

CITY OF GLUCKSTADT, MISSISSIPPI

OFFICIAL OPEN MEETINGS PROCEDURAL POLICY

This Open Meetings Procedural Policy is drafted and published in compliance with the Mississippi Open Meetings Act of 1972, Section 24-41-1 thru 24-41-17, Mississippi Code of 1972.

It shall be the policy of the City of Gluckstadt (herein referred to as the "City") that the following procedures and implementation of the referenced act are hereby and herein adopted and shall be complied with by the City and by any individual in attendance at board meetings conducted by the Mayor & Board of Aldermen.

I. Regular Monthly Meetings of the Mayor & Board of Aldermen

- 1.1 Time: The Mayor and Board of Aldermen (the "Board") shall hold its regular meeting on the second Tuesday of each month beginning at 6:00 o'clock p.m. If the day fixed for any regular meeting of the Board falls upon a day designated by law as a legal state or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday.
- 1.2 Place: Regular meetings of the Board shall be held in the municipal board room at City Hal, located at 343 Distribution Drive, Gluckstadt, Mississippi: provided that the Board may recess any meeting to such other place as it may deem necessary, desirable, or convenient. If the meeting is recessed to some other place, notice of the location of the meeting shall be posted in a location accessible to the public at the municipal board room or elsewhere within City Hall. At such time that the City has a functioning public website, proper notice shall be posted on the website.
- 1.3 Telephonic Meetings: The Mayor and Board of Aldermen may conduct any meeting through teleconference or video means. A quorum of the Board as prescribed by law may be at different locations for the purpose of conducting a meeting through teleconference or video means provided that the equipment used is located at the place where the Board normally meets or at a public location specified in any notice of a special meeting, and provided that the equipment allows all members of the Board and members of the public who attend the meeting to hear the deliberations of City business.

II. Special Called Meetings of the Mayor & Board of Aldermen

- 2.1 The Mayor or any two Board members may call a special meeting of the Mayor and Board of Aldermen for the transaction of important business. To call the special meeting a written notice calling the meeting, including its time, place, and matters to be addressed, signed by the Mayor or Board Members calling it, must be posted within one hour at City Hall and disseminated timely via email to the full Board by the City Clerk. The notice must be served at least three hours before the time of the meeting fixed upon the notice. At such time that

the City has a functioning public website, proper notice shall be posted on the website. In the event any procedures specified herein for the calling of a special meeting conflict with any future amendment to Mississippi state law, the provisions of state law will control.

III. Meeting - Recessed

- 3.1 Any regular meeting of the Mayor and Board of Aldermen may be recessed by appropriate Board action to reconvene on a day and time and at a location fixed by order of the Board and duly entered in the minutes of the meeting which is recessed.

IV. Agenda

- 4.1 All items of business or other matters to be officially considered for action of the Mayor and Board of Aldermen shall be submitted to the City Clerk by noon on the Wednesday prior to each Board meeting, whereupon the City Clerk shall immediately arrange a list of such business items or matters according to the order of business as set forth in Section 1-10 of this procedural policy and furnish each member of the Board, Mayor and City Attorney with a copy of the same as far in advance of the meeting as time for preparation will permit, but no later than close of business on the Friday prior to each Board meeting. Any member of the Board may, however, bring before the Board any urgent or emergency matter, not on such agenda, subject to the approval of the Mayor and Board members to hear and/or be acted upon.

V. Presiding Officer

- 5.1 The presiding officer of the Board of Aldermen shall be the Mayor, or in his absence, the Mayor pro tempore. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Board of Aldermen. He shall state every question coming before the Board, announce the decision of the Board on all subjects and decide all questions of order, subject, however, to an appeal to the Board, in which event a majority vote of the Board shall govern and conclusively determine such question of order. Such appeal shall be immediately presented and voted upon by the Board.

