

CITY OF SILVERTON

City Council

Protocols & Guidelines



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Protocols and Guidelines
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PREFACE

The following is a single source reference document on the Silverton City Council's protocols and communication guidelines. The protocols and guidelines included in this reference document have been formally adopted by Council Resolution No. 04-27 and subsequent updates.

The Silverton City Council believes that effective municipal governance requires that individual Council members adhere to a general set of principles when dealing with each other and the general public. Furthermore, the City Council desires to conduct its meetings in a manner that is courteous, effective and efficient, while fostering an environment that is fair, open and responsive to the needs of the community. Members of the Silverton City Council will:

- Trust and respect the opinions of fellow Council members, and be well informed and participate in the decisions of the Council.
- Accept responsibility to attend all Council meetings and Council sub-committees assigned.
- Fulfill obligations to share with other Council members the membership on the committees assigned.
- Provide appropriate written notification to the Mayor, Council President or City Manager of an absence as soon as possible prior to the meeting time.
- Not disclose information which is confidential and, when asked by the public for information that is still confidential, will state that the information is confidential.
- Make every attempt to resolve any conflict with a fellow Council member prior to bringing the conflict to the attention of the Council.
- Expect to be informed of all issues and data in a timely manner.

COUNCIL MEETING EXPECTATIONS

- Try to make the citizens comfortable and part of the process at the meetings.
- Make visitors comfortable by being courteous, respecting their opinions, and by showing trust and respect for visitors.
- Do my best to communicate in clear, concise and audible language and written communications.
- Strive to maintain a tone of voice that is friendly and sincere.
- Honor and act on all requests for action and/or information in a timely and courteous manner.

- Discuss issues, but not personalities with non-Council members. After an issue has been voted on, a council member will communicate in a manner that does not undermine the integrity or motives of the Council.

COUNCIL FINAL AUTHORITY ON GUIDELINES: All questions regarding these guidelines shall be resolved by majority vote of the City Council.

Enclosures: Appendix A – Policy Decision-Making Process Illustration
Appendix B – Request for Policy Consideration Form
Appendix C – City Charter
Appendix D – Chapter 2.04 Silverton Municipal Code – City Council
Appendix E – 192.610-695 Oregon Revised Statutes – Public Meetings

I. COUNCIL MEETINGS

1. **Regular Meetings** – Consistent with Charter Section 13, regular meetings shall be held at least once each month in the city at a time and place which it designates. Pursuant to Section 2.04.020 of the Silverton Municipal Code (SMC), the City Council designates the first Monday of each month, commencing at 6:30 p.m. in the Silverton High School Library, 1456 Pine Street or the City Council Chambers, Silverton Community Center, 421 S. Water Street.
 - a. **Other Locations** – The Council may, from time to time, elect to meet at other locations within the City and upon such election shall give public notice of the change of location in accordance with provisions of Oregon Revised Statutes (ORS) 192.610-695.
 - b. **Location During Local Emergency** – If, by reason of fire, flood or other emergency, it shall be unsafe to meet in the Council Chambers, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor, if the Mayor does not so designate, by the Council President or City Manager.
 - c. **Reschedule Meetings for Holidays** – When the day for any regular scheduled meeting falls on a legal holiday, the meeting for that month shall be held on the second Monday of the month.
 - d. **Telephonic/electronic meetings** may be held in compliance with the Oregon Public Meetings Law. Members of the City Council will be considered present and may participate and vote in the City Council meetings via telephone, electronically or by other means when approved by the Mayor of the City of Silverton and consistent with the Oregon Public Meetings Law.
2. **Special Meetings & Emergency Meetings** – Special meetings and emergency meetings of the Council may be called and held consistent with Section 2.04.030.040 SMC and ORS 192.640.
3. **Work Sessions** – The Council holds Work Sessions on the third Monday of each month, commencing at 6:30 p.m. in the Silverton High School Library, 1456 Pine Street or City Council Chambers. When the day for a scheduled Work Session falls on a legal holiday, the Work Session shall be held on the fourth Monday of the month. Work Sessions are designed to allow Council to gain more in-depth knowledge of a particular subject and to discuss the pros and cons of an issue without taking formal action on the matter. Work Sessions are open to the public, but typically public comment is not received.
4. **Adjourned Meetings** – The Council may adjourn any regular or special meeting to a time and place specified in the order of adjournment.

