# 2025 COUNCIL RULES OF PROCEDURE

City of Sheridan

July 21, 2025

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# CHAPTER 1 – General Governance

## I. Rules of Procedure.

A. These Rules of Procedure shall be posted in a conspicuous, visible location within city hall and shall be posted on the city website. Copies of these rules shall be available to the public upon request.

B. Unless otherwise provided by charter, ordinance, or these rules, the procedure for council meetings, and any subcommittee of a city council, shall be guided by Robert's Rules of Order, 11th Edition.

C. Members of the council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the council and confuse members of the public.

D. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

## II. Quorum. A quorum is required to conduct official city business.

A. Fifty percent plus one of the members of the council shall constitute a quorum. If there is not a quorum of the voting members, then the mayor may declare themself a voting member under the city charter. Vacancies in office do not count toward determining a quorum.

B. In the event a quorum is not present, the members of council present may adjourn the meeting or may continue the meeting, provided they take no action or deliberate toward any decisions.

## III. Presiding Officer.

A. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.

B. In the mayor's absence, the president of the council shall preside over the meeting. The president of the council shall be afforded all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.

1. The president of the council shall retain all rights and privileges of a member of council when acting in this capacity.

C. If both the mayor and the president of the council are absent from the meeting, the following procedure shall be utilized to determine who is the presiding officer:

1. The city recorder shall call the council to order and call the roll of the members.
2. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.
3. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
4. The temporary presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.

**IV. Other Elected and Appointed Officers.**

A. City Recorder. The city recorder shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.

B. City Manager. The city manager, or their designee, is required to attend all meetings of the council and is permitted to participate in any discussion; however, the city manager has no authority to cast a vote in any decision rendered by the council.

C. City Attorney. The city attorney may attend any meeting of the council, and will give an opinion, either written or oral, on legal questions.

**V. Agendas.** The city manager shall prepare an agenda for every council meeting.

A. Agendas and informational material for meetings shall be distributed to the council at least three (3) days preceding the meeting.

B. No council approval shall be required for an agenda of any meeting; however, the mayor shall approve the agenda prior to distribution to the council. In the event that, after reasonable attempts to obtain approval from the mayor, approval of the agenda is not received by the time that meeting materials need to be finalized by city staff, then the mayor's pre-approval is not required.

C. The city manager may place routine items and items referred by staff on the agenda without council approval or action.

D. The city manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at the time the meeting is convened, with the approval of the mayor. The presiding officer shall announce such removal under announcements/proclamations and, if appropriate, an explanation of why the item was removed.

E. Any two or more members of the council who wish to have an item placed on the agenda shall advise the city manager at least one week prior to the meeting.

**VI. Order of Business.** The order of business for all regular meetings shall be as follows; however, when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by the mayor or a member of the council with council consensus:

1. Call to order.
2. Roll call.
3. Pledge of Allegiance.
4. Proclamations/Announcements/Add or Remove Agenda Items.
5. Public comment on any item (other than public hearings).
6. Presentations (followed by council action, if required)
7. Public hearings.
8. Consent agenda.
9. Unfinished business.
10. New business.
11. Department reports.
12. City Manager report.
13. Public comment on any item.
14. Mayor/Council comments.
15. Adjournment.

A. Call to Order. The presiding officer shall call all meetings of the council to order. The call to order shall note the date, time, and location of the meeting so that it may accurately be reflected in the minutes.

B. Roll Call. The city recorder shall conduct a roll call to determine which members of the council are present and which are absent.

   1. The attendance shall be properly reflected in the minutes.
   2. If roll call determines that a quorum is not present, the members of council present may adjourn the meeting or may continue the meeting provided they take no action or deliberate toward any decisions.

C. Pledge of Allegiance. Shall be led by the presiding officer.

D. Proclamations/Announcements/Add or Remove Agenda Items. Proclamations are awards or recognition of individuals by the mayor or the council. Announcements are intended to be procedural in nature, such as an item being removed from the agenda.

1. The mayor or presiding officer may add or remove items from the agenda without the need for council approval. The decision by the mayor or presiding officer to add or remove items from the agenda can be overridden by a majority vote of the council.
2. An item may be added to the agenda without approval by the mayor or presiding officer by the request of two or more council members, and the mayor or presiding officer may not remove such item from an agenda once it is added.

