

THE ST. CHARLES COUNTY COUNCIL

RULES

As Amended June 8, 2020

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Definitions

- A. Appointment: The designation and assignment of a person (such as the Auditor) as a County employee, by proper authority.
- B. Bill: A proposed Ordinance of the County.
- C. Chair: The officer of the Council elected pursuant to Article II, §2.800 of the Charter.
- D. Charter: The St. Charles County Charter (2014) as amended.
- E. Consent Agenda: As its name implies, the Consent Agenda is meant to present, for prompt disposition by the Council, those matters of Council business upon which there is apparent concurrence of the Council (as the legislative branch of County government) and the County Executive (as the Executive branch of County government), where applicable.
- F. Council Member: A citizen elected to the County Council for a four (4) year term.
- G. County: St. Charles County, Missouri.
- H. County Council: The body established by Article II of the Charter as the legislative branch of the government of the County.
- I. County Council Staff: Employees solely under the supervision of the County Council.
- J. County Executive: The office established by Article III of the Charter to hold executive power of the County.
- K. Elected Official: Any officer of the County required by the Charter to be elected by a vote of the people.

- L. Employee: Any person in the service of the County except contractors and Elected Officials.
- M. Expense Reimbursement: County reimbursement of Council Members for expenses incurred by direct payment by the Council Member while on County business up to the individual maximum established and approved in the County budget Ordinance.
- N. Ordinance: A Bill that has been approved by the County Council and County Executive, or was enacted by the Council over the veto of the County Executive, or was returned with no signature by the County Executive within ten (10) working days and is deemed approved, or is an enactment of the people as described in the Charter.
- O. Present: For the purpose of these Rules, the term “present” shall mean physically present.
- P. Short-Term (Ad Hoc) Committee: A committee formed temporarily to deal with a special purpose or specific subject, which disbands after coming to a conclusion on the specific issue.
- Q. Simple Majority: For the purpose of these Rules, the phrase “majority of the County Council” shall refer to four (4) Members of the County Council. (Charter, Article II, §§2.200 and 2.602). Four (4) Members of the County Council shall constitute a “simple majority.”
- R. Supermajority: For the purpose of these Rules, the phrase “two-thirds of the County Council” shall refer to five (5) Members of the County Council. (Charter,

Article II, §§2.200 and 2.602). Five (5) or more Council Members of the County Council shall constitute a “supermajority.”

- S. Quorum: For the purpose of these Rules, and unless otherwise specified, the term “quorum” shall refer to a simple majority (4 members) present.
- T. Vice Chair: The officer of the Council elected pursuant to Article II, §2.800 of the Charter.

RULE ONE. Charter Authorization and Control.

The St. Charles County Home Rule Charter, enacted April 7, 1992, (the “Charter”) authorizes the County Council to determine its own Rules and order of business. (Charter, Article II, §2.903). In all cases of interpretation of these Rules (the “Rules”), the provisions of the Charter are controlling.

RULE TWO. Rules of Order.

The following shall govern conduct of meetings of the County Council except when the Charter, the Laws of Missouri, or these Rules are to the contrary. For matters not addressed herein, the Council adopts Robert’s Rules of Order. The County Council Staff and the County Counselor shall retain a copy of Robert’s Rules of Order. The Council hereby adopts the following rules:

1. *Establishing a Quorum*

- a. The starting point for a meeting is the establishment of a quorum.

Pursuant to the Charter, Article II § 2.902, the Council must have four (4) Members present to transact business. Four (4) Members are a quorum.* If a quorum is lost, the Chair shall call recess until a quorum of the Council is established.

* If the Council has less than a quorum (4) of Council Members present, it cannot legally transact business. If the Council has a quorum to begin the meeting, the Council can lose the quorum during the meeting when a Council Member departs or leaves the dais. When the quorum is lost, the Council loses its ability to transact business unless, and until, a quorum (4) is reestablished.

2. *The Role of the Chair*

- a. All decisions by the Chair are final unless overruled by the Council itself.*

* It is the Chair of the Council who is charged with applying the Rules of conduct of the meeting. The Chair should be well versed in those Rules. For all intents and purposes, the Chair makes the final ruling on the Rules every time the Chair states an action.

- b. The Chair shall declare the meeting is called to order and preside over the Agenda.*

* Since the Chair runs the conduct of the meeting, it is usual courtesy for the Chair to play a less active role in the debate and discussion than other Council Members. This does not mean that the Chair should not participate in the debate or discussion. What the Chair should do is strive to be the last to speak at the discussion and debate stage. The Chair should not make or second a motion unless the Chair is convinced that no other Council Member will do so at that point in time.

3. *Agenda Item Discussion*

- a. The meeting is governed by the Agenda. All Consent Agenda items, Resolutions, Bills and other matters appearing on the Agenda as approved by the Chair, shall be deemed introduced, unless otherwise withdrawn.*

* The Agenda constitutes the Council's agreed-upon roadmap for the meeting.

4. *Motions in General*

- a. Consent Agenda items and Bills set forth on the Agenda are introduced

automatically, however, they require motions to take up and pass the item, table the item, amend the item, or take some other action.