VI. Calling of Meeting to Order & Roll Call

- 6.1 The Mayor, or in his absence, the Mayor pro tempore, shall take the chair precisely at the hour appointed for the Board meeting, and shall immediately call the Board to order. In the absence of the Mayor, or Mayor pro tempore, the City Clerk or the Clerk's deputy, shall call the Board to order, whereupon a temporary chairman shall be elected by the members of the Board present. Upon the arrival of the Mayor or Mayor pro tempore, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Board.
- 6.2 Before proceeding with the business of the Mayor and Board of Aldermen, the City Clerk or the Clerk's deputy shall take the roll of the members. The names of those present shall

be entered in the minutes. The Clerk will announce those present and absent at the call of the Mayor during the roll call order of business.

VII. Quorum

- 7.1 A majority of all members elected to the Board of Aldermen shall constitute a quorum at any regular or special meetings of the Board. At any time after the meeting has been called to order, no official business may be transacted by the Board in the absence of a quorum.

VIII. Order of Business

- 8.1 All meetings of the Board of Aldermen shall be opened to the public. Promptly at the hour set by law on the day of each regular meeting, the members of the Board, Mayor, City Clerk and City Attorney shall take their regular stations in the meeting room and the business of the Board shall be taken up for consideration and disposition in the following order, generally (subject to additions):

- (1) Call to Order & Roll Call (Establishment of a Quorum)
- (2) Opening Prayer & Pledge of Allegiance
- (3) Approval of Minutes of the Previous Meeting(s)
- (4) Approval of Claims Docket / Payment of Expenditures
- (5) Monthly Budget Report
- (5) Announcements or Special Recognitions
- (7) Consent Agenda
- (8) Old Business (carried forth from previous meetings)
- (9) New Business
- (9) City Administration/City Clerk: Update
- (10) Planning & Zoning/ Building Official: Update
- (11) Reports of Standing & Special Committees (if any)
- (12) Public Comment
- (13) Announcements, if any
- (14) Determination of Executive Session (if applicable)
- (15) Adjourn

- 8.2 All matters which are considered to be routine by the Mayor and Board of Aldermen will be enacted under the Consent Agenda by one motion without separate discussion of these items. If discussion is desired by the Mayor, any member of the Board of Aldermen or any citizen, that item will be removed from the Consent Agenda and will be considered separately at the same meeting at an appropriate point in the meeting.

IX. Minutes, Approval of Minutes & Record of Voting

- 9.1 A copy of the minutes of the previous regular meeting, and any intervening meeting of the Board of Aldermen, duly prepared according to Mississippi law, shall be made available

to all Board members at the City Hall at least two (3) hours prior to the meeting at which they are to be approved.

- 9.2 The minutes of the previous meeting of the Board of Aldermen, and any appropriate intervening special meetings, shall be adopted and approved as required by state law. The minutes shall be adopted and approved as printed and distributed to the Board unless corrections to such minutes are requested and considered prior to their adoption. A Board member may request, at the time of their approval, a reading of the minutes or portions thereof.
- 9.3 All actions of the Board of Aldermen requiring a vote shall be recorded in the minutes by individual board members as either "Aye," "Nay" or "Abstained." Members introducing and seconding motions will also be recorded. While abstentions are recorded by name, the number of those abstaining is always counted on the "prevailing" side of the numerical vote count when calculating percentages needed for passage of a motion, unless a contrary vote counting method is required by state law. Should the City Clerk, Mayor, or any Board member be uncertain as to the individual disposition of the votes, a Division of the Board or Roll Call vote may be called.
- 9.4 In accordance with the Open Meetings Act, minutes shall be kept of all meetings, whether in open or executive session, showing the members present and absent; the date, time and place of the meeting; an accurate recording of any final actions taken at such meeting; and a record, by individual member, of any votes taken; and any other information that the Mayor or Board requests be included or reflected in the minutes. The minutes shall be recorded within a reasonable time not to exceed thirty (30) days after recess or adjournment and shall be open to public inspection during regular business hours.

X. Robert's Rules of Order

- 10.1 The Board shall be governed in all matters of procedure by the provisions of this procedural policy and applicable provisions of state law. "Robert's Rules of Order" may be used as a general guide in the event either this policy or state law is silent as to a point of procedure. However, "Robert's Rules of Order" is subordinated to provisions of this policy, state law, and final decisions of the Presiding Officer or majority of the Board. Exhibit "A."

