



TOWN OF TOWNSEND

RULES OF PROCEDURE FOR COUNCIL MEETINGS

LAST REVISED

May 2023

TOWN OF TOWNSEND DELAWARE

RULES OF PROCEDURE FOR THE 2023-2024 COUNCIL YEAR

The Town Council of The Town of Townsend shall hold one (1) meeting in each month on the first Wednesday of each month. Council shall not be prohibited from rescheduling such meetings from time to time during the year as the need arises. Emergency meetings may be held when necessary for the immediate preservation of public health and safety. Special Town Council meetings may be held when necessary. Notice of all meetings shall be consistent with Title 29, Chapter 100 of the Delaware Code.; and

BE IT FURTHER RESOLVED, that the order of business for each regular meeting of the Council of the Town of Townsend shall be as follows:

1. Call to Order
2. Opening Ceremonies
3. Citizen Comment
4. Review/Adoption of the Agenda
5. Approval / Rejection of Minutes
6. Departmental Reports
7. Committee Reports
8. Executive Session (IF NEEDED)

I. Rules of Procedure Town Meetings

The "Body" (Town Council, Planning Commission, etc.) may adopt any rules it deems necessary to ensure the efficient conduct of its meetings. Basic Policies for Town of Townsend Council Meetings

- A. For Town Council matters, the Mayor, any Council Member, or the Town Manager can place an item on the Town Council agenda. All agenda items must be submitted to the Mayor and the Town Manager at least 8 calendar days before the meeting. Agenda items can only be removed at the meeting. Items cannot be added within 7 calendar days.

Items may be removed from the agenda pursuant to a vote by Council if requested in writing by the person or entity who submitted the agenda item.

- B. The agenda for regular Council meetings is to be prepared for the members of Council at least seven days before the date of the meeting, and no change will be made without a majority vote of all members of Town Council present. The agenda and packet items may be delivered via e-mail and be available for pickup by the Council member or his/her designee at Town Hall. All packet items, including presentations, shall be submitted to Council and posted on the Town website at least seven (7) days in advance of Council meetings. Exceptions to this policy shall be limited to minutes, supplemental information that is requested by Council in a timeframe that does not permit the gathering being completed by the deadline, corrections to previously submitted material and items added or additional



information received after the seven- day deadline. Supplemental packet item submissions outside of the exemptions outlined must be approved by both the Mayor Town Manager.

- C.** All Council Members shall be notified in writing of special Council meetings at least seven days prior to the meeting, and in those cases which, in the opinion of the Mayor, the Town Manager, or by written request of three members of Council, constitute an emergency, and wherever practicable, upon no less than a 48 hour notice to each member.
- D.** Cancellation of any meeting shall be at the discretion of the mayor (or his/her designee), or, in the case of a meeting that has been called at the request of three or more council members, at the discretion of those council members, as circumstances may require. In any case, as much notice of said cancellation as is practical shall be given through Town Hall to the media and shall be posted on the Town's website.
- E.** Summary minutes shall be kept of all Council meetings, including the language of and votes upon all motions. Audio recordings shall record the business transacted at regular and special Council meetings and shall be stored for future reference according to the approved Record Retention Schedule for the Town of Townsend. A summary shall be prepared of all executive session meetings by the Town Clerk and kept in a binder under the custody, control, and supervision of the Town Clerk. If the Town Clerk is not present at an executive session, the Mayor, or a designee of the Mayor, shall prepare a summary of the discussions conducted at such session.
- F.** In those matters not covered by this resolution, and where not in conflict with the Laws of Delaware or the Ordinances of the Town of Townsend, Robert's Rules of Order Newly Revised 12th Edition shall be the parliamentary authority.
- G.** Resolutions and ordinances must be sponsored and presented by a Council Member. The Council Member need not write the resolution or ordinance.
- H.** For other bodies, any member of that Body may place an item on the agenda.
- I.** An item scheduled for the agenda can be rescheduled for a different date by a majority of the members of the Body.
- J.** The Mayor must recognize Members wishing to make a motion or enter a debate in the order in which they request recognition.
- K.** The Mayor must ask for a motion and a second to the motion on each item on the agenda. Any motion receiving a second will be discussed by the Body.
- L.** Any Member may call for the question at any time. A vote will then be held on the motion. Questions are outlined in Roberts Rules of Order. This is specifically referring to the question (item) on the agenda.



- M. Any document adopted and passed that requires signatures will be signed at the meeting, prior to adjournment. If the Mayor refuses to sign the document(s), any three Members may execute the document on behalf of the Body.
- N. Member packets will be distributed before a scheduled meeting. Packets will be distributed seven calendar days before the meeting, at the time the agenda is posted.
- O. All meetings are open and public meetings unless specifically closed under the provisions of the State of Delaware. A public meeting is defined as a meeting at which public business is discussed, decided or policy formulated. Citizens are allowed to attend and observe but not necessarily participate.
- P. A public hearing is defined as a meeting which provides citizens the opportunity to express their position on the issue under consideration, both pro and con after due notice. Citizens may observe and comment as provided by the Body's rules but this is not a forum for a debate with the Body.
- Q. Citizens' comments will be taken at the beginning of the meeting. Any citizen, who wants to make comments will have the opportunity to do so in an orderly manner. This opportunity to make a comment is not to be mistaken for a public hearing nor is it an opportunity to debate with the governing body. Responses to public comments by elected officials and/or staff may be permitted by the Mayor, recognizing no decisions or policies may be adopted during public comment time. The Body will not tolerate any interruptions or disruption of meetings. Each citizen may speak once for a period not to exceed three (3) minutes.
- R. Any citizen desiring an item to be placed on an agenda should submit, in writing, a description of the proposed agenda item, a rationale for placing the item on the agenda, and all background information needed for the Body to make a decision. The Town Manager, or his/her designee, will inquire whether any member of the appropriate Body is willing to sponsor the item for the agenda. Sponsored items will be placed on the agenda for the next meeting of that Body. Non-sponsored items will not be placed on the agenda. Items to be placed on the agenda are due by noon at least ten (ten) days before regularly scheduled Meeting.
- S. The meeting will have a set time limit of 3.5 hours. If, in the event the meeting is not concluded within that time, the Mayor will ask for a motion to table the rest of the agenda. If the Members so desire, each member may make a motion to extend the meeting by thirty minutes. The maximum time a meeting can be increased is an additional two hours. The meeting limit is exclusive of executive session. If an executive session is scheduled, the time limit only applies to the public portion of the meeting. Executive session will have a time limit of a maximum of two hours. No extensions will be granted for an executive session.