- b. Motions are the vehicles for decision making by the Council. It is not necessary to have a motion to discuss a Bill or Consent Agenda item once that item is taken up. When a Member of the Council wishes to table, modify or take some action other than simple passage of a Bill as introduced, a motion should be made so that the Council is clear on what is intended.
- c. Motions are made in a simple two-step process. First, the Chair should recognize the Member of the Council. Second, the Member of the Council makes a motion by preceding the Member's desired approach with the words "I move"

5. *The Three Most-Used Motions*

- a. The three most common and recurring motions at meetings are the motion to amend, the motion to substitute and the motion to table.
- b. If a Member wants to change a Bill or item that is before the Council, they would move to amend it. A motion to amend takes the Bill or item that is before the Council and seeks to change it in some way.
- c. If a Member wants to completely do away with the Bill that is before the Council, and put an entirely new Bill before the Council, they would move for a substitute motion.

- d. If a Member wants to lay the matter over for consideration at a later time, they would move to table.

6. *Multiple Motions Before the Council*

- a. There can be only one (1) motion on the floor at a time.*

<p>* This Rule has a practical value. More than one (1) motion on the floor at any given time is confusing and unwieldy for almost everyone, including the Chair.</p>

7. *To Debate or Not to Debate*

- a. All Resolutions, Bills and Motions are subject to discussion and debate. Accordingly, motions, including motions to amend and substitute motions are all eligible, each in their turn, for full discussion before and by the Council. The debate can continue as long as Council Members wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action or subject to a Motion to Call the Question, if seconded and passed by a majority of those present.
- b. The following motions are not debatable and must be acted upon: motion to adjourn or recess, and motion to Call the Question.
- c. Motion to Adjourn. This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meeting.
- d. Motion to Recess. This motion, if passed, requires the Council to immediately take a recess. Normally, the Chair determines the length of the recess.

- e. Motion to Call the Question. As a practical matter, the Chair can expedite matters by treating this as a request rather than a formal motion.

8. *Majority and Supermajority Votes*

- a. Four (4) votes determines a question. A tie vote means the motion fails. Anything less than four (4) votes fails.
- b. The following require five (5) votes to pass: motion to object to the consideration of a question, and certain Bills requiring a supermajority pursuant to County Charter or Ordinance.

9. *Counting Votes*

- a. Usually it is easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then four (4) votes of the Council are required. If a supermajority vote is needed to pass a motion, then five (5) votes of the Council are required.

10. *The Motion to Reconsider*

- a. A tenet of parliamentary procedure is finality, there must be some closure to an issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made by a Member who voted in the majority on the original Bill and passed at the same meeting at which the original Bill was passed.

11. *Courtesy and Decorum*

- a. The Rules of order are meant to create an atmosphere where the Council Members and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the Council Members to maintain common courtesy and decorum. It is always best that one (1) person at a time has the floor, and it is always best for every speaker to be recognized by the Chair before proceeding to speak.
- b. The Chair should always ensure that debate and discussion of an Agenda item focuses on the item and the policy in question, not the personalities of the Council Members. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, too loud, or too crude.
- c. Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including Council Members.

RULE THREE. Adoption, Suspension and Amendment of these Rules.

- A. Adoption. Adoption of these or any succeeding Rules shall require a two-thirds majority vote (5) of the Council Members present and voting.
- B. Suspension. A provision of these Rules may be temporarily suspended for the

duration of a meeting by a two-thirds majority vote (5) of the Council Members present and voting.

- C. Amendment. Amendment of these Rules shall require a two-thirds majority vote (5) of the Council Members present and voting. Amendments shall not be effective until the next meeting following their passage.

RULE FOUR. Quorum.

- A. At the time set for a meeting, the Chair of the Council shall immediately call the Council Members to order. The County Council Staff shall call roll. Upon the appearance of a quorum (4 Members), the Council may proceed with its meeting. (Charter, Article II, §2.902).
- B. Any Council Member(s) present at any meeting where there is not a quorum (4 Members) may adjourn from day to day or to a designated date.

RULE FIVE. Election of County Council Officers – Method.

- A. The County Council shall elect officers of the Council.*

<p>* The County Council shall, at its first (1st) meeting in January each year, elect from among its Council members, officers of the Council who shall have the titles of Chair and Vice-Chair of the Council. Each shall serve at the pleasure of the Council. (Charter, Article II, §2.801).</p>

- B. The elections of the Chair and the Vice-Chair of the Council shall be by open roll call vote. Elections shall be by a majority of the Council. The Chair and the Vice-chair shall take up their duties immediately upon their election as officers.

- C. The Chair or the Vice-Chair may only be removed using the same procedures as a Bill.
- D. Pursuant to Section 400.010 OSCCMo, one (1) Council Member is mandated to sit on the County Planning and Zoning Commission as a designated representative of the Council. A Council Member shall volunteer to be the Planning and Zoning Commission representative and, with a memo to the County Executive, this position fulfillment shall be placed on the Consent Agenda.

RULE SIX. Chair – Duties and Powers.

- A. The Chair shall preside at meetings of the Council.*

* The Chair shall have a voice and vote on all questions before it; and have authority to preserve order at Council meetings; and enforce the rules of the Council; and determine the order of the Council business under the rules of the Council; and Call special meetings and executive sessions of the Council as needed. (Charter, Article II, §2.802).

- B. The Chair shall confine Council Members in debate to the question under discussion, and when two (2) or more Council Members seek recognition at the same time, decide who shall be first heard. The Chair shall decide all questions of order subject to an appeal as to the Chair’s decision made by two (2) Council Members. Any appeal shall be decided with debate limited to the Council Member appealing being permitted to state his reason(s) therefor; and the Chairman to reply thereto. Appeals shall be decided by a two-thirds vote of the Council Members present and voting.

