

**RESOLUTION NO. 2024-003**

**A RESOLUTION ESTABLISHING THE RULES FOR CONDUCTING THE MEETINGS  
AND ESTABLISHING A QUORUM.**

**WHEREAS**, the City of Diamondhead has recently incorporated with a City Council that will be holding public meetings; and

**WHEREAS**, the City of Diamondhead currently does not have a Municipal Code which would establish the agenda format for such meetings, determining a quorum for Council meetings, or procedural and rules for conducting meetings

**NOW BE IT RESOLVED BY THE CITY COUNCIL OF DIAMONDHEAD THAT:**

Public notification of regular meetings will be made utilizing \_\_\_\_\_ and organizations who have requested to be notified, and

The procedural rules for conducting meetings will be as follows (note these have been adopted from the Arkansas Municipal League "Procedural Rules for Municipal Officials".)

**I. THE PATTERN OF MEETINGS**

The order of business is typical and is not required by law:

1. Call to order
2. Pledge of Allegiance
3. Roll call
4. Approving of minutes of the previous meeting
5. Ceremonials, recognitions, proclamations, memoriam
6. Public Comments
7. Reports of boards, standing, special committees
8. Business
9. Scheduling
10. Announcements
11. Adjournment

There may be deviation from the order of business by a motion to suspend the rules or by general consent. To secure general consent the mayor states that there will be a change in the order of business if no member objects.

The mayor can recess a meeting for purposes of entering in to **executive session** for purposes of discussion employee discipline, promotion or other personnel matters.

### **Call to Order**

Meetings should be called to order promptly at the appointed time. The mayor calls the meeting to order by rapping the gavel and announcing: "The meeting will please come to order."

### **Pledge of Allegiance**

### **Roll Call**

Usually the mayor or other presiding officer will not call the meeting to order if a quorum is not present. A majority of the governing body is a quorum in all cities and towns. In a mayor-council form of government, the mayor may vote to form a quorum at any regular or special meeting of the council. The rules may require that the clerk or recorder call the roll. The presiding officer may say: "The clerk will call the roll." When the clerk or recorder calls the roll, they call the names of the members alphabetically or by wards and concludes by calling, "Mr. Mayor" or "Ms. Mayor".

### **Approving Minutes**

A copy of the minutes will have been previously emailed to the council members consequently no verbal reading of the minutes is required.

The mayor will entertain a motion to approve the minutes and call for a vote to approve.

### **Public Comments**

The City of Diamondhead is committed to disclosure of the business activities of the city to the public as well as the public's ability to make comments at council meetings.

Members of the community are requested to submit their questions to the council 48 hours prior to the meeting date, excluding weekends, through the City of Diamondhead website, [www](http://www). The person will be called to the microphone by the mayor. The person will then state his/her name and address and state their submitted question in a concise manner. Repetitive questions can/will be summarized by the mayor for the best use of time. All questions should be addressed to the council as a whole and *not* to any

particular member of the council or town employee. No person other than the council members and the person having the floor shall be permitted to enter into any discussion without the permission of the mayor. No questions shall be asked of a council member or town employee except through the mayor. The mayor may regain the floor from public comments at any time.

All members of the public are requested to accord the utmost courtesy to members of the council, to other members of the public appearing before the council and to the municipal officials and are asked to refrain at all times from rude or derogatory remarks, reflections of integrity, abusive comments and statements as to motives and personalities. The mayor may remove disruptive and unruly persons from meetings.

Public comment will be limited to three (3) minutes unless extended by the mayor.

### **Reports of Committees**

The mayor next calls upon the chair of each standing committee and asks if they have a report. The usual order is (1) the chair of standing committees in the order in which the committees are named by resolution or ordinance; (2) the chair of special committees in the order of their appointment.

If the committee is soliciting approval for a particular action, the committee chair must have requested it to be put on the agenda during new business.

No public comment will be solicited nor debate conducted during the report. If discussion or debate is required, it can be brought up under new business or during the public comment period as allowed.

### **Unfinished Business**

Following the committee reports, the mayor calls for unfinished business. They may say: "Unfinished business is now in order," or "Is there any unfinished business?"

Unfinished business consists of all business that was pending and undisposed of at the last meeting, as well as any matters that may have been postponed to this particular meeting. It is the duty of the mayor to present any item of unfinished business that some other member does not present.

### **New Business**

When the unfinished business has been completed, the mayor announces: "New Business is now in order," or "Is there any new business to come before the council?"

This offers an opportunity for members to bring up any motions that they wish to have considered by the governing body. If no new business is presented, and the mayor

knows of matters that should be considered, they inform the governing body of these matters and ask if any member wishes to propose a motion covering them.

### **Announcements**

When all members who wish to present motions have done so, the mayor calls for announcements. If it is possible to confine all announcements to the period set aside for them, rather than to have them presented at various times throughout the meeting, business will be expedited. The mayor first calls upon members who have previously indicated that they wish to make announcements. The mayor may then ask if there are any other members who have announcements before concluding with their own.

