

**CITY COUNCIL MEETING  
AGENDA  
MONDAY, JANUARY 30, 1995  
6:00 p.m.  
WASTEWATER TREATMENT PLANT  
(WORK SESSION INCLUDES DINNER)**

A. Call to Order

B. Discussion of the Council Rules

1. Meeting Process Rules
2. Meeting Decorum Rules
3. Committee Rules and Roles
4. Other

C. Agreement on the Revised Rules

D. Discussion of the Goals

1. Review of the City Work Plan for 1995
2. Agreement on the Goals and Work Plan

E. Adjourn

**Mayor and Council Leadership Development and Goal Setting Session**  
Friday, January 13, 1995

Council members agreed to develop a Council Communication Agreement. It was decided that they would complete this task no later than February 1995.

The City Manager will send out advance materials to each individual council member for their review, including last year's "Elected Officials Guidelines" and the list of issues developed at the 1/13/95 work session (below).

**ISSUES TO BE CONSIDERED AS PART OF  
A COUNCIL COMMUNICATION AGREEMENT**

Develop and agree on Rules.

Develop and utilize process and procedures.

Rather than lobbying on the side, Council will discuss positions and votes in work session.

Distinguish between gathering information and clarification vs. lobbying.

Resolve issues by going to the "source".

Decision making prior to considering all sides of the issue, including a full discussion by Council, is prohibited.

Support the majority decision.

Opinions and debate should take place prior to decision making.

Members will make a sincere commitment to gather and share information and provide adequate time for members to understand issues before making a decision.

Agree on a process for debating in work session.

Council members are committed to inform all members of significant upcoming issues in advance of Council meetings. There will be no surprises or "blind siding."

Develop a mutually agreed upon policy on "speaking from the floor" in Council meetings. What is appropriate; what is not?

Council members value healthy, positive discussion, debate, and diversity of opinion and perspectives.

Seek to understand.

The Council respects the public's right to know how Council (their elected representatives) feels.

cc\srgoals

1994

# ELECTED OFFICIALS GUIDELINES

- We will trust and respect the opinions of fellow Council members, and, we will be well informed and participate in the decisions of the Council.
- We will accept responsibility to attend all Council meetings and Council sub-committees assigned.
- We will fulfill obligations to share with other Council members the membership on the committees as required.
- If we are unable to meet our attendance obligation, we will notify the group of our absence as soon as possible prior to the meeting time.
- When asked by the public for information that is still confidential, we will so state.
- We will make every attempt to resolve any conflict with a fellow Council member.
- As a Council member, we will expect to be informed of all issues and data in a timely manner.

1994

# COUNCIL MEETING EXPECTATIONS

- We will make the citizens comfortable and part of the process at our meetings.
- We will make visitors comfortable by being nice, respecting their opinions, and showing trust and respect for visitors.
- We will do our best to communicate in clear, concise and audible language and written communications.
- We will make sure our tone of voice is friendly and sincere.
- We will honor and act on all requests for action and/or information in a timely and courteous manner.
- We will discuss issues, but not personalities with non-Council members. After an issue has been voted on, we will speak for ourselves carefully if our opinions are different from the Council's.

## RESOLUTION NO. 94-1835

**RESOLUTION REPEALING RESOLUTION NO. 93-1757 AND PROVIDING FOR THE RULES OF COUNCIL, THE ORGANIZATION OF THE STANDING COMMITTEE, THE APPOINTMENT OF AN AD HOC COMMITTEE, THE MEETINGS OF THE COUNCIL, THE ORDER OF BUSINESS TO BE CONDUCTED AT THE COUNCIL AND THE REPEAL OF ANY PREVIOUS RULES OF THE COUNCIL.**

### RECITALS:

1. The Council desires to update its rules of the Council, its structure of ad hoc committees and the order of business to be conducted at the Council.
2. The Council desires in its rules of Council to interpret a number of provisions of its Charter.
3. This Resolution shall provide for a single document which sets out the rules of the Council, provides for the structure of the sub-committees and designates the order of business for the Council.
4. This Resolution repeals Resolution No. 93-1757 which provided for the rules of the Council.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Newberg, Oregon, as follows:

**Section 1** **Rules of the Council**. The Charter of the City of Newberg provides that the Council may adopt rules for the government of its members and proceedings. Therefore, the following rules of order of the Council of the City of Newberg are adopted as follows:

**Rule 1.** The Mayor, or in the case of his/her absence, the President of the Council, or in the case of the absence of the President, a member of the Council shall call the members to order at the hour designated for the meeting. Should there not be a quorum present, it shall be the duty of the City Recorder to immediately inform the absent members, except those known to be unavoidably absent, that their presence is required to enable the Council to proceed to business. Should they fail to appear on such notice, the members present shall adjourn until such time as a quorum can be gathered or to the next regular meeting time established by the Council.

