

RULES OF ORDER OF THE COMMON COUNCIL

The following rules shall be the rules of order of the Common Council and shall govern proceedings of this Body subject to controlling provisions of the Charter of the City of Dunkirk:

I. MEETINGS.

1. The regular meetings of the Common Council shall be held the first and third Tuesday of every month at 5:30 P.M.^{1, 4} in the Common Council Chambers in the City Hall, unless changed at a prior meeting.
2. Special meetings of the Common Council shall be called in accordance with Article IV, Section 4.05 of the City Charter.
3. At all public hearings held by the Council and any other meetings of the Council, when requested by the Presiding Officer, the Chief of Police shall designate one of his uniformed officers to the Council Chambers to act as a Sergeant-at-Arms.

II. QUORUM.

1. A majority of the whole number of Councilmen shall constitute a quorum as provided by Article IV, Section 4.04 of the City Charter.

III. PRESIDING OFFICER.

1. The Councilman-at-Large shall be the presiding officer of the Common Council. In the event of the absence of the presiding officer, the other members of the Council may appoint one of their number to preside.

IV. ORDER OF BUSINESS.

1. Call to order, roll call, and pledge of allegiance to the flag.
2. Approval of the minutes of previous meeting. (Certification of prior meeting.)
3. Privilege of the floor.
4. Communications from the Mayor, including disapproval messages.
5. Communications from the public and petitions.
6. Reports of Standing Committees, Boards and Commissions.
7. Unfinished business, including items referred to Department Heads.
8. Pre-filed Resolutions.
9. New Business.
10. Adjournment.

V. PUBLIC PRIVILEGE OF THE FLOOR.

1. The privilege of the floor shall be extended to any person appearing for himself, in which case each individual appearing shall be limited to three

- minutes; and to any person representing any group, who shall be limited to a maximum time of five minutes.
2. The City Clerk shall have the duty of maintaining such time limits, and the Chairman may determine, in his discretion, whether individuals are speaking for themselves or representing groups. The Chairman shall maintain good order and may require any speaker to cease speaking if remarks are made in bad taste or are slanderous or not germane to any action taken or contemplated by the Council. The time limits specified above shall be adhered to, except that the Chairman may allow any person speaking to complete a statement or thought started before such time expires, and a longer time may be allowed by the Chair with approval of a majority of the Council.

VI. RESOLUTIONS.

1. The term "resolution" shall mean a formal written or oral proposed action bearing the name of the sponsoring member of the Common Council. A resolution may be sponsored by any member of the Common Council except the presiding officer.
2. Each resolution, except oral resolutions, must be filed with the City Clerk no later than 5:00 P.M. of the Thursday preceding regularly scheduled meetings. Action upon pre-filed resolutions shall not require a second.
3. Any resolution not pre-filed with the City Clerk may be acted upon only after a second. In the event there be no second, said resolution shall be laid on the table for consideration as a pre-filed resolution at the next regular meeting.
4. Motions to lay on the table shall always be in order and shall be decided without a second or debate.

VII. RULES OF VOTING.

1. All members of the Common Council present shall vote upon every question, except that a Councilman may abstain from voting with permission from a majority of the Council because of a direct interest in the questions presented.

VIII. AGENDA.

1. The City Clerk shall prepare an Agenda of each regularly scheduled Common Council meeting, including pre-filed resolutions, and have delivered a copy thereof to each member of the Common Council no later than the Monday preceding regularly scheduled meetings. The Clerk shall cause a copy of the Agenda to be printed in the local newspaper and posted on the bulletin board in City Hall no later than one day prior to the date of the regular meeting.
2. No Agenda need be prepared or submitted to the Common Council for any Special Meeting of the said governing body.

IX. COMMUNICATIONS FROM THE PUBLIC AND PETITIONS.

1. All written communications should be submitted to the City Clerk's Office and may be addressed to a specific member of the Council. Said written communications must bear a signature.
2. Written communications should not exceed more than 100 words in length.
3. Council shall retain the right to table any action in reference to Communication, for further consideration.
4. Council may refuse to have read any communication considered in poor taste or language.
5. All communications must be received by the City Clerk's Office on Thursday, prior to the scheduled meeting.

X. MISCELLANEOUS.

1. All pre-filed resolutions, communications, reports and items referred to Department Heads directed to the Common Council must be submitted to the City Clerk not later than 5:00 P.M. of the Thursday preceding regularly scheduled meetings in order to be considered at such meeting. Copies shall be made and delivered to each member of the Common Council no later than the Monday preceding regularly scheduled meetings. Any items not received by 5:00 P.M. on Thursday preceding regularly scheduled meetings shall be held for the next regular meeting.
2. The Clerk shall summarize communications and present to the Council for action thereon.
3. All correspondence and communications not germane to the meeting shall not be read by the Clerk, but copies made thereof and sent to each member of the Council. (Monthly reports of Department Heads, etc.)
4. The Clerk shall note the receipt of all communications and the decisions thereon.
5. The Clerk will send minutes of Council meetings to members of the Council within three (3) business days after such meetings.
6. At the organizational meeting of each Common Council to be held on January 1st of every even-numbered year, the Council, by resolution, shall appointed two members of the Council, one of whom shall be designated the Chairman, to each of the following Standing Committees:
 - (a) Finance, Insurance and Property;
 - (b) Personnel, Judicial and General Welfare, Recreation, Library, Regional Planning;
 - (c) Public Works, Streets, Sidewalks, Public Utilities, Parks, Harbor, Buildings, and Transportation;
 - (d) Public Safety, Fire, Police, Emergency Action;
 - (e) Economic Development (added 1/1/86).

7. Except as otherwise provided herein and in the Charter of the City of Dunkirk, the proceedings of the Common Council shall be governed by the Roberts Rules of Order.

8. **FINANCE COMMITTEE POLICY/PROCEDURE²**

Any resolutions that are within the purview of the Finance Committee, for which full Common Council action is requested, must first be presented to and reviewed by the Council's standing Finance Committee.

The Finance Committee shall convene a regular meeting, on the second and fourth Monday of the month, as needed prior to pre-file Thursday.³

There are adequate opportunities to present any relevant information to the Finance Committee without having to delay any necessary action or to bottleneck City operations.

Any matters/resolutions that need action on an emergency nature may be brought to the Common Council, either as "pre-filed" or as "new business." However, an explanation to the Council of the emergency nature of the matter to be considered must be provided.

Before such items are to be considered, the emergency nature should be described and agreed to by a majority of the Common Council.

Matters that need to be presented to the Finance Committee for approval shall include, but not be limited to:

- (a) Resolutions dealing with the expenditure or receipt of funds, including the hiring of contractor, vendors, *etc.*;
- (b) The transfer of funds between and among accounts;
- (c) The establishing of new accounts.

¹ Time of meeting changed to 7:00 p.m. by DCC Res #170-98 on 11-17-98; time of meeting changed to 6:00 p.m. by DCC Res #62-2010 on 9-21-10.

² Subd. 8 (Finance Committee Policy/Procedure) add by DCC Res #60-98 on 4-7-98.

³ Finance Committee meeting frequency changed by DCC LL#1-2008.

⁴ Time of meeting changed to 5:30 p.m.; and, preview meeting eliminated, by DCC Res #74-2012 on 9-18-12.