- C. A public comment period during a local government meeting is considered to be a limited platform to discuss the topic at hand, not open for endless public commentary. The Chair shall have the power to preserve order and decorum relating to members of the public, so that the true deliberative process will not be disturbed. The Chair shall have the power to use the Council gavel to silence members of the public who speak on irrelevant matters or get off-topic, express political statements unrelated to St. Charles County government, interrupt the Chair, exceed the time limit, or disrupt the normal course of business of a Council meeting.
- D. The Vice-Chair shall perform these functions in the Chair's absence. (Charter, Article II, §2.803).
- E. In the absence of the Chair and Vice-Chair, the Council shall select from its Membership, by majority present and voting, a presiding officer who shall perform all the duties of the Chair while the Chair and Vice-Chair are absent.

RULE SEVEN. The Council and County Council Staff.

- A. The Council Staff of the St. Charles County Council shall serve as clerk to the Council and ensure the preservation and maintenance of its records. The records of proceedings of the Council shall be kept by the Council Staff as follows:
 - a. Journal. The Journal shall consist of entries which will show the items of business transacted by the Council. Each Bill shall be entered in the journal

by title and number when it is introduced, and when it is finally passed. A number is assigned to an Ordinance at the time it is enacted. On the final passage of any Ordinance or Resolution or any other question, the yeas and nays shall be entered by name on the Journal. (Charter, Article II, §2.602). Each Resolution shall be given a Resolution number and a short title by the County Council Staff when introduced, and this title shall be entered in the Journal each time thereafter when any action is taken by the Council relative to such Resolution or order. A copy of the Journal of each meeting shall be delivered by the County Council Staff to the Registrar as soon thereafter as possible, and copies shall be made available to the public. The County Council Staff shall keep a book which shall be entitled “Journal of the County Council _____ (year).” The original copy of the Journal of the Council, signed by the Chair of the Council, shall be maintained in said book in the offices of the Registrar.

- b. _____ (Year) Ordinances and Resolutions. The Registrar shall maintain a book entitled ‘Ordinances and Resolutions of St. Charles _____ (year),’ in which shall be recorded the original of the Ordinances and Resolutions enacted, and the Registrar shall attest thereon that the same is a true and correct copy of the Ordinances as enacted. The original copy of an Ordinance shall be signed by the Chair of the Council, or in the absence of the Chair, the Vice-Chair or temporary Chair of the specific meeting at

which the Ordinance was passed, and the County Executive, and attested by the Registrar, and shall be retained by the Registrar in the official files of the Registrar. The original copy of a Resolution shall be signed by the Chair of the Council, or in the absence of the Chair, the Vice-Chair or temporary Chair of the specific meeting at which the Resolution was passed, and shall be retained by the Registrar in the official files of the Registrar.

RULE EIGHT. The Council, Auditor, and County Employees.

- A. The County Council shall deal with County officers and employees who are subject to the direction and supervision of the County Executive solely through the County Executive.* Except for the Auditor, who is appointed by the Council, the County Council shall not demand the appointment or removal of any County employee.**

* Except for the purpose of inquiries and investigations, the County Council shall deal with County officers and employees who are subject to the direction and supervision of the County Executive solely through the County Executive. Neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately. (Charter, Article II, §2.1203).

** Except for the Auditor, neither the County Council nor any of its Council members shall in any manner control or demand the appointment or removal of any County administrative officer, elected or appointed, or any County employee. The Council may express its views and freely discuss with the County Executive anything pertaining to appointment and removal of such officers and employees. (Charter, Article II, §2.1202).

- B. The County Counselor shall furnish legal advice to the Council respecting County business.*

*The County Counselor shall, upon request, furnish legal advice and opinions to the Council, the County Executive, County Officials, and to all County boards and commissions, respecting County business. (Charter, Article IV, §4.602.7).

C. The County Counselor's office shall prepare instruments for the Council.*

*The County Counselor shall prepare, or approve as to form, all leases, deeds, contracts, bonds, ordinances, rules, regulations, drafts of legislation, and other instruments. (Charter, Article IV, §4.602.5).

D. No matter from any Council Member shall be sent to the County Counselor's Office without the concurrence of the originating Council Member and at least one (1) additional Council Member.

RULE NINE. Standing and Short-Term Committees – Establishing.

- A. Establishment. Standing committees of the Council shall be composed of a given number and named as prescribed by Ordinance. The Ordinance shall list the areas of responsibility for each standing committee. Adoption or change of an Ordinance establishing any standing committee shall require a two-thirds vote of all Council Members present and voting.
- B. Appointment. The standing committees shall be filled by appointment by the fourth (4th) regular meeting of the Council each calendar year. All committee appointments are effective until replacement and substitutions are made, which shall occur no later than the fourth (4th) regular Council meeting of the following calendar year.
- C. Chair. When the Chair of the Council makes appointments or reappointments to a standing committee, the Chair may designate one (1) Council Member as its

Chair. If the Chair of the Council should not designate a standing committee Chair, the committee shall elect its own Chair. Such election precludes later designation of the Committee Chair by the Chair of the Council.