### **Adjournment**

When the business of a meeting appears to be completed, some member should move to adjourn. As soon as a motion to adjourn is proposed, the mayor should put the motion to a vote and, if the motion carries, announce that the meeting is adjourned. The meeting is not adjourned until formal announcement of its adjournment is made by the mayor. If no member moved to adjourn, the mayor may suggest that if there is no further business, some member should move to adjourn.

## **II. HOW MOTIONS ARE HANDLED**

The business of a meeting is carried on by means of motions. In a broad sense, a motion is a formal statement of a proposal for the governing body to consider and vote upon.

The following are the steps in handling a motion:

1. A member addresses the mayor
2. The mayor recognizes the member
3. The member states his motion
4. Another member seconds his motion
5. The mayor states the motion to the assembly
6. Members may discuss the motion, if debatable
7. The clerk or recorder takes the vote
8. The mayor announces the result

### **Addressing the Chair**

Any member of the council may propose a motion. They may do this at any appropriate time when there is no business before the assembly.

To present a motion, a member addresses the presiding officer by their official title; for example: "Mr. Mayor" or "Ms. Mayor."

Addressing the chair is equivalent to requesting permission to present a motion or to discuss a motion already presented.

### **Recognition by the Mayor**

The mayor recognizes a member by calling them by name, or by nodding to them, or by designating them in some other way.

As soon as the mayor recognizes a member, that member is entitled to the undivided attention of the council while proposing or discussing a motion.

### **Proposing a Motion or a Resolution**

A motion is a proposal that the council take certain actions. It is always stated in the form:

"I move ..." followed by the proposal to be considered.

This is the correct form for proposing a motion because it definitely establishes, as a motion, the proposal that follows. Such introductory phrases as "I suggest," "I move you" or "I so move" may get the desired result but are not good form.

An occasional brief introductory remark may preface a motion, but discussion or debate is usually not permissible until a motion has been stated by the mayor and is before the council for discussion. If it is desirable to have discussion before a motion can be formulated, this may be done by moving that the subject be considered informally.

### **Seconding Motions**

After a member has proposed a motion, it is then in order for another member to second the motion. The seconding member says: "I second the motion."

If the mayor does not hear a second to a motion, they should ask, "Is there a second to the motion that ..." and repeat the motion, since it may be that some of the members have not understood its meaning. If no second is forthcoming, the mayor declares the motion "lost for want of a second."

Seconding a motion means that the seconder wishes to have the motion presented to the assembly for consideration. It does not necessarily imply that the seconder favors the motion or intends to vote for it. Requirement of a motion and a second is based on

the belief that at least two members should be interested in the discussion of a proposition before a motion is presented to the assembly. Some organizations, by special rule, require no seconds.

Routine motions, such as approving the minutes, are frequently stated by the mayor without waiting for a second, unless some member objects. If a member does object, the mayor must call for a second. In committees and boards, no seconds are required.

### **Statement of Motion by the Mayor**

As soon as a motion has been properly moved and seconded, it is the duty of the mayor to state the motion promptly to the council. Until the mayor has done so, the motion is under the control of its maker and can be withdrawn or modified as they wish. Once the motion has been stated to the council, it is in the possession of the body to do with it as it chooses.

If a motion is proposed in a form which is misleading, vague or overly complicated, it is the duty of the mayor to either rephrase the motion or request that the member rephrase their motion. If rephrasing the motion, the mayor should make sure not to change its meaning. The mayor should ask the member whether the rephrased motion, as stated to the council, expresses their proposal correctly.

If a motion proposes action which is contrary to law, or to the bylaws or rules, or if it is obviously dilatory (that is, made for the purpose of delaying business) or is completely unsuitable for the consideration of the council, the mayor should rule it out of order. The mayor may say, "The chair rules your motion out of order," and state the reason for so doing.

### **Discussing a Motion**

A member obtains the floor to discuss a motion in the same manner as they propose a motion.

Once a member has been recognized for the purpose of discussing a motion, they must be protected in their right to speak, so long as they observe the rules of decorum and confine their remarks to the subject.

Debate is restricted to the measure under consideration, and neither its proposer nor their motives can be discussed. The rules of debate require that all discussion be impersonal and that it be addressed to the presiding officer.

### **Public Comment on a Motion**

On rare occasions, the mayor may open the discussion for public comment. Comment periods should be limited in time (recommended 3 minutes). The mayor can cut off any public comment deemed inappropriate.

## **Voting on a Motion**

When it appears that all members who wish to discuss the question have done so, the mayor may inquire: "Is there any further discussion?" or "Are you ready for the vote?" This query gives notice that debate is about to close, and that if any member wishes to claim the floor, they should do so immediately.

The mayor should ignore calls of "Question!" from the floor, for no member has a right to try to force an immediate vote in this manner.

If no one claims the floor, the mayor, after a pause, puts the question to vote.

The announcement of the vote by the mayor is the last step in the production line that has carried the motion from its introduction by an individual member to its disposal by vote of the council or governing body.

