needed)
  - VI. Business Items
  - VII. Consent Agenda

VIII. Councilor Comments & Concerns/City Manager's Report

IX. Reading File

X. Executive Session

XI. Adjourn

#### **Section 4. Quorum**

- A. A majority of three Councilors shall constitute a quorum. Within twenty (20) minutes of the call for any meeting, if a quorum is not present, any lesser number present shall adjourn the meeting.

#### **Section 5. President, Vice President, & Clerk**

- A. As prescribed by the City Charter, the President of the Council, or in the President's absence, the Vice President, shall preside at all meetings of the Council and shall be recognized as the head of the City government for all ceremonial purposes. The President shall be the parliamentarian of the meetings, and all questions of procedure shall be settled by the parliamentarian using the most recent edition of Robert's Rules of Order.
- B. The Clerk shall keep a register, or roll, of the members and to call the roll when required. This may include when the President calls for a roll call or whenever one or more members attend electronically and voting is not unanimous.

#### **Section 6. Public Participation**

- A. At the beginning of every agenda, a Public to be Heard section is included to provide the opportunity for the public to express its opinion.
- B. For business items, the public shall be given a reasonable opportunity to express its opinion. Any person or party desiring to present evidence, petition the City Council, or make statements for the Council's consideration shall first wait until the agenda item is scheduled to be discussed and seek to be recognized by the President. Upon recognition, the person or party shall state their name(s). All persons addressing the Council shall present their information and material as concisely as possible in accordance with rules established by the President. Once a motion is on the table, it is closed to public comment.
- C. If a large number of residents wish to speak during the Public to Be Heard section or address an agenda item, the President may impose time limits on how long each person may speak to allow enough time for all interested members of the public to speak. The President may also impose additional protocols for public participation as the situation warrants.
- D. Remote public participation: A remote participant/attendee should use the hand raise feature to be recognized by the President for comment. When a remote participant/attendee is unmuted, they should state their name before commenting.

Remote participants/attendees should also verify that their displayed name is accurate when joining a remote meeting.

- E. Order and decorum shall be observed by all persons present at the meeting. Neither members of the body nor members of the public shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the body and members of the public are prohibited from making personal, impertinent, or threatening remarks.
- F. Members of the body and members of the public shall follow the requests of the President. The President should adhere to the following process to restore order and decorum of a meeting but may bypass any or all steps when they determine in their sole discretion that deviation from the process is warranted:
  - I. Call the meeting to order and remind the members of the applicable rules of procedure.
  - II. Declare a recess or table the issue.
  - III. Adjourn the meeting until a time and date certain.
  - IV. Call the police to remove disorderly person(s) from the meeting.
  - V. Remove a participant attending online from the meeting if their behavior is disrespectful or unruly.

### **Section 7. Motions**

- A. No resolution, rule, regulation, appointment, or formal action shall be considered binding except as taken or made at such open meeting, except as provided under 1 V.S.A. 313 (a) (2) in regard to the negotiating or securing of real estate purchase options. The Councilor who has moved the adoption of any ordinance, resolution, or motion shall be accorded the privilege of being allowed to close the debate on the subject or call for the question.

### **Section 8. Voting**

- A. In accordance with Section 2.09(b) of the City Charter, "The presence of three members shall constitute a quorum. Three affirmative votes shall be necessary to take binding Council action." All members of the City Council, including the President, shall vote upon all items of business unless said voting would cause that Councilor a conflict of interest. The City Manager shall have the right to participate in any and all discussions for debate by the City Council but shall not have any right to vote.

### **Section 9. Minutes**

- A. In accordance with 1 V.S.A. 312 (b) (1), "Minutes shall be taken of all meetings of public bodies. The minutes shall cover all topics and motions that arise at the meeting and give a true indication of the business of the meeting. Minutes shall

include at least the following minimal information:

- I. All members of the public body present;
  - II. All other active participants in the meeting;
  - III. All motions, proposals, and resolutions made, offered, and considered, and what disposition is made of same; and
  - IV. The results of any votes, with a record of the individual vote of each member if a roll call is taken.”
- B. The meeting minutes shall be posted within five calendar days of the meeting on the City’s website in accordance with state statute.
- C. Meeting minutes are a summary of business conducted and not a transcript.

**Adopted by the Village Trustees on September 8, 1998. Amended on 3/11/08 and 10/13/09. Amended by the City Council on December 20, 2023.**