E. Public Comment.

1. Two periods for public comment will be reserved for every regular meeting of the council. It is in the discretion of the mayor to determine the inclusion of a public comment period at any meeting other than a regular meeting of the city council.
2. Each public comment period shall not exceed a maximum of 30 minutes unless either the mayor authorizes additional time for public comment, or a majority of council members present vote to extend the time. Members of the public may speak about any topic, including items placed on the agenda, other than public hearings.
3. Persons wishing to speak during public comment must fill out and sign a public comment form, with the person's name, phone number, city of residence, and the topic upon which the person wishes to speak. The public comment form should be delivered to the city recorder by the end of the public comment period, but in no event shall a person who made a public comment leave the meeting without providing a public comment form with the required information.
4. Members of the public may speak about any topic during the last period for public comment.
5. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.

6. Speakers are limited to three minutes. Generally, the speakers will be called upon in the order in which they have provided a completed public comment form to the city recorder. Speakers shall identify themselves by their names and by their city of residence. Speakers may state their mailing address. The presiding officer may allow additional persons to speak if they have not provided a public comment form and sufficient time is left in the 30-minute period. However, such speakers are still required to provide a public comment form prior to leaving the council meeting.
7. Should there be more speakers than can be heard for three minutes each during either of the 30-minute periods provided for public comment, the presiding officer may sort the requests to speak in order to afford the greatest opportunity for each topic to be heard.
8. Council members may, after obtaining the floor, ask questions of speakers during public comment. Council members shall use restraint when exercising this option and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a council member is violating the spirit of this guideline.
9. Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize city-provided audio or visual equipment located in the council chambers as a part of their comment, but must provide the materials in a readable format to city staff prior to the meeting so that it may be installed on the city's equipment to avoid a delay or disruption of the meeting. Any electronic audio or visual material must be provided in a format preservable by the City in compliance with any applicable public records laws.
10. The agenda shall include the following information for the public in regards to public comments: *The Public Comment portion of the agenda is the opportunity for the Council to listen to the public, but not for dialogue. The public is allowed up to 3 minutes to present information relevant to the City. The topic/issue brought up may be referred by the Council to the City Manager for inclusion on a subsequent Council agenda. Council has the discretion to ask questions after comments are concluded. Please note: Complaints should first be addressed to the appropriate City department and/or the City Manager prior to directly addressing the Council.*

F. Presentations. Any council meeting may include up to two presentations by outside organizations to provide information which may be of interest to the council. Generally, the presentation portion of any meeting should be limited to 25 minutes total, including any questions the council has. The presiding officer has the discretion to exceed this time limit when it appears to be in the best interest of the council to do so. In the event the council is taking action which relates to a presentation, then the action item may be undertaken immediately following the presentation.

G. Public Hearings Generally.

1. A public hearing may be held on any matter upon majority vote of the council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
2. Persons wishing to speak shall provide a public hearing form with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
3. The presiding officer shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
4. Each person shall, prior to giving testimony, give his or her name, indicate whether they are a resident of the city, and give their address. All remarks shall be addressed to the presiding officer and not to any particular council member.
5. Speakers at hearings on legislative or administrative matters, other than legislative land use matters, will be limited to three minutes. Speakers at a hearing on a quasi-judicial matter, other than a quasi-judicial land use matter, shall be subject to the following time limits:

    a. Staff presentation (15 minutes total or as allowed by the presiding officer).
    b. Applicant or affected party (15 minutes). Quasi-judicial hearing only.
    c. Appellant, if other than applicant (10 minutes). Quasi-judicial hearing only.
    d. Other interested persons (3 minutes per person).
    e. Questions of staff (No time limit).
    f. Rebuttal by applicant or party. The scope of rebuttal is limited to matters which were introduced during the hearing (7 minutes total).

6. Council members may, after recognition by the presiding officer, ask clarifying or follow-up questions of individuals providing testimony after that individual has completed his or her testimony. Questions posed by council members should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Council members shall be expected to use restraint and be considerate of the meeting time of the council when exercising this option. The presiding officer may intervene if a council member is violating the spirit of this guideline.

7. Council members may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by city council members should be to provide clarification or additional information on testimony provided.

8. The presiding officer may exclude or limit cumulative, repetitious, or immaterial matters. The presiding officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, with the approval of the council, may further limit the time and/or number of speakers at any public hearing, provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer may, to expedite the hearing, call for those in favor of the pending proposal or those in opposition to rise and direct the city recorder to note the numbers in the minutes, in lieu of individual testimony.