- D. Short-Term Committees. The Chair of the Council, or two-thirds of the Council by Resolution, may create short-term committees as the need arises. The Chair of the Council shall designate one (1) Council Member as Chair of the short-term committee, appoint committee members and shall inform each short-term committee of the purpose and task of the committee. A short-term committee shall be disbanded upon the completion of its task or upon the County Council's receipt of its final report.

RULE TEN. Standing and Short-Term Committees – Operations.

- A. Operations. The Chair of a committee shall call and preside at all meetings of the committee. The Chair of a committee will sign all reports of the committee; including all reports of the committee submitted to the County Council as a whole. If the Chair of the committee is not present at a meeting with a quorum (4 Members), the Council Members in attendance shall select a temporary Chair to preside over the meeting.
- B. No committee report shall be considered at a meeting of the County Council unless copies of the report were distributed to all Council Members and the County Executive at least three (3) business days preceding the meeting, with

the exclusion of accounts and claims.

- C. Attendance. The Chair of each committee shall maintain Membership attendance records. Whenever a Council Member shall be absent without excuse from more than four (4) consecutive regularly scheduled meetings of any committee to which the Council Member has been appointed, and said absences are duly noted in the minutes of that committee, the Council Member shall automatically be dropped from Membership on the committee. The Chair of the committee shall report such action to the Chair of the Council and another Council Member shall be appointed by the Chair of the Council within twenty-one (21) days. An absence is “excused” when the Chair, or a majority of the Council Members then attending a meeting, shall note their excuse of the absence in the minutes of that meeting or the next meeting immediately following that meeting.
- D. The quorum of a committee shall be a simple majority (4 Members) of those appointed to it.

RULE ELEVEN. Regular Meetings.

- A. The Council shall hold its first regular meeting on the second Monday of each month. If the second Monday is a County holiday, the meeting shall be held on the following Tuesday, at the same time as regularly scheduled.
- B. The Council shall hold its second regular meeting on the last Monday of each month. If the last Monday is a County holiday, the meeting shall be held on the

following Tuesday, at the same time as regularly scheduled, unless that Tuesday is the first day of the next month, in which case, [at least thirty (30) days in advance] the Council shall establish a date for the meeting and shall publish that date on the County's website, post notice in a public place where the Council meets, and make announcement at the first Council meeting of the month.

- C. Either of the regular meetings may be changed to a date and time established by a majority of those Council Members present and voting.

RULE TWELVE. Special Meetings.

- A. The Chair may call a special meeting of the Council by notifying the County Council Staff of the purpose, time and place of the meeting. In addition, five (5) Council Members may call a special meeting by notifying the County Council Staff in writing of the purpose, time and place of the meeting. Thereupon, the County Council Staff shall notify all Council Members and the County Executive of the special meeting. The method of notice shall be posted in a public place and notice shall be given to the County Registrar and in accordance with Missouri and the County's Open Meetings Laws. Notice must be issued at least twenty-four (24) hours before the time set for the special meeting or as set forth in the Missouri Open Meetings Law. (Charter, Article II, §2.901).
- B. Emergency meetings may be held as provided by the Missouri Open Meeting Law in effect at the time. All meetings shall be open to the public except as prescribed

by applicable law. (Charter, Article II, §2.901).

RULE THIRTEEN. Agenda and Order of Business.

- A. Agenda Formation. The Chair, in conjunction with the County Council Staff, shall prepare the Agenda on the Thursday preceding each regular meeting of the County Council. All items for consideration for inclusion on the Agenda should be submitted to the County Council Staff by 8 A.M. on the same Thursday. All items of business shall be listed by a short title. A short title is a simple, single sentence statement of the purpose and content of the item. The County Council Staff shall mail, email, fax, or have delivered one (1) copy of the Agenda to each Council Member no later than three (3) calendar days preceding each regular meeting of the Council. The County Registrar shall make copies available to the public.
- B. Should the Council Chair not desire to have an item of business on the Agenda and refuse to place such business on the Agenda, any four (4) Council Members shall have the ability to have such item placed on the Agenda by notifying County Council Staff by 8 A.M. on the Thursday precluding the next regular meeting of the County Council, by written agreement to the Agenda item. Such written agreement may be by signing an original paper copy or e-mails containing an attachment or quotation of the approved item.
- C. Items of business on the Agenda for the last regular meeting of any year not acted upon prior to the end of the year shall be carried over to the Agenda for the first

regular meeting of the succeeding year.

D. Items Absent from the Agenda. No Bill shall be passed or perfected and no Resolution shall be passed at any meeting unless said Bill or Resolution is included on the Agenda prepared for that meeting.

E. Order of Business. The order of business at all regular meetings of the County Council shall be essentially in the same form as follows:

- (1) Invocation.
- (2) Pledge of Allegiance.
- (3) Roll Call.
- (4) Public Presentations.
- (5) Conditional Use Permits – Bills for Introduction and Public Comment.
- (6) Conditional Use Permits – Bills for Perfection/Final Passage.
- (7) Conditional Use Permits – Tabled Bills.
- (8) Public Hearings.
- (9) Public Comments.
- (10) Oral Report of County Executive (at the request of the Council).
- (11) Consent Agenda – Records of the Council and action on County business recommended by the County Executive.
 - a. Approval of Journal of the previous meeting
 - b. Receipt of Committee Reports
 - c. Approval of Purchases forwarded to the County Council by the

County Executive.

d. Approval of Nominations/Appointments forwarded to the County Council by the County Executive.

e. Miscellaneous matters forwarded to the County Council by the County Executive (when applicable).

