

Memo

Date: February 14, 2005

To: All Council Members

Cc: Pam Sitton, Pro Tem
James Calvert
Larry Calvert
Bill Ivey
Melanie Piper

From: Sue Blackmon, Mayor

Re: Attendance at Council Meetings

The council has the authority to compel the attendance of absent members under such penalties as it may prescribe. (**Section 11-43-51, Code of Alabama, 1975**). The lack of a quorum due to a refusal of councilmembers to attend meetings could seriously hamper the functioning of the council. When adopting rules of procedure, the council should consider providing authority for less than a quorum in attendance at a regular meeting to compel the attendance of absent members in order to complete a quorum. However, any ordinances, resolutions or official action of the council can only take place if a quorum is present.

Continued absence of a councilmember would render the official liable to actions of the following nature- impeachment for willful neglect of duty (**Sections 36-11-1, Code of Alabama, 1975**); determination by the courts that the office has been abandoned; and mandatory injunction by a court compelling attendance to make the necessary quorum.

- I. A quorum shall be determined, as provided by **Section 11-43-48, Code of Alabama.**
- II. All regular meetings shall convene at 7 P.M. the second Monday of each consecutive month at County Line City Hall and all meetings, regular and special shall be open to the public.
- III. When required by the mayor, all motion shall be presented in writing.
- IV. The order of business shall be as follows:
 1. Call to Order
 2. Roll Call
 3. Reading, approval and signing of minutes of the previous meeting.
 4. Committee Reports
 5. Reading of petitions, applications, complaints and appeals.
 6. Auditing of accounts.
 7. Resolutions, ordinances, orders and other business.
 8. Public Comment
 9. Mayor adjourns meeting.

AN ORDINANCE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COUNTY LINE, ALABAMA, that the order or procedure in all instances for meetings of the council shall be as follows:

- Section 1.** That the rules or order of procedure herein contained shall govern deliberations and meetings of the council of County Line, Alabama.
- Section 2.** Regular meetings of the council shall be held on the following date: the 2nd Monday of each month.
- Section 3.** Special meetings may be held at the call of the presiding officer by serving notice on each member of the council not less than 24 hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50, Code of Alabama, 1975, whenever two council members (or the mayor) making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least 24 hours prior to such meeting.
- Section 4.** A quorum shall be determined as provided by section 11-43-48, Code of Alabama.
- Section 5.** All regular meetings shall convene at 7:00 o'clock p.m. at the City Hall and all meetings, regular and special, shall be open to the public.
- Section 6.** The order of business shall be as follows:
1. A call to order
 2. Roll call
 3. a) Reading and approval of the minutes of the previous meeting
b) Reading and approval of the financial report
 4. Reports of committees
 5. Reports of officers
 6. Reading of petitions, applications, complaints, appeals, communications, etc.

7. Resolutions, ordinances, orders, and other business

8. Public comments

Section 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 8. No person, not a member of the council, shall be allowed to address the same while in session.

Section 9. Every officer, whose duty it is to report at the regular meetings of the council, who shall be in default thereof, may be fined at the discretion of the council.

Section 10. Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council. All resolutions and ordinances and any amendments thereto shall be in writing at the time of introduction.

Section 11. Motions to reconsider must be by a member who voted with a majority and at the same or next succeeding meeting of the council.

Section 12. Whenever it shall be required by one or more members, the "yeas" and "nays" shall be recorded and any member may call for a division on any question.

Section 13. All questions of order shall be decided by the presiding officer of the council with the right of appeal to the council by any member.

Section 14. The presiding officer of the council may, at his or her discretion, call any member to take the chair, to allow him or her to address the council, make a motion, or discuss any other matter at issue.

Section 15. Motions to lay any matter on the table shall be first in order, and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

Section 16. All meetings of the council shall be open to the public, except when the council meets in executive session as authorized by state law.

Section 17. The council may meet in executive session only for those purposes authorized by state law. When a council member makes a motion to go into executive session for an enumerated purpose, the presiding

officer shall put the motion to a vote. If the majority of the council shall vote in favor of the motion to go into executive session, the body shall then move into executive session was called. No action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberations in public.

- Section 18.** A motion for adjournment shall always be in order.
- Section 19.** The rules of the council may be amended in the same manner as any other ordinance of general and permanent operation.
- Section 20.** The rules of the council may be temporarily suspended by a vote of two-thirds of the members present.
- Section 21.** The chairman of each respective committee, or the councilmember acting for him or her, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.
- Section 22.** All ordinances, resolutions or propositions submitted to the council which require the expenditure of money shall lie over until the next meeting; provided, that such ordinances, resolutions or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the city.
- Section 23.** The clerk, engineer, attorney and chief of police, and such other officers or employees of the City of County Line, shall, when requested, attend all meetings of the council and shall remain in the council room for such length of time as the council may direct.
- Section 24.** No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.
- Section 25.** Robert's Rules of Order is hereby adopted as the rules of procedure for this council in those situations which cannot be resolved by the rules set out in this ordinance.
- Section 26.** All public comments shall be introduced to council in written form not less than 30 days of upcoming meeting. Council shall review

contents of all requests and if deemed appropriate, request will be discussed at monthly meeting. If submitted by group only one appointed spokesperson for the group shall be allowed to address council on said issue.

Section 27. This ordinance shall go into effect upon the passage and publication as required by law.

James H. Calvert

Larry Calvert

Pam Sitton

Mellany Piper

William Ivey

Approved this the _____ day of _____, 2005.

Sue Blackmon, Mayor

Passed and approved this the _____ day of _____, 2005.

Marilee Calvert, Clerk