9. At the end of public testimony and questions of staff, the presiding officer shall initiate deliberations, and the council takes action by motion on the matter, continue the hearing, or keep the record open for additional written testimony. During deliberations, each member of the council shall have the opportunity to comment on or discuss testimony given during the public hearing.

10. A copy of any written testimony or physical evidence that a party desires to have introduced into the record of the hearing, shall be submitted to the city recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parté contacts, and a council member receiving any such communication must disclose the fact that such a communication has been received and the content of the communication.

11. Documents submitted to the city as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, email address, and telephone number are part of a public record, this information will be generally disseminated to the public and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety and who wishes to exempt his or her address, email address, and telephone number from disclosure must submit a written request for non- disclosure to the city recorder pursuant to ORS 192.368(1).

H. Conduct of Hearings on Land Use Matters – See Chapter 4

I. Consent Agenda. In order to expedite the council's business, the approval of minutes and other routine agenda items may be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion unless an item is pulled for further consideration.

2. Any item on the consent agenda may be removed for separate consideration by any member of the council.

3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of council must declare a conflict of interest.

J. Unfinished Business. Any agenda items which have previously appeared under New Business, but have not been completed, shall be included as an Unfinished Business item on subsequent agendas. Unfinished Business items shall continue to be included on subsequent agendas until the council votes on the item or, by consensus of the council, the item is to be removed from Unfinished Business. There shall not be more than 10 agenda items total in Unfinished Business and New Business, unless the mayor approves the proposed items.

K. New Business. Any agenda items which may result in a vote by the council, or require a vote by the council, shall be included as New Business on the agenda of the first meeting that the item is brought to the council. New Business items may be placed on the agenda by the city manager, the mayor, or upon the request of at least two members of the council. There shall not be more than 10 agenda items total in Unfinished Business and New Business, unless the mayor approves the proposed items.

L. Department Reports. The city manager shall determine which department heads and/or outside consultants are to give regular reports to the council. The council, by consensus, may request additional city employees or outside consultants provide regular reports to the council. The primary purpose of these reports is to continue to build communication between the Council, city staff, and the public regarding ongoing work projects.

1. Reports to the council should be made in writing and included in the meeting materials. Where a written report is provided by a department head, outside consultant, or other city employee, no oral report shall be given unless the department head, outside consultant, or city employee has additional pertinent information to provide, or council members have questions relating to the report.

2. Oral reports to the council should generally not exceed five minutes in length. Members of the council may ask questions of the presenter upon conclusion of the report being given. The presiding officer is authorized to call any report, including a question and answer section, to a conclusion.

M. City Manager Report. The city manager is required to submit a monthly report providing a summary of activities, programs, policy changes, etc., to the council. The report is to be provided in writing and included in the meeting materials. The oral portion of the city manager's report should not exceed approximately 10 minutes in length, but the presiding officer may allow additional time for the oral portion of the city manager's report where the presiding officer deems it appropriate and in the best interest of the council. The council may ask questions of the city manager relating to the report, and the presiding officer is authorized to shorten the dialogue by calling the report to a conclusion.

1. The city manager shall include in their report any approved minutes from the meeting of any city commission or committee. The purpose of including these minutes is to build communication with the council as to the work of the commission or committee. In the event that the city manager, city recorder, or city attorney determines that it would not be in the best interest of the city to provide certain minutes to the council, as in the case of a pending land use matter that will come before the council, then such minutes shall not be included in the council's meeting materials until such time as it is deemed appropriate for the minutes to be provided to the council.

N. Mayor and Council Comments. This is reserved for announcements, comments, or concerns, which may or may not be added to a future council meeting. Each member of the council should limit their announcements, comments, or concerns to not more than three minutes.

O. Adjournment. A motion to adjourn the meeting must be made by a member of the council, and requires a majority vote. The presiding officer is authorized to adjourn the meeting at any time, without a vote of the council, in the event of an emergency.

P. Written Communications to Council.

1. Unsolicited communications to the mayor and/or council concerning matters on the agenda shall be forwarded to the council in the agenda packet but shall not be individually itemized on the agenda.
2. Unsolicited communications to the mayor and/or council concerning matters that are not on the agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.

3. The city manager may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the council, and making a recommendation for council action.