- T. Meetings may be called by the Mayor or at the request of three members of the Council.
- U. All resolutions which do not have legislative effect, do not bind the Town or otherwise do not contain substantial legislative matter shall not need a roll call vote. All legislative business shall have a roll call vote.

II. Rules for Conducting Public Hearings

- A. Hearings shall represent a meeting of the Council and require a quorum. If the quorum is not achieved the hearing must be rescheduled.
- B. All members of the public will be allowed to speak once for a period not to exceed five minutes.
- C. If a comment or question from a member of the Body interrupts a member of the public speaking during a hearing, the time taken by the comment or question and the response will not be counted as part of that citizen's five minutes.
- D. If a member of the Body raises a question about a comment from a member of the public after the person has made his/her comments, the member of the public will be allowed two minutes to respond to each question raised.
- E. Members of the public cannot give their five minutes away to another person to speak on their behalf.
- F. A member of the public, during the time allotted for that person's comments, may request of the Body that the record be held open for written comment. Any member of that Body may then move to hold the record open for written comments for a specified period. If the motion receives a second and passes by majority vote, the record will be held open for the specified time, otherwise the item will not be received into the record.
- G. Participants in public hearings will be expected to conduct themselves with civility. Speakers must be courteous. Applause is not allowed. Outbursts from those attending a public hearing will not be tolerated. When a member of the public has been recognized and is speaking, he/she has the floor. Other members of the public may not speak either to the speaker or members of the Body until they have been given the floor. Spontaneous comments or other outbursts from the public will not be allowed.
- H. Any and all Council Members participating in council and or committee meetings, when conversing in the formal parts of the meeting, shall address each other formally and not by first or simply last names. They shall be addressed as Council Member, Mr., Mrs., Miss., Ms., or acknowledging their Chair or President status, as appropriate.



Disturbing Meetings

1. The Town Council may fine or expel, and other Bodies meeting on behalf of the Town may expel, any of its members for disorderly conduct upon an affirmative “majority plus one” vote of those members present.
2. The Body may also, upon an affirmative majority “majority plus one” vote of those members present, expel any person who is disorderly during any regular, work or special meeting of the Body.
3. The Mayor may expel any person, other than a member of the Body, who is disorderly during any regular, work or special meeting of the body.

III. Notes on Decorum in Discussion/Debate Generally:

A loose paraphrasing of Robert's Rules of Order (12th Edition) suggests the following guidelines in helping to maintain civility and fairness during discussion and debate. These guidelines are pertinent when controversial issues arise in discussion.

- A. Treat one subject at a time. Do not speak adversely on a prior action that is no longer pending: In debate, a member cannot reflect adversely on any prior act of the body not then pending, unless a motion to reconsider, rescind, or amend it is pending, or unless s/he intends to conclude his/her remarks by making or giving notice of one of these motions.
- B. Alternate between opposite points of view in discussion unless it is clearly apparent there is unanimous support for the question under discussion. Fairness, and the appearance of fairness is vitally important to success and effectiveness in the deliberative process.
- C. Maintain decorum in discussion and avoid allowing personalities to enter into the debate Do not attack a member's motives: When a question is pending, a member can condemn the nature or likely consequences of the proposed measure in strong terms, but should always avoid discussions of personalities, and under no circumstances should they attack or question the motives of another member.
- D. The measure, not the member, is the subject of debate. Avoid personalizing issues. The phrase "attack issues, not people" summarizes the goals of discussing and debating matters brought before a deliberative body.
- E. Any personal remark or attack must be ruled out of order by the Mayor: "Bob is a whiny anarchist and for that reason I cannot support his motion" is a comment that must be stricken and called up short immediately.



- F.** Offensive language is by definition offensive, and all remarks must avoid personal invective.
- G.** Address all remarks through the Mayor: it is best practice if members of a deliberative body do not address one another directly, but address all remarks through the Mayor. This is an effective tool in keeping away from the likelihood of sliding into personalizing an issue.
- H.** Confine debate to the merits of the question under discussion. Confine remarks to the merits of the pending question. In a discussion and debate a member's remarks must be germane to the question, then before the body. Members should refrain from speaking adversely on or about a prior action that is not pending. In debate, a member cannot reflect adversely on any prior act of the society that is not then pending, unless a motion to reconsider, rescind, or amend it is pending, or unless he intends to conclude his remarks by making or giving notice of one of these motions.
- I.** Division of a question—members may be for one part of a question and not for another.

