



TOWN OF TOWNSEND
RULES OF PROCEDURE
FOR COUNCIL MEETINGS

LAST REVISED

July 2023



TOWN OF TOWNSEND DELAWARE
RULES OF PROCEDURE FOR THE 2023-2024 COUNCIL YEAR

The Charter of the Town of Townsend 4.2:

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.

I. Order of Business

- 1) Call to Order
- 2) Opening Ceremonies
 - i) Roll Call
 - ii) Recognition of Visitors
 - iii) Pledge of Allegiance
 - iv) Announcements
- 3) General Citizen Comment
- 4) Review/Adoption of the Agenda
- 5) Approval / Rejection of Minutes
- 6) Departmental Reports
- 7) Committee Reports
- 8) Executive Session (IF NEEDED)
- 9) Adjournment

II. Rules of Procedure of Town Council Meetings

The "Body" (Town Council) may adopt any rules it deems necessary to ensure the efficient conduct of its meetings.

- A. For rules not described below, the most recent version of Roberts Rules applies.
- B. 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.
- C. Items may be removed from the agenda pursuant to a vote by Council at the Council Meeting at which the item is to be presented if requested in writing (or email) before the meeting by the person or entity who submitted the agenda item.



- D.** The agenda for regular Council meetings is to be prepared for the members of Council at least seven days in accordance with FOIA; before the date of the meeting, and no change will be made without a majority vote of all members of Town Council present at the Town Council meeting. The agenda and packet items may be delivered via e-mail and be available for pickup by the Council member at Town Hall. All packet items, including presentations, shall be submitted to Council and posted on the Town website at least five (5) days in advance of Council meetings. Exceptions to this policy shall be limited to minutes, supplemental information that is requested by Council in a time frame 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 five- day deadline. Supplemental packet item submissions outside of the exemptions outlined must be approved by vote of the Council.
- E.** Special Meetings. The Mayor OR Three members of Council may request a special meeting. All Council members shall be notified of a request for special meeting by the Mayor or three members of Council in writing at least eight (8) days before the meeting is set to begin.
- F.** Emergency Meetings. Per the Charter of the Town of Townsend: Emergency meetings may be held when necessary for the immediate preservation of public health and safety. All Council Members shall be notified by phone call and writing at least one hour before the meeting is to take place. No meeting may occur without a quorum and all Council members have the right to be available. The Mayor (with the consent of the Town Manager) or three (3) Council people (with the consent of the Town Manager) may call an emergency meeting. After all council members have been notified, the Town shall provide notification to the citizens using the Code Red system.
- G.** Meeting Cancellations: 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 and shall be posted on the Town's website.
- H.** 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, Town Manager, or a designee of the Mayor, shall prepare a summary of the discussions conducted at such session.



- I. 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.
- J. Resolutions and ordinances must be sponsored and presented by a Council Member. The Council Member need not write the resolution or ordinance.
- K. An item scheduled for the agenda can be rescheduled for a different date by a majority of the members of the Body.
- L. The Mayor must recognize Members wishing to make a motion or enter a debate in the order in which they request recognition.
- M. The Mayor must ask for a motion and a second to the motion on each item on the agenda. Any motion that receives a second shall be discussed by the Body.
- N. 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. Any document adopted and passed that requires signatures will be signed at the meeting, prior to adjournment or within 7 days. If the Mayor is unable or refuses to sign the document(s), any three Members may execute the document on behalf of the Body.
- O. Member packets will be distributed before a scheduled meeting. Packets will be distributed five calendar days before the meeting or at the time the agenda is posted.
- P. All meetings are open and public meetings unless specifically closed under the provisions of the State of Delaware, particularly the Freedom of Information Act (FOIA). 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.
- Q. 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. Rules for hearings are described in Section III.
- R. At a regular meeting of the Council, citizens' comments will be taken at the beginning of the meeting and before any vote of action items. 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 per topic for a period not to exceed three (3) minutes. If a citizen would like to speak for more time, they should submit an



item for the agenda through the Mayor, a council person or the Town Manager no more than two (2) weeks before the meeting where they would like to speak.

- S. Agenda items which have actions may include citizen comments if the Mayor desired. They will be noted with an asterisk (*) on the agenda.
- T. 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 fourteen (14) days before regularly scheduled Meeting.
- U. The meeting will have a set time limit of 2.5 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.
- V. V. Per section 4.2 of the Town Charter, the Town Council shall hold one (1) meeting each month on the first Wednesday of each month 2023-2024 council term begin at 7 pm. Council shall not be prohibited from rescheduling such meetings from time to time during the year as the need arises. The Mayor shall seek approval for the time from Council Members no later than 8 days before a meeting.
- W. 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. If, for purposes of honoring or pledging, a roll call vote is desired, a Member may request a roll call vote in a motion. All legislative business (Ordinances) shall have a roll call vote.

III. 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 per topic for a period not to exceed three 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 three 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 three (3) 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.

IV. Rules for Decorum

- A. 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 Mayor, Council, or staff status, as appropriate.
- B. Participants in public meetings 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.
- C. When possible, it is preferred for the Council to wear Townsend branded clothes, or nametag, or a polo, or other business clothes. There shall be no official rules for dress for the Council.



IV. Disturbing Meetings

- A. The Mayor, or designee (in absence of the Mayor) may expel any person, other than a member of the Council, who is disorderly during any regular, special or emergency meetings of the Council.

- B. The Town Council may temporarily expel (for the current meeting) any of its members for disorderly conduct upon an affirmative “majority” vote of those members present.