# CHAPTER 2 – Meeting Time, Location and Frequency

**I.** **Regular meetings**. The council normally shall meet on the third Monday of each month.

A. Meetings shall begin at 7:00 p.m.

B. Meetings shall normally adjourn at approximately 9:30 p.m. subject to completion or deferral of all agenda items.

**II.** **Special meetings**. Special meetings may be called by the presiding officer, by request of three members of the council, or by the city manager.

A. Notice of the special meeting shall be given to each member of the council, the city manager, and each local newspaper, radio, and television station which has on file a written request for notice of special meetings.

B. Notice of the special meeting shall be given to the mayor, all members of the council, and the city manager by phone call, text message, or email.

C. Special meetings shall be noticed in accordance with Oregon's public meetings law and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.

**III.** **Emergency meetings**. Emergency meetings may be called by the presiding officer, at the request of three members of council, or by the city manager.

A. Notice of the emergency meeting shall be given to each member of the council, the city manager, and each local newspaper, radio, and television station which has on file a written request for notice of special meetings.

B. Notice of the emergency meeting shall be given to the mayor, all members of the council, and the city manager by phone call, text message, or email.

C. Emergency meetings are those meetings called with less than 24 hours' notice. The council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.

D. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

**IV.** **Executive Sessions**. Executive sessions may be called for a lawful purpose by the presiding officer, at the request of three members of council, by the city manager with the concurrence of the presiding officer or three council members, or by the city attorney.

A. Only the mayor, members of the council, the city manager, and persons specifically invited by the city manager or the council shall be allowed to attend executive sessions.

B. Representatives of recognized news media may attend executive sessions, other than those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.

**V.** **Work Sessions**. Work sessions are permitted to present information to the council so that the council is prepared for regular or special meetings.

A. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.

B. Work sessions are intended to allow for preliminary discussions, and the council would normally not take formal or final action on any matter at a work session but may take action if the council deems action to be necessary.

C. Work sessions are to be scheduled by the city manager.

D. The city manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible, subject to approval by the mayor or presiding officer.

**VI.** **Holidays**. In the event a regular meeting falls on a holiday recognized by the city, the regular meeting for that month will be held on Tuesday, the next evening.

**VII.** **Location**. Council meetings shall be held at city hall.

A. Council meetings and Work Sessions shall be held at city hall or such other meeting place within the city as shall be specified in the notice for the meeting.

B. Training sessions may be held outside of the city's jurisdictional limits, provided no deliberations toward a decision are made.

C. Interjurisdictional meetings may be held outside of the city's jurisdictional limits but should be held as close as practical to the city, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

**VIII.** No council meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income, or disability is practiced.

**IX.** **Notice**. The city recorder shall provide notice of all meetings in accordance with Oregon's public meeting law.

**X.** **Attendance**. Members of the council shall advise the mayor if they will be unable to attend any meetings. Unless a member has received permission from the mayor, members of the council are expected to attend all council meetings in person, especially if the member is in the city at the time of the meeting. Such permission shall be granted when, in the sole discretion of the mayor, the member has a compelling reason supporting the request. Under the charter, a council position shall be deemed vacant if the member of council is absent from the city for more than 60 days without council permission or absent from all meetings of the council within a 90-day period.

# CHAPTER 3 – Ordinances and Resolutions

**I.** **Ordinances**. All ordinances considered by and voted upon by the council shall adhere to the rules outlined herein.

A. Numbering. The city recorder shall number all ordinances with a consecutive identification number during each calendar year in the order of their introduction.

B. Preparation and Introduction.

1. All ordinances shall, before presentation to the council, have been approved by the city attorney or the city attorney's designee.

2. Ordinances shall be introduced by a member of the council. Except that, upon the request of the council, an ordinance may be introduced by the city manager or the city attorney, with a member of the council moving further action on such ordinance upon completion of the introduction.

3. No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.

4. Prior to the final reading and adoption of any proposed ordinance, the City Council shall hold at least one public hearing on the proposed ordinance, as outlined in Chapter 1.

C. Calendar of Ordinance.

1. Before moving the reading of an ordinance, the council may direct that:

   a. An additional public hearing on the ordinance be held;

   b. Refer the ordinance to committee for review and recommendation;

   c. Refer the ordinance to the city manager for further revision;

2. The City Council may:

   a. Pass the ordinance after three readings in accordance with the city charter; or

   b. Reject the ordinance in whole or in part.

**II.** **Resolutions**. All resolutions considered by and voted upon by the council shall adhere to the rules outlined herein.