**Rule 2.** The Mayor shall preserve order and decorum, may speak to the points of order in preference to other members and shall decide all questions of order subject to an appeal to the Council by any two members on which appeal no member may speak more than once without leave of the Council.

**Rule 3.** Two or more members request the floor at once, the Mayor shall name who is to speak first.

**Rule 4.** ROBERT'S RULES OF ORDER (Revised) shall be considered authority in deciding any questioning arising on a point of order not specifically embraced in these rules.

**Rule 5.** When any member is about to speak in debate or deliver any matter to the Council, that member should respectfully address the presiding officer and should confine the remarks to the question under consideration and avoid personalities.

**Rule 6.** Every member who shall be present when a question is addressed shall vote for or against the same unless the Council shall excuse them.

**Rule 7.** A member of the Council acting as Chair Pro Tem may vote in all cases in which that member might vote if not so acting. This includes the President of the Council when acting as Chairman Pro Tem in the Mayor's absence from a Council meeting.

**Rule 8.** No motion shall be considered unless the same has been seconded. When a motion is seconded, the mover may withdraw the motion with the consent of the second at any time before discussion and before any amendment thereto is proposed.

**Rule 9.** If a proposition in debate contains several points, any member may have the same divided, but the mover shall have the right to designate upon which point the vote shall first be taken.

**Rule 10.** When a question has been decided, it shall be in order for a member who voted in the majority, to move for reconsideration.

**Rule 11.** The regular meetings of the Council shall be held on the first Monday of each month beginning at 7:30 p.m. at a place designated by the Council. Provided that in the event that such Monday shall fall on a legal holiday, such meetings shall be held on the next succeeding business day at the same time. Provided further that a second meeting of the Council may be scheduled at a time and place designated by the Council.

**Rule 12.** Special meetings may be held at any time upon the Mayor's own motion or at the request of four (4) members of the Council by giving notice in accordance with the Charter of the City of Newberg. Special meetings and emergency meetings of the Council shall be noticed and held in accordance with the Open Meeting Laws of the State of Oregon. All meetings of the Council shall be called, noticed and held in accordance with the Rules of the Council, the Newberg City Charter and the Open Meeting Laws of the State of Oregon.

**Rule 13.** The Mayor, or the President of the Council when acting as Mayor Pro Tem, or the Chairman Pro tem shall take the chair at the hour appointed for the Council to meet, and immediately call the Council to order and shall order the role call to be called in alphabetical order and at the insistence of any two (2) members present, shall compel the attendance of an absent member.

**Rule 14.** A majority of the members elected shall constitute a quorum for the transaction of business. For the purpose of constituting a quorum, the Mayor shall not be considered a member of the Council.

**Rule 15.** In all cases, the minutes and records of the business of the Council shall be kept in accordance with the Rules of the Council, the City Charter of the City of Newberg and the Public Records Laws of the State of Oregon.

**Rule 16.** Matters coming before the Council for action shall be placed on the Council Agenda in appropriate form indicating any recommendation from subcommittees, background and documentation. The matter shall be placed on the Agenda for action in the appropriate place and the information shall be included in the Council packet and mailed out for the meeting at which action is to be taken. When necessary, the City Manager may, prior to the meeting, send out additions to the Agenda with the appropriate documentation and information. It is encouraged that all matters be placed on the Agenda and the information sent out with the initial Council packet. This procedure ensures that every Council member will have adequate time to review and prepare for the Council meeting. However, in cases of an emergency, matters can be brought before the Council which are not listed on the published agenda. In such cases, the Council must first declare that an emergency exists, stating the reason for such an emergency and placing the matter on the Agenda. After this has been done, action may be taken with the item so placed on the Agenda and all Council members shall be fully informed of the matter.