XI. Debate: Rules & Limitations

- 11.1 The presiding officer and Board members may debate and vote as allowed by Mississippi statutes. The Mayor or such other member of the Board as may be presiding may debate from the chair, subject only to such limitations of debate as are imposed by these rules on all members, and shall not be deprived of any of the rights and privileges of a Board member by reason of his acting as the presiding officer, except as provided by Mississippi statutes.

- 11.2 Every member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- 11.3 A member, once recognized, shall not be interrupted when speaking, unless it is to call him to order as otherwise provided in the article. If a member, while speaking, is called to order, he shall cease speaking until the question of order is determined, and, if in order, he shall be permitted to proceed. The Mayor or presiding officer will enforce such procedure as necessary to maintain order in discussion.
- 11.4 Debate, discussion or the addressing of any matter by an individual Board member or citizen will be limited to five minutes per occasion of officially obtaining the floor. Limited extensions of time may be granted to the person who has the floor by the presiding officer upon request. Changes in the time limit on debate may be adopted by proper motion, second and vote of the Board at any time. No member shall speak more than once on any subject under discussion until all other members of the Board have had the opportunity to speak.
- 11.5 A Board member may request through the Mayor or presiding officer that an abstract of his statement on any subject under consideration by the Board be entered in the minutes. Any Board member shall likewise have the right to have the reason for his dissent or protest against any action of the Board entered on the minutes.

XII. Procedure for Introduction and Passage of Ordinances & Resolutions

- 12.1 Ordinances, resolutions, and other matters or subjects requiring action by the Board may be introduced by and sponsored by any member of the Board and by no other person. The City Attorney, City Clerk or other department head may present ordinances, resolutions, and other matters to the Board, and any Board member may assume sponsorship thereof by introducing same and moving its adoption.
- 12.2 Each ordinance, resolution or other matters or subjects requiring action by the Board shall be introduced in the form of a motion, duly seconded, and discussed prior to voting on the measure. Discussion may precede and follow formal introduction of motions, if deemed necessary by the presiding officer.

XIII. Motion to Reconsider; Motion to Rescind

- 13.1 A motion to reconsider any action taken by the Board may be made only during the meeting such action was taken or during the next subsequent recessed meeting. Such motion to reconsider must be made by a Board member who voted on the prevailing side of the original issue. A motion to rescind any action taken by the Board may be made after the adjournment of the meeting when such action was taken, after receiving the advice of counsel regarding any intervening third-party rights. A motion to rescind may be made by any Board member.

XIV. Suspension of the Rules

- 14.1 A motion to suspend the procedural rules of the Board may be introduced when it is desired to temporarily suspend the operation of some standing rule in order to take emergency action, or action which is determined to enhance the efficient dispensation of business before the Board.

XV. Citizens Addressing the Board

- 15.1 The Mayor or presiding officer of the Board may provide opportunity during Board meetings for discussion by interested persons or their authorized representatives on any specific matter before the Board, that is outlined on the agenda, prior to final passage: provided, that the preference shall be given to any person, who, at least by the Friday immediately preceding the Board meeting, shall have requested opportunity for discussion by written notice directed to the City Clerk (email, fax or letter). In addition, if a member of the public wishes to address the Board concerning an item on the agenda at the meeting, a sign-up sheet will be provided at the start of the meeting. Comment must be limited to items before the Board on the agenda at the time of the meeting.
- 15.2 Any person may direct a written communication to the Board on any matter concerning the City's business on the agenda by directing the communication to the Board through the City Clerk. Any such written communication, if appropriate, shall be placed on the agenda of the next regular Board meeting under the order of business where the item or subject is addressed or under public comment.
- 15.3 After a motion is made in the Board, no person except a member of the Board shall address the Board, without having the submitted above-described written request and properly obtaining the floor through the presiding officer.
- 15.4 The presiding officer of the Board shall from time to time make such rules as he may deem necessary to fulfill and carry out the intent of the provisions of this section.
- 15.5 Additional Notes Concerning Public Participation / Comment:

Legislative Intent of Mississippi Open Meetings Act:

Every member of every public board and commission in this state should always bear in mind that the spirit of the Act is that a citizen spectator, including any representative of the press, has just as much right to attend the meeting and see and hear everything that is going on as has any member of the board or commission.