(12) Items Removed from Consent Agenda.

(13) Resolutions.

(14) Emergency Bills.

(15) Vetoed Bills for Reconsideration.*

* After such reconsideration, two-thirds (2/3) of the Council members of the County Council may pass the ordinance over the objection of the County Executive. It shall be in this form: "Shall the bill pass, the objections of the County Executive notwithstanding?" Two-thirds (2/3) of the entire County Council shall be required to override a veto. In all such cases, the "yeas" and "nays" of each member shall be recorded in the journal of the County Council. (Charter, Article II, §2.604.3).

(16) Bills for Perfection/Final Passage.

(17) Bills for Introduction.

(18) Tabled Bills.

(19) Announcements/Miscellaneous by Council Members.

(20) Closed Session, if requested (may be scheduled prior to Council meeting).

F. Order of Business at special Council meetings. At special meetings, the order of business shall be as follows:

(1) Roll call and message or statement from the Chair, or the Executive as

recognized by the Chair, as to the cause of convening the Council in special session.

- (2) Public Comments.
- (3) Consideration and disposition of the business mentioned in said message or statement.
- (4) Adjournment.

RULE FOURTEEN. Public Presentations.

At the request of the Council Members, members of the public wanting to offer information during public presentations shall have submitted either the video/electronic presentation or a detailed summary of the presentation to Council Staff on or before the Thursday immediately preceding the Council Meeting. A simple majority of the Council shall have the discretion to allow the presentation or not.

If a public presentation is to occur during the County Executive's oral report, the presentation or a detailed summary shall be submitted to Council at some time prior to the County Executive's oral report.

RULE FIFTEEN. Conditional Use Permit (CUP) Bills for Introduction and Public Comment.

- A. CUP Bills shall be introduced in accordance with Rule Twenty, below.
- B. At the first reading and introduction of CUP Bills before the County Council,

public comments shall be allowed. CUP Bills shall be taken up in the order of the agenda. The Department of Community Development shall present the CUP application to Council and the applicant shall be given an opportunity to speak.

- C. Members of the public wanting to speak on a CUP Bill shall complete one CUP-specific speaker card on the day of the meeting at which that CUP is being introduced, and shall submit the card directly to County Council Staff inside Council Chambers. No speaker shall be permitted to comment during the CUP portion of the Agenda without having turned in a CUP-specific speaker card.
- D. Each speaker must be sworn in front of the County Council prior to providing input on a CUP matter. During this portion of the meeting, Council Members and the Department of Community Development or their representatives, as well as the CUP applicant or the applicant's representative, may question each speaker. No public comment regarding CUPs may be received other than at the first reading and introduction of the Bill.

RULE SIXTEEN. Conditional Use Permit (CUP) Bills for Perfection/Final Passage.

- A. CUP Bills shall be perfected and finally passed in accordance with Rules Twenty-One and Twenty-Two. However, any CUP Bill that has been amended cannot be voted on until the Findings of Fact and Conclusions of Law have been finalized and incorporated into the Bill.

RULE SEVENTEEN. Consent Agenda.

An item shall be placed on the Consent Agenda by the County Council Staff only upon receiving instruction to do so from the Council Chair as well as written communication from the County Executive with evidence of the County Executive's concurrence on the matter. An item on the Consent Agenda is not debatable unless it is subsequently removed from the Consent Agenda. If there is to be debate or comment on an item, it must be removed from the Consent Agenda upon the motion of one (1) Council Member with the motion seconded by an additional Council Member. After removal of an item from the Consent Agenda, the Agenda must be approved by the Council as modified. After approval of the Consent Agenda as modified, items removed from the Consent Agenda may be addressed, i.e., debated, discussed and voted on individually.

RULE EIGHTEEN. Public Comments.

- A. At the regular and special sessions of the County Council, public comments shall be allowed. Each petitioner wanting to speak during the public comments period may fill out one (1) (and only one (1)) citizen speaker card on the day of the meeting and submit the card directly to County Council Staff while in Council Chambers no later than the start of the regular or special meeting (7:00 P.M. for regular meetings). Citizen speaker cards will not be accepted on days other than Council Meeting days and will not be accepted outside of Council Chambers. Once

the meeting is called to order, no petitioner shall be permitted to comment without having turned in a citizen speaker card. Prior to the start of the meeting, an informational announcement stating the foregoing shall be shown, via overhead projector, in the County Council chambers.

- B. The citizen speaker cards shall be arranged, by topic, in a first come, first serve manner. Each speaker having duly presented a timely speaker card shall be allowed three (3) minutes to speak. A total of six (6) speakers shall be allowed. No petitioner shall speak more than one time, nor speak on more than one topic, unless directed to do so at the pleasure of the Council. Petitioners shall present in an alternating three (3) 'pro,' three (3) 'con' pattern, depending on the number of citizen speaker cards received by County Council Staff before commencement of the meeting. No topic shall exceed eighteen (18) minutes.
- C. Speakers shall address only topics that are included on that meeting's agenda. If a speaker's comments do not address or cease to address an agenda topic, any Council Member may raise a point of order to the Council Chair. If such point of order is well-taken, the balance of the speaker's time shall be forfeited.
- D. The Chair shall be responsible for enforcing the time limits and the public speaking rules (located on back of the citizen speaker cards).
- E. At any time during the meeting, the Chair, or the Chair's designee at the meeting, has the exclusive right to recognize any person to speak before the County Council.
- F. For Public Comments specific to Conditional Use Permits (CUPs), please refer to

Rule Fifteen.