**Rule 17.** In order to ensure that the Administration of the City has researched items for discussion and action before the Council, no Council member should bring before the Council items for discussion without first informing the Manager of such matters, if the matter is an administrative issue, or the Mayor and City Manager, if the matter is a policy issue. This will allow opportunity for fact finding and reporting to the Council. Any matter brought before the Council from the public during the public input portion of the agenda, should be referred to the Administration for appropriate action and report to the Council. Such procedure should not prevent the Administration from answering directly to a citizen inquiry at the time it is brought before the Council if that is appropriate and efficient. This rule is enacted not for the purpose of delay but to ensure that proper background information is provided to the Council on each item. The matters should be researched and reported back to the Council as quickly as possible.

**Rule 18.** The City Charter of the City of Newberg provides that no person shall be eligible to fill an elective office of the City unless at the time of the election, such person is a qualified voter and resided in the City for at least one year immediately preceding the election. The Council further interprets the Charter that it is a requirement that the person continue to hold the qualifications throughout the term of their office. Therefore, it is a requirement in order to continue to hold office that the person remain a qualified voter within the meaning of the state constitution and reside in the City. The Council is the final judge of the qualifications and election of its members.

**Rule 19.** It is the duty of each Council member and the Mayor to attend all meetings of the Council. The Charter provides in Section 34 that an office will be deemed vacant upon the absence from meetings of the Council for sixty (60) days, or the absence from the City for thirty (30) days without the consent of the Council. The consent of the Council for such absence must be in writing and obtained prior to such absence. Consent will be given for good cause. When any Council member cannot attend a meeting of the Council, the member shall notify the Mayor or City Manager prior to the meeting. If the absence is for good cause, the absence shall be listed in the minutes as excused. If the absence is not for good cause, or prior permission is not obtained, except in the case of an emergency, the absence shall be listed in the minutes as unexcused. If any member has two unexcused absences from Council meetings or sub committee meetings of the Council, this matter shall be called to the Council member's attention at the next meeting of the Council and an explanation shall be given.

**Rule 20.** From time to time, vacancies in office of the Council or the Mayor may occur. Section 35 of the City Charter provides that vacancies in elective offices of the City shall be filled by appointment of the majority of the entire membership of the Council. When such vacancies occur, the Council shall follow the same procedures that the City uses to nominate persons for appointment on any board, committee or commission to which the appointment is done by the City Council. Except that filling of vacancies shall be done by a majority of the entire membership of the Council **not** a majority of the quorum.

**Rule 21.** The Charter of the City of Newberg in a number of sections refers to the entire membership of the Council. It is the interpretation of the City that when the Charter refers to the entire membership of the Council, that membership shall be the entire eight (8) Council members elected at large from the City. Absence from a particular meeting does not affect the required number for the majority of the entire membership. However, if an office is vacant, that office shall not be counted when counting the entire membership of the Council.

**Rule 22.** All other rules of the Council are hereby repealed and Resolution No. 93-1757 is hereby repealed.

## Section 2

**Committee Structure of the Council.** The Council shall have the authority to conduct business through committees of the Council as hereinafter provided for in this section. The Mayor shall be responsible for referring matters to the appropriate committee. The committee structure of the Council and the administrative responsibilities are as follows:

- 2.1 **City Manager's Responsibility.** The City Manager shall attend standing committee meeting unless excused by the Mayor. The Manager has the authority to delegate work assigned by the Committee to any member of the City staff. The standing committee shall give its recommendation, suggestions and input to the staff through the Manager. The committee does not have the authority to require the Manager to perform any task. However, the Manager is encouraged to work cooperatively with the standing committees.
- 2.2 **Membership of Standing Committees.** Each standing committee of the Council shall have as members two Council members. The committees shall have as additional members 1-6 volunteer members. Each member of the standing committee shall have an equal vote on the committee. The reports of the standing committee shall have only the authority of recommendations to the Council. The Council has the authority to follow the recommendations, change the recommendation, refer the matter back to the committee or do any other action the Council sees fit.
- 2.3 **Appointment of Members.** The Mayor shall appoint members of the standing committee. The first member designated shall be the chair person and the second designated shall act as vice chair. Membership on the committee shall be appointed annually at the first meeting of the Council or as soon thereafter as possible. Members shall continue to serve until their replacement or reappointment.
- 2.4 **Removal of Members of the Committee.** The Mayor, with consent of the Council, may remove any member of the committee at any time. Members of the committee shall be removed if the member fails to attend two (2) meetings of the committee without being excused prior to the meeting. The Mayor has the authority to grant an excused absence and in the Mayor's absence, the committee chair has the authority.
- 2.5 **Meetings of the Committees.** The meeting time and place of the committees shall be decided by the Chair with the consent of the committee at the beginning of each year. The meeting time and place shall not be changed except with good cause. The Chair shall have the authority to cancel any meeting of the committee for lack of business or necessity to meet. However, a majority of the committee, as determined by telephone poll, may call for a meeting of the committee.