The Mississippi Ethics Commission has opined:

A public body may, but is not required to, allow members of the public to address the public body during a public meeting. Shows v. Madison County School Board, Open Meetings Case M-12032. While public bodies are certainly encouraged to allow for public

interaction in their meetings, refusing to allow members of the public to speak at a board meeting does not violate the Open Meeting Act.

XVI. Manner of Addressing Board & Time Limit

- 16.1 Each person addressing the Board shall stand, request to be recognized, and if granted, shall give his/her name and address of residence for the record. Unless further time is granted by the presiding officer, each person shall limit their address to five minutes. The presiding Officer may limit the number of persons who may address the Board on an Agenda item. All remarks shall be addressed to the Mayor, and the Board as a whole; not to the City Attorney, City Clerk, or any other City employee. No person, other than the Board and the person having the floor shall be permitted to enter into any discussion or asking a question of the Board without the permission of the Mayor or presiding officer. Questions may be posed directly to the Mayor, not specific Board members, the City Attorney, or any City employees present. The Board is under no obligation under the Mississippi Open Meetings Act to answer questions posed by members of the public in a board meeting setting but may choose to do so at their discretion.

XVII. Decorum - Generally

17.1 Board Members

While the Board is in session, the members shall preserve decorum and order, and no member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Board, nor disturb any member while speaking, nor refuse to obey the orders of the Board or its presiding officer, except as otherwise provided in this article.

17.2 Other Individuals & General Public

No person shall make personal, impertinent, derogatory, insulting, or slanderous remarks, nor otherwise disturb the order and decorum of any Board meeting. The Sergeant-At-Arms, at the direction of the presiding officer, shall remove any person violating the provisions of this subsection.

17.3 Preservation; Sergeant-At-Arms

The Chief of Police or such members of the Police Department as he may designate, shall be Sergeant-At-Arms of the Board meetings. He shall carry out all orders and instructions given by the Mayor or presiding officer for the purpose of maintaining order and decorum at the Board meetings. He shall maintain a system of security, including but not limited to a screening of attendees, and shall enforce provisions of state law and local ordinance with respect to weapons and other items.

XVIII. Committees

- 18.1 All special committees shall be appointed by the Mayor, unless otherwise directed by the Board of Aldermen.

- 18.2 The Board shall have such standing committees as it may establish.
- 18.3 Meetings of all committees may be held at such times and at such locations as the committee shall determine for its convenience. The committee, at its discretion, may determine who, besides its members, may be present, subject to the Mississippi Open Meetings Law.
- 18.4 All committees of the Board shall make their reports in writing when so directed by the presiding officer. All reports shall be filed with the City Clerk and minutes of Committee meetings approved in accordance with the Open Meetings Law.

XIX. Executive Session

- 19.1 The Board will follow the procedure outlined in Section 25-41-7 of the Mississippi Open Meetings Act concerning the holding of Executive Sessions. Exhibit "B."

XX. Motions to Adjourn

- 20.1 A motion to adjourn shall always be in order and shall be decided without debate.

Walter Morrison

WALTER C. MORRISON, IV
MAYOR

We the undersigned Aldermen acknowledge that this open meetings procedural policy was adopted by the board on the 15th day of February, 2022.

Alderwoman Bates *Mia Bates*
 Alderman Powell *Jayce Powell*
 Alderman Slay *Rh Slay*
 Alderman Taylor *Jal Taylor*
 Alderwoman Williams *Arden Williams*

ATTEST:

DATE:

Lindsay Kellum
 LINDSAY D. KELLUM
 CITY CLERK

2/15/22



Adopted 2/15/2022