RULE NINETEEN. Public Hearings.

- A. In accordance with the mandates of applicable law (as defined in the Charter), public hearings shall be held at the meetings of the County Council. Upon completion of the public hearings, the County Council will continue with the regular order of business.

RULE TWENTY. Bills and Resolutions – Introduction.

- A. Bills and Resolutions shall be sponsored/introduced by a Council Member or Members, or by the County Council as a whole. Bills and Resolutions requested by the County Executive shall be sponsored by the Chair of the Council. Each shall be in written or printed form, and shall be read aloud in its entirety the first time, or if more than two (2) pages in length, the first reading may be by the title only, if written copies are provided with the Agenda. Before passage and thereafter, the Bill may be referred to by title during discussion as to its perfection and during its reading for final passage.*

* Bills and resolutions shall be introduced by a member or members of the County Council or by the County Council as a whole. Each shall be in written or printed form, and shall be read aloud in its entirety the first time, or if more than two (2) pages in length, the first reading may be by title only if written copies are made available to the public through the Registrar's office at least thirty-six (36) hours prior to the time scheduled for the first reading. Before passage and thereafter, the bill may be referred to by title for the second reading and final passage. The enacting clause of all ordinances shall be "BE IT ORDAINED BY THE COUNTY COUNCIL OF SAINT CHARLES COUNTY, MISSOURI." (Charter, Article II, §2.601).

- B. Upon introduction of a Bill, such Bill shall be numbered sequentially following the last number used the previous calendar year. Bills enacted into law shall be numbered by calendar year and a two (2)-digit designation of the calendar year (e.g. 17-001 for the first Bill of 2017) and a three (3)-digit number, beginning with 001, beginning with the first Ordinance enacted that year. Upon introduction of a Resolution, such Resolution shall be given a number preceded by a two (2)-digit designation of the calendar year in which it was finally passed (e.g. Resolution 17-1 for the first resolution of 2017).
- C. With regard to a Bill which amends an existing Ordinance, no section or sections of any Ordinance shall be amended unless the section or sections amended shall be set forth as amended.
- D. A Bill that has been introduced shall be placed on the perfection/final passage order of business at the next succeeding regular meeting of the Council, unless it is tabled or substantially amended, as described below.
- E. A bill that has been substantially amended (a “substantial amendment” shall mean any amendment other than an amendment to correct a clerical error or other obvious mistake(s) or error(s) arising from oversight or omission) after its introduction and prior to its final passage shall, with certain exceptions stated below, be carried over to the Agenda for the next duly scheduled meeting (which reference is to both the next scheduled regular meeting as well as any

duly scheduled special meeting) to be read for final passage, with the following exceptions:

- a. Those bills which relate to matters which by applicable law (as defined in Charter Section 1.702) have time sensitive deadlines; and
 - b. Those bills which are Emergency Bills as described in Charter Section 2.605; and
 - c. Those substitute bills which are submitted to the County Council Staff by 8:00 A.M. of the Thursday preceding the regular meeting of the County Council at which time the bill is included on the Agenda as a Bill for Final Passage; and
 - d. Those substitute bills which are submitted to the County Council relating to matters arising pursuant to Chapter 405 OSCCMo (“Zoning Regulations”) or pursuant to Chapter 410 OSCCMo (“Subdivision Regulations”); and
 - e. Those substitute bills which are submitted to the County Council during a meeting at which there has been substantial public interest expressed in the bill by virtue of the attendance of ten (10) or more speakers during the “Public Comments” portion of the County Council meeting Agenda.
- F. No written Resolution shall be presented at a meeting of the County Council unless previously provided to Council Members simultaneously with the Agenda

for the meeting at which said Resolution is to be presented.

RULE TWENTY-ONE. Bills – Perfection.

- A. During the perfection of Bills, amendments to Bills may be adopted by majority vote of the Council Members present, provided that no amendment shall be adopted that is not germane to the original purpose of the Bill. The Bill shall be considered perfected when the Chair receives no further motions to amend or motions to substitute.
- B. A Bill that has been perfected, unless tabled or substantially amended, as described above, shall be considered for final passage immediately upon its perfection or at the next succeeding regular meeting of the Council.

RULE TWENTY-TWO. Bills and Resolutions – Final Passage.

- A. An affirmative vote of a majority of the County Council shall be necessary to pass any Bill except those required by law to be enacted by a supermajority of five (5) Council Members. An affirmative vote of a majority of the County Council shall be necessary to pass any Resolution. No final vote by the County Council shall be taken until the expiration of at least ten (10) calendar days from the time such Bill was first introduced. Upon the final passage of any Bill or Resolution, and on any other questions, the yeas or nays of each Council Member shall be entered on the Journal of the County Council. (Charter, Article II, §2.603). Resolutions may

be voted upon at the meeting at which the Resolution is introduced.