## **III. THE PRECEDENCE AND CLASSIFICATION OF MOTIONS**

The rank of motions, which is called "precedence," keeps the business of the meeting going with efficiency, and every motion is attended to in its proper turn. The order of precedence of motions is based on the degree of their urgency; and it is logical and easy to understand. The following is a list of the more important motions, arranged in the order of their precedence:

### **Order of Precedence**

1. Adjourn
2. Recess
3. Question of privilege
4. Postpone temporarily ("lay on the table")
5. Vote immediately ("previous question")
6. Limit debate
7. Postpone definitely
8. Refer to committee
9. Amend
10. Postpone indefinitely

## 11. The general main motion

Number 11 is the main motion

Numbers 4-10 are subsidiary motions

Numbers 1-3 are privileged motions

## The Four Classes of Motions

### 1. Main Motions

This group is made up of motions that bring subjects (as contrasted with procedural questions) before the council for decision. These motions constitute the principal business of a meeting. They are the most important of all motions because they bring the main business before the meeting.

### 2. Subsidiary Motions

This group is made up of seven motions that are alternative methods of changing or disposing of the main motion. Their name derives from the fact that they are subsidiary to the main motion and, therefore, can be proposed only when a main motion is before the council.

If a main motion is pending and some members do not wish to vote on it directly at the time, they have several choices as to how the motion may be modified or disposed of. For example, one member may believe that it is an unsuitable motion for the council to consider and may move to postpone it indefinitely. Another may think that the motion should be changed so that it conforms more closely to the ideas of the council and may move to amend it.

### 3. Incidental Motions

The motions of this group arise incidentally out of the business that is before the council. In general, they are concerned with the rights and privileges of members. They have only a few characteristics in common.

The purpose of this group of motions is to handle procedural problems that arise out of the consideration of other questions. These problems, naturally, must be settled before consideration can be given to the question out of which they arise.

Incidental motions are not included in the list of precedence because they may be proposed at any time and must be decided whenever they arise. Therefore, they present no problem of precedence.

The important incidental motions are:

- Appeal



- Point of order
- Parliamentary inquiry
- Suspend rules
- Withdraw a motion
- Object to consideration
- Division of a question
- Division of the assembly

Many additional motions may arise incidentally during the discussion of another motion. Examples of motions that may arise incidentally are: motion to excuse a member from voting; to consider a resolution paragraph by paragraph; to close nominations.

#### 4. Privileged Motions

This small group is composed of motions that are so important they are given privileges not accorded to other motions. They are, in effect, main motions that, because of their urgency, must be decided before the pending question. They relate to the members and to the council rather than to the main motion.

##### Rules of Precedence

The chief purpose of dividing motions into four groups is to determine their rank or precedence. This rank is fixed and definite and is based on logical reasoning. It is simple to understand and to apply.

It is not necessary to memorize the precedence of the 11 important motions. Practice in using them will soon fix their rank in your mind because their order is so logical that they could not be effectively arranged in any radically different way.

There are two important rules of precedence:

1. When a motion is pending, any motion of a higher rank may be proposed, but no motion of lower rank is in order. The motion to adjourn (No. 1) has the highest rank, and a main motion (No. 11) has the lowest. If a main motion (No. 11) is pending, any motion of higher rank (No. 10 to 1) can be proposed. If No. 8 is pending, No. 7 to No. 1 can all be proposed, but No. 9 or No. 10 cannot.
2. Motions are considered and voted upon in inverse order to the order of their proposal, the last one proposed being considered and disposed of first. For example, if motions No. 11, 10, 7 and 2 were proposed in that order, they would be considered and voted upon in the following order: No. 2, 7, 10 and 11.

**IV. QUORUM**

A quorum is one necessary ingredient for a meeting. What is a quorum? A quorum is the minimum number of the members that must be present at a meeting in order to transact business legally. Before a mayor calls a council meeting to order, they should be reasonably sure that a quorum is present. If a quorum is not present, all the group can do is fix a time for another meeting and adjourn.

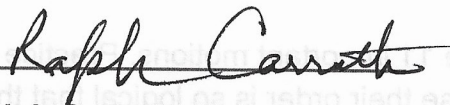
A majority of the council is a quorum. In a mayor-council form of government, the mayor may vote to form a quorum at any regular or special meeting.

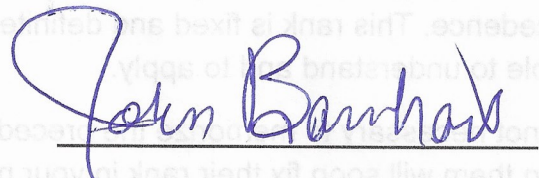
**This resolution will remain in effect until such time as the rules for conducting council meetings is established by ordinance in the City Municipal Code.**

**PASSED AND APPROVED BY THE CITY COUNCIL OF DIAMONDHEAD, ARKANSAS ON THIS DATE OF DECEMBER 3, 2024.**

**APPROVED:**

**ATTEST:**

  
Ralph Carruth, Mayor

  
John Barnhart, Recorder/Treasurer