A. Numbering. The city recorder shall number all resolutions with a consecutive identification number during each calendar year, in the order of their introduction. Each number shall be followed by the last two digits of the year in which the resolution was introduced.

B. Preparation and Motion for Adoption.

1. Resolutions shall be proposed for adoption by a motion of a member of the council.

C. Calendar of Resolution.

1. A The council may direct that:

   a. A public hearing on the resolution be held;

   b. Pass the resolution by an affirmative vote of a majority of the council present when a quorum is present; or

   c. Reject the resolution in whole or in part.

2. All resolutions, when introduced for the first reading, shall be identified by title and number.

3. All proposed amendments to a resolution shall be made orally or in writing and may be made by interlineation upon the resolution.

# CHAPTER 4 – Land Use Hearings

## I. General Conduct of Hearings.

A. Any party may speak in person, through an attorney, or elect to have a representative from an officially recognized neighborhood association present the party's case.

B. A copy of any written testimony or physical evidence that a party desires to have introduced into the record at the time of the hearing shall be submitted to the city recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the city recorder, it shall not be included in the record for the proceeding.

C. No person may speak more than once without obtaining permission from the presiding officer.

D. Upon being recognized by the presiding officer, any member of the council, the city manager, planning director, or city attorney may question any person who testifies.

E. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.

F. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder shall note the number of such persons for the record in the minutes.

## II. Quasi-Judicial Land Use Matters.

A. Scope of Review. All appeals and council-initiated reviews in quasi-judicial land use proceedings shall be confined to the record of the planning commission's proceeding, subject to the council's option to review a matter de novo, as outlined in Sheridan Municipal Code 16.532.020.

B. Conflicts of Interest.

1. A member of the council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:
    a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the city charter.
    b. The member was not present during the public hearing; provided, however, the member may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.
2. Members of the council shall reveal any ex parté contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. If such contact impairs the member's impartiality, the member shall state this fact

and abstain from participation in the matter.

C. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the council shall be based on the applicable standards and criteria as set forth in the city's municipal code, the city's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.

2. The proponent, any opponents, and/or city staff may submit to the council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

D. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The presiding officer or a designated member of city staff shall read the land use hearing disclosure statement, which shall include:

   a. A list of the applicable criteria;

   b. A statement that testimony, arguments, and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes should apply to the decision;

   c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

   d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. Call for ex parté contacts. The presiding officer shall inquire whether any member of the council has had ex parté contacts. Any member of the council announcing an ex parté contact shall state for the record the nature and content of the contact.

3. Call for abstentions. The presiding officer shall inquire whether any member of the council must abstain from participating in the hearing due to an actual conflict of interest. Any member of the council announcing an actual conflict of interest shall state the nature of the conflict and shall not participate in the proceeding.

4. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

5. Presentation of the Case.

   a. Proponent's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. A rebuttal may be presented by the proponent. The scope of the rebuttal is limited to matters which were introduced during the hearing.

6. Close of hearing. No further information shall be received after the close of the hearing except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneously written rebuttal.

7. Deliberations. Deliberations shall immediately follow the hearing. The council may delay deliberations to a subsequent date and time certain.

8. Findings and Order. The council may approve or reject the proposal.

a. The council shall adopt findings to support its decision.

b. The council may incorporate findings proposed by the proponent, the opponent, or staff in its decision.

E. Continuances. Only one continuance, requested at an initial evidentiary hearing, is available by right. However, nothing in this section shall restrict the council, at its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes when requested or agreed to by the applicant. All other continuances shall be subject to the 120-day time limitations imposed by the Oregon Revised Statutes.

**III. Legislative Land Use Matters.**

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

1. Call for abstentions. Inquire whether any member of the council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

2. Staff summary. Staff shall present a statement of the applicable criteria and a summary and recommendation concerning the proposal.

3. Presentation of the Case.

a. Proponent's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

4. Close of hearing. No further information shall be received after the close of the hearing except for responses to specific questions directed to staff.
5. Deliberations. Deliberations shall immediately follow the hearing. The council may delay deliberations to a subsequent date and time certain.
6. Reopening hearing. Prior to the final reading of an ordinance relating to a legislative land use matter, and upon a majority vote of the council, a hearing may be reopened to receive additional testimony, evidence, or argument. The same notice requirements shall be met for the reopened hearing as were required previously.