- B. Any Council Member on the prevailing side of a vote taken by roll call may request a Motion to Reconsider, provided a Council Member seconds the motion. Such a Motion must be made in the same Council meeting as the original vote was taken.
- C. All Bills passed by the County Council shall, within three (3) working days, be presented to the County Executive. If the County Executive approves the Bill and signs it, the Ordinance shall be deemed enacted. (Charter, Article II, §2.604).
- D. Any Bill returned by the County Executive without signature within ten (10) working days after it shall have been so presented shall be deemed approved, as if signed. (Charter, Article II, §2.604.4).
- E. Passage of Resolutions shall be by open roll call vote and shall require a majority of the County Council. (Charter, Article II, §2.602). A Resolution may be adopted at any time after its introduction.

RULE TWENTY-THREE. Emergency Ordinances.

To meet a public emergency affecting the immediate preservation of the public peace, health, safety and welfare, the Council may adopt emergency Bills. An emergency Bill shall be introduced in the form and manner prescribed for Bills. It shall be plainly designated as an emergency Bill and shall contain in the body of the Bill a declaration that an emergency exists. It shall set forth the facts in clear and specific terms to support the

declaration. If at least two-thirds of all Council Members vote in the affirmative, the Bill shall take effect immediately upon its enactment; but, if there is only a majority vote in the affirmative, it shall take effect immediately after it is signed by the County Executive. (Charter, Article II, §2.605).

RULE TWENTY-FOUR. Bills – Reconsideration.

An approved Bill shall be presented to the County Executive within three (3) working days. When such Bill is returned with objections to the County Council within ten (10) working days after its presentation to the County Executive, the Council shall enter the objections in its Journal and proceed to reconsider it within thirty (30) days after the veto. No Bill shall be revived or reenacted by mere reference to the title, but the same shall be set forth at length. (Charter, Article II, §2.604.1).

- A. In the case of Bills appropriating money, the County Executive may veto one (1) or more items or portions of items while approving other portions, in which case the approved items or portions shall take effect and items or portions vetoed shall be reconsidered separately. (Charter, Article II, §2.604.2).
- B. After such reconsideration, the County Council may pass the Bill over the objection of the County Executive. It shall be in this form: “Shall the Bill pass, the objections of the County Executive notwithstanding?” Two-thirds of the County Council shall be required to override a veto. In all such cases, the yeas and nays of each Council Member shall be recorded in the Journal of the County Council.

(Charter, Article II, §2.604.3).

RULE TWENTY-FIVE. Tabled Items – Results of No Action.

- A. A Bill placed on the perfection/final passage order of business and not perfected/finally passed after fifteen (15) consecutive regular meetings shall be dropped from the order of business by the County Council Staff and may not be considered again by the Council unless introduced anew.
- B. Proposed Resolutions placed on the order of business and not passed after ten (10) consecutive regular meetings shall be dropped from the order of business by the County Council Staff and may not be considered again by the Council unless introduced anew.

RULE TWENTY-SIX. Bills and Resolutions – Dropping.

A Bill or Resolution, other than a planning and zoning matter or other matter on which the Council serves as a body of appeal, may be dropped from the order of business at any time upon a motion of one (1) of the sponsors of the Bill or Resolution and concurred upon by three (3) other Council Members.

RULE TWENTY-SEVEN. Approval of Nominations/Appointments.

- A. The Council shall approve or disapprove, within fifteen (15) days after notice is filed with the Registrar, the appointment of all directors, Commissions, and heads

of departments as well as members, boards or commissions who are appointed by the County Executive. (Charter, Article II, §2.503). Approval of nominations may be included on the Consent Agenda.

- B. If the County Council does not approve or disapprove the nomination within the fifteen (15) days, the appointment is deemed approved. (Charter, Article II, §2.503.1).

RULE TWENTY-EIGHT. Decorum and Debate of Council Members.

- A. When a Council Member wishes to speak, the Council Member shall raise a hand or use some other Council-approved signaling device, and respectfully address the Chair, but shall not proceed to speak until recognized and named by the Chair. The Council Member's remarks shall be confined to the questions under debate and avoid disparaging, offensive or slanderous statements. A Council Member failing to comply with the provisions of this section shall be called to order by the Chair.
- B. When two (2) or more Council Members seek recognition at the same time, the Chair shall name the Council Member who is to speak first, the other having preference to speak next.
- C. No Council Member shall speak more than twice on the same question without leave from the Chair, nor more than once until every Council Member chosen to speak has spoken.

- D. No motion or Resolution shall be debated until it is seconded; and no motion shall be seconded before it is stated.
- E. If a Council Member wishes to limit debate, due to lengthy or inappropriate discussion on a matter, he must motion to limit debate.
- F. Council Members physically absent from the chamber may vote on any question that is stated by the Chair pursuant to the provisions of the Missouri Open Meetings Act, as amended by the County Open Meetings Act, if applicable. Every Council Member who is present when a question is stated by the Chair shall vote thereon, unless excused by the Council, or unless a Council Member is directly or particularly interested in the question, in which case he shall not vote but shall state “abstain.”
- G. When a question is under debate, no motion or proposition shall be entertained except for the previous question; to postpone indefinitely; to amend; to refer to a standing or short-term committee or to an officer of the county; to lay on the table; or to adjourn.

RULE TWENTY-NINE. References.

Any reference in these Rules to the masculine form of a noun or pronoun shall include the feminine form when appropriate. References to the singular shall include the plural when appropriate. The presiding officer of the County Council or of any of its committees may use the title Chair, Chairman, Chairwoman, or Chairperson, as he or she

sees fit.