2.6 **City Council Shall Establish Four (4) Standing Committees and Ad Hoc Committees on an As-Needed Basis as Follows:**

- 2.6-1 **Ordinance\Legislative Committee** - This committee shall have the responsibility of reviewing the form and order of ordinances resolutions, contracts, and other official documents of the City. This committee will make recommendations to the Council concerning such matters. This committee shall perform other duties and assignments as assigned by the Council from time to time. The City Attorney shall act as the main support staff.
- 2.6-2 **Community Relations Committee** - This committee shall have the responsibility of reviewing matters affecting the public safety of the citizens and matters dealing with the Fire, Police and Library Departments. This committee will make recommendations to the Council concerning such matters. The committee shall perform other duties and assignments as assigned by the Council from time to time. The Fire Chief, the Police Chief and the Library Director shall act as the main support staff.
- 2.6-3 **Community Development Committee** - This committee shall have the responsibility of reviewing matters affecting the development and municipal works (water, sewer and streets) of the City. This committee will make recommendations to the Council concerning such matters. This committee shall perform other duties and assignment as assigned by the Council from time to time. The Community Development Director shall act as the main support staff.
- 2.6-4 **The Finance Committee** - This committee shall have the responsibility of reviewing budget, revenue and expenditures of the City. This committee will make recommendations to the Council concerning such matters. This Committee shall perform other duties and assignments assigned by the Council from time to time. The Director of Finance shall act as the main support staff.
- 2.6-5 **Ad Hoc Committees** - The Mayor may appoint Ad Hoc Committees to deal with specific tasks within specific time frames and make recommendations to the Council. Members of the Adhoc Committees shall be appointed by the Mayor and perform tasks as designated by the Mayor with direction from the Council.

**Section 3** **Meetings of the Council.** The Council shall conduct two (2) meeting per month. The meetings shall be as follows:

- 3.1 **The First Monday of the Month**. - This meeting shall be preceded at 6:00 p.m. by a work session at a place designated by the City. At the work session, the agenda and other matters shall be discussed but no decisions shall be made.

The meeting shall be adjourned and called to order again at 7:30 p.m. at a place designated by the City. This meeting shall be to conduct all business on the agenda and to take action by the Council.

- 3.2 **A second meeting of the month shall be held on the Tuesday following the third Monday of the month**. This meeting shall be held at 6:00 p.m. as a work session at a place designated by the City. Public input will not be taken except upon specific permission of the Council. This meeting will serve as a business-type, informational meeting of the Council. Decisions and actions will not be taken.

The meeting may be adjourned and a second meeting may be called to order at 7:30 p.m. at a place designated by the City in order to conduct business of the Council and take action by the Council with prior consent of the Mayor or in the Mayor's absence, the President of the Council or Chairman Pro tem. A special meeting may be called at this time in accordance with the Rules of the Council and/or the Charter of the City of Newberg.

- 3.3 **Work Session**. A work session shall be attended by the City Manager, the City Attorney, the Mayor and the full Council. These work sessions are open to the public and the public is welcomed to attend. Minutes of the work session shall be kept by the City Manager. Other department heads will be expected to attend work sessions if so requested by the City Manager.

**Section 4** **Order of Business of the Council**. The order of business of the City Council at the regular scheduled meeting held on the first Monday of the month at 7:30 p.m. is as follows:

## AGENDA

- I. Call Meeting to Order
- II. Roll Call
- III. Special Presentations/Recognitions
- IV. Consent Calendar
  1. Appointments by the Mayor
  2. Other appropriate business on Consent Calendar.  
(Ordinances can never appear on Consent Calendar. Any Council member may request to remove any item from the Consent calendar to be discussed at a later time and the item shall be removed).
- V. Communications from the floor  
(The Mayor may, at his/her discretion, change the order of the agenda concerning communications from the floor and allow communications concerning items on the agenda.)
- VI. Public Hearings
- VII. Committee Recommendations
- VIII. Continued Business
- IX. New Business
- X. Reports from Other Agencies and Manager
- XI. Executive Session (if necessary)
- XII. Adjournment

ADOPTED by the City Council this 11<sup>th</sup> day of April, 1994.



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Duane R. Cole  
City Recorder