# CHAPTER 5 – Motions, Debate, and Voting

**I.** **Motions**. All motions shall be distinctly worded.

A. The following rules shall apply to motions:

1. If a motion does not receive a second, it dies.
2. The council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
3. Any motion shall be reduced to writing if requested by a member of the council.
4. A motion to amend can be made to a motion that is on the floor and has been seconded.
5. No motion shall be received when a question is under debate except for the following:
    a. To lay the matter on the table;
    b. To call for the previous question;
    c. To postpone;
    d. To refer; or
    e. To amend.
6. A motion may be withdrawn by the mover at any time without the consent of the council.
7. Amendments are voted on first, then the main motion if voted on as amended.
8. A member of the council may have a motion that contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
9. A call for the question is intended to close the debate on the main motion; it does not require a second and is not debatable.
    a. A call for the question fails without a majority vote.
    b. Debate on the main subject resumes if the vote fails.
10. A motion that receives a tie vote fails.
11. The presiding officer shall repeat the motion prior to a vote.
12. A motion to adjourn cannot be amended.

B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

1. No motion shall be made more than once.
2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the council.

**II. Debate.** The following rules shall govern the debate of any item being discussed by the council:

A. The presiding officer shall inquire whether members desire to speak and, upon recognition by the presiding officer, the member shall confine themself to the question under debate, at all times acting and speaking in a respectful manner.

B. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order or as herein otherwise provided.

C. The presiding officer shall have the privilege of closing the debate.

**III. Voting.** The following rules shall apply to voting on matters before the council, unless amended in the manner outlined in Chapter 4 of these Rules.

A. Reports. A majority of a quorum shall be required to approve or accept a report. However, no vote is required if the report is only for informational purposes.

B. Consent Agenda. A majority of a quorum shall be required to approve the matters on a consent agenda.

C. Resolutions. A majority of a quorum shall be required to pass a resolution.

D. An Ordinance Involving a New Fee or Charge. An ordinance involving a new fee or charge shall require a majority of a quorum of the council and voter approval upon referral to the voters of Sheridan, if required by the city charter to pass.

E. An Ordinance Not Involving a Fee. An ordinance that does not involve a fee or a fine shall require a majority of a quorum to pass.

F. Emergency Ordinance. An emergency ordinance shall require a majority of a quorum to pass.

G. Budget. The budget shall require a majority of a quorum to pass.

H. Franchise. A majority of a quorum shall be required to pass an ordinance granting a franchise.

I. Suspension of Rules. A two-thirds vote of all members of the council present shall be required to suspend a rule contained in these rules of procedure.

J. Votes. All votes shall be recorded in the minutes.

K. Ties. In the event of a tie vote, the mayor shall cast the deciding vote.

L. Effective date.

1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.
2. An emergency ordinance shall take effect immediately upon its passage or as otherwise stated in the ordinance.
3. All other ordinances shall take effect 30 days after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date.
4. The timely filing of a valid referendum petition shall suspend the effective date of an ordinance.

# CHAPTER 6 – Minutes

**I. Generally.**

A. All minutes shall be in written form, with an electronic copy of the meeting maintained by the city recorder in accordance with the appropriate record retention schedule.

B. The minutes shall contain the following information:

1. The date, time, and place of the meeting;
2. The members present;
3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
4. The results of all votes and the vote of each member by name;
5. The substance of any discussion on any matter; and
6. A reference to any document discussed at the meeting.

**II. Approval**. The council shall approve all minutes of any meeting.

A. All minutes shall be approved within a reasonable time after the meeting has occurred.

B. The draft minutes shall be submitted to the council as part of the council's packet prior to the meeting where they will be discussed.

C. Any member of the council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.

# CHAPTER 7 – Appointments

**I.** **Appointments of City Staff**. The council appoints and can remove those positions identified in the city's charter and in the Sheridan Municipal Code for certain council-appointed positions. All appointments require a majority vote of the entire council.

A. Removals. All appointed persons may be removed by the mayor with consent of a majority of the entire council.

B. Interference. If the council appoints a municipal judge or associate or Pro-Tem municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge's exercise of judicial authority or discretion.

**II.** **Appointments of Members to Boards, Commissions, and Committees.**

A. Unless otherwise mandated by state law, the mayor shall appoint members to the Budget Committee subject to the provisions of the Sheridan Municipal Code, and subject to advice and consent of the council, shall appoint the members of all other boards, commissions, or committees authorized by the council.

B. The council shall have the authority to create and appoint subcommittees of committees previously authorized by the council and to create special or temporary committees by a majority vote of a quorum.