RULE THIRTY. Working Sessions.

The Council may meet from time to time to hold working sessions. Such meetings shall not be for the purpose of transacting any official business of the County Council unless the working session is duly called as a special meeting of the County Council and posted as such in accordance with County Ordinances and the State of Missouri Open Meetings Act. If the session lacks a quorum (4 Members), the Chair or his designee must announce at the beginning of the session that this is a “Committee of the Whole.” If and when there are four (4) Council Members in attendance, the Chair or his designee shall announce that they now have four (4) Council Members, and go into the working session and/or special meeting as applicable. All working sessions shall be open to the public and shall be posted, with notice provided in accordance with County Ordinances and Missouri’s Open Meetings Act. Comments from the public shall be allowed during working sessions only upon invitation from the Chair of the working session. The Agenda of a working session shall be established by the Chair of the County Council or his designee in the same manner as set forth in Rule Thirteen (Agenda and Order of Business).

RULE THIRTY-ONE. Electronic Attendance.

All Council Members shall be entitled to attend Council meetings, working sessions, and/or executive sessions via an electronic medium, with prior notification to the

Chair. Any Council Member shall be entitled to engage in Council business and enjoy all privileges afforded to those Council Members physically present.

RULE THIRTY-TWO. Electronic Voting.

All Council Members shall be entitled to record their vote on a matter using an electronic medium when they are not physically present at the place of the County Council meeting. Section 610.015 RSMo provides that “[a]ll votes taken by roll call in meetings of a public governmental body consisting of members who are all elected . . . shall be cast by members . . . who are physically present and in attendance at the meeting or who are participating via videoconferencing. When it is necessary to take votes by roll call . . . due to an emergency . . . with a quorum of the members . . . physically present and in attendance and less than a quorum of the members . . . participating via telephone, facsimile, internet, or any other voice or electronic means, the nature of the emergency of the public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.”

RULE THIRTY-THREE. Votes by Voice.

The Chair of the Council shall decide whether to conduct a vote by roll call or voice vote, except upon consideration of a Resolution or Bill, or upon consideration to pass a Bill, the County Executive’s objections notwithstanding. Any Council Member or, in the

event of uncertainty as to the outcome of a voice vote, a County Council Staff member shall have the ability to request a roll call vote, even if the same matter shall have been considered by voice vote. Such a request shall be made as immediately as practically possible after the original vote is taken.

RULE THIRTY- FOUR. Council Expenses and Expense Reimbursements.

The County Council shall follow the County's purchasing policy and Personnel Administration Program (PAP) with regard to expense reimbursements and payments made directly to vendors on behalf of individual Council Members. (OSCCMo Section 115.340).

- A. Subject to budget appropriation, each Council Member shall have access to 1/7 of the funds approved for Council Member expenses in each year's budget (herein referred to as the "annual appropriated amount").
 - a. These annual appropriated amounts shall include, but not be limited to reimbursements for travel costs, parking, conference tuition, and business meals, etc. plus direct payments to vendors for expenses including, but not limited to mileage, registration costs at local seminars/meetings, membership fees, travel, and cellular phone/data packages, etc. Council Members shall be individually responsible for tracking the cumulative annual total of expense reimbursements and direct payments to vendors on the Council Member's behalf. A Council Member shall not expend an

amount in excess of five thousand (\$5,000.00) dollars in any fiscal year.

Mileage for travel on official county business shall be reimbursed in the manner described in the County's Personnel Administration Program (PAP).

- B. Technology Stipend. Elected Officials have the option of receiving a monthly forty dollars (\$40.00) technology stipend as provided in the County's Employee Cellular Policy. If submitting actual cellular phone or PDA billings, reimbursement shall be based on the IRS accountability plan rules and County Wireless Telephone Policy (effective April 1, 2001). The technology stipend shall be made available to County Council Members and forwarded to Council Staff before being submitted to the Office of the Director of Finance. County-owned cellular phones shall not be provided to Council Members.
- C. Local Meetings. Meal expenses and registration fees at conferences and seminars, etc., which are directly related to the effective performance of County Council official duties shall be reimbursed by the County. Meal expenses for elected officials or County employees at meetings such as advisory boards, citizen boards, etc., shall be reimbursed if the meetings are directly related to official County duties. Claims for reimbursement of local meeting meal expenses shall list the purpose of the meeting and summarize who was in attendance. Mileage paid for attendance at approved local seminars, conferences and meetings shall be calculated to and from place of employment and meeting place; however, mileage

shall be paid from the official's domicile, provided the meeting is conducted outside of established working hours.

- D. Goodwill Expenditures. A memorial on behalf of the County Council upon the death of a current County employee or current local Elected Official may be reimbursed and charged to the Council's budget and shall not be considered an annual appropriated amount. All other memorial items or items of similar goodwill nature are to be considered personal expenditures.
- E. Prohibited Expenditures. The following types of expenses shall not be paid directly to vendors or reimbursed (except as specifically authorized by the PAP or other Council Resolutions):
- a. Entertainment;
 - b. Alcoholic beverages;
 - c. Retirement gifts;
 - d. Charitable contributions;
 - e. Common courtesy expenditures - such as flowers or cards for ill County employees or local governmental officials; and
 - f. Expenses for employee's spouse, other family members or acquaintance(s).