C. Removals and Suspensions. All appointed persons may be removed or suspended by the mayor with consent of the council.

# CHAPTER 8 – Ethics, Decorum, Outside Statements

**I. Ethics.** All members of the council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, to the best of their ability, all members of the council shall refrain from:

A. Disclosing confidential information.

B. Taking action which benefits groups or persons at the expense of the city as a whole.

C. Making a public statement as a council member that is contrary to the official position of the city without explaining that the statement is an opinion of the individual council member.

D. Conducting themselves in a manner so as to bring discredit upon the government of the city.

**II. Decorum.**

A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to an appeal to the council.

B. Members of the council shall preserve decorum during meetings and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.

C. Members of the city staff and all other persons attending meetings shall observe the council's rules of procedure and adhere to the same standards of decorum as members of council.

D. Social Media. Council members shall treat one another, constituents, city staff, contracted service providers, city commissioners, and other stakeholders with whom this council has contact, with respect. This applies to behavior during council meetings as well as any other interactions involving issues related to the work of the city council or city staff, either in person or when communicating on social media platforms.

E. Social Media Records. Any comments made on social media sites by council members acting in their official capacity are subject to Oregon Public Records and Public Meetings Laws and City Records Retention Schedule. It is the responsibility of each council member who makes posts/comments on social media sites to produce copies of such posts/comments in the case of a public record request. As with electronic mail, council members need to refrain from engaging in communications on social media between and among a quorum of the council members.

## III. Statements to the Media and Other Organizations

A. Representing City. If a member of the council, including the mayor, appears as a representative of the city before another governmental agency, the media, or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council.

B. Emergency Response. In times of emergency, members of the council and the mayor may make factual statements of the emergency issue as a representative of the city before other governmental agencies, the media, and organizations without prior approval of the majority of the council.

C. Personal Opinions. If a member of the council, including the mayor, appears in their personal capacity before another governmental agency, the media, or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

D. City Manager as Media Liaison. The City Manager, or their designee, shall act as the City's primary contact with outside agencies and media outlets, and shall generally manage all of the City's media relations, while keeping the Mayor and Council informed. The City Manager is also designated as the official spokesperson for the City, particularly on issues relating to City policies, programs, and operations.

# CHAPTER 9 – Interactions with Staff & City Attorney

**I.** **Staff.** Directing the daily activities of city staff is the administrative responsibility of the city manager and department heads. Council members shall respect the city manager's administrative authority and respect the separation between the council's role and the city manager's responsibility by:

A. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager.

B. Avoiding actions that bypass the authority of the city manager or department head, such as by directly contacting employees for reports on the functioning of departments, or disciplining employees without consulting the city manager.

C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager.

1. Questions from individual members of the council requiring significant time or resources from staff or professional services (more than one hour) shall normally require approval of the council. For example, a request by an individual member of the council to locate several dozen old paper files may require multiple hours of the city clerk's time and must be approved by the council.

2. Whenever an individual member of the council obtains information from staff through one of the above limited inquiries or requests for information, that member shall share information they receive with the entire council. This section is not intended to apply to questions by members of the council acting in their individual capacities rather than as members of the council, nor to questions regarding conflict of interest or similar issues particular to a member of the council.

**II.** **City Attorney.** Council members may make requests to the city attorney for advice. The council shall be given notice if a council member is found to be overutilizing the city attorney's services (more than two hours of attorney time each month). The council may limit or revoke a council member's ability to make requests of the city attorney for overutilization of attorney services by a majority vote.

# CHAPTER 10 – Censure

**I.** The council may enforce these rules and ensure compliance with city ordinances, the city charter, and state laws applicable to governing bodies. If a member of the council violates these rules, city ordinances, the city charter, or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member with a public reprimand.

**II.** The council may investigate the actions of any member of the council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

# CHAPTER 11 – Amendment and Repeal

**I.** **Amendment.** These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.

A. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.

B. All amendments to these rules shall be made by resolution which requires a majority vote.

C. Amended rules shall go into effect as set forth in the resolution adopting such amended rules.

D. Immediately after such amendment goes into effect, an updated copy of these rules shall be posted on the city website and in a conspicuous, visible location within city hall.

**II.** **Repeal.** These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.

A. Any proposed repeal of these rules shall be accompanied by a proposed replacement.

B. Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.

C. Any repeal and replacement of these rules requires a majority vote.

D. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved or as otherwise specified in the resolution adopting the amended rules.