5. **Executive Sessions** – Consistent with ORS 192.640-660, the Council may hold an Executive Session during any regular or special meeting, or any time otherwise authorized by State law to consider or hear any matter which is authorized by State law to be heard or considered in closed session.
 - a. The City Council may exclude from any such closed session any person or persons which it is authorized by State law to exclude from such closed sessions.
 - b. Council members may not reveal the nature of discussion from a closed session unless required by State law.
 - c. The City Council shall take no final action on any matter discussed or deliberated on in closed session.
 - d. The general subject matter for consideration shall be expressed in an open meeting before such session is held. Executive sessions may be held to discuss certain matters specified by State law, including:
 - (1) Initial employment of public officials and employees;
 - (2) Dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent who does not request an open hearing;
 - (3) Deliberations with persons designated to negotiate real property transactions;
 - (4) Deliberations with persons designated to conduct labor negotiations;
 - (5) Discussion of records that are exempt from public inspection;
 - (6) Negotiations involving matters of trade and commerce when the unit of government is in competition with other areas;
 - (7) Legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
 - (8) Review and evaluation of an executive officer, public officer, employee or staff member, unless an open hearing is requested by the person being reviewed; or
 - (9) Negotiations regarding public investments.
6. **Cancellation of Regular Meetings** – Any meeting of the Council may be canceled in advance by a majority vote of the Council, provided that the Council meets “...at least once per month...” in accordance with Section 13 of the City Charter.

7. **Quorum** – Consistent with Charter Section 14, a majority of the incumbent members of the Council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance.
8. **Mayor** - Consistent with Charter Section 17, the Mayor shall preside over Council deliberations and shall have a vote on all questions before the Council. The Mayor is responsible for preserving order, enforcing Council rules, and determining the order of business under the rules of the Council.
 - a. **Absence of Mayor** – Consistent with Charter Section 18, The Council President shall preside in the absence of the Mayor.
 - b. **Mayor & Council President Absence** – When the Mayor and Council President are both absent from any meeting of the Council, the members present may choose another member to act as Mayor pro tem, and that person shall, for the time being, have the powers of Mayor.
9. **Attendance by the Public** – Pursuant to ORS 192.610-695, and except as specifically provided by State law for executive sessions, all meetings of the Council shall be open, public and accessible.
10. **Minutes** – Minutes of the Council will include paraphrased information on what took place at a given meeting, final motions, vote tally (in the event of a no vote by one or more Council members, the tally shall indicate yes and no votes by name,) attendance of Council members and staff, and the names of any interested party providing testimony before the Council. Speeches, presentations, statements or discussions will not be described verbatim, except when the information is necessary to understand what took place.
 - a. **Comments for the Record** – If a Council member desires for a comment to be included in the minutes, it is his or her responsibility to indicate that the statement is “for the record” before making the comment(s).
 - b. **Timing of Council Approval of Minutes** – Minutes of meetings are generally submitted for Council approval at the next regularly scheduled meeting for approval.
 - c. **Recording of Meetings** – Taped recordings of proceedings are maintained by the City Clerk in accordance with the City’s Records Retention Schedule.

II. ORDER OF BUSINESS

1. **General Order** – The business of the Council at its meetings will generally be conducted in accordance with the following order of business unless otherwise specified. A closed session may be held at any time during a meeting consistent with State law.

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL
APPROVAL OF MINUTES
OATHS OF OFFICE/PUBLIC RECOGNITION
PUBLIC COMMENTS/ITEMS NOT ON THE AGENDA
SCHEDULED PRESENTATIONS TO COUNCIL
QUASI-JUDICIAL PROCEEDINGS
PUBLIC HEARINGS
DISCUSSION/ACTION ITEMS
CONSENT AGENDA
APPOINTMENTS TO COMMITTEES AND ADVISORY GROUPS COUNCIL
CITY MANAGER UPDATE
COUNCIL DISCUSSION/COMMUNICATIONS
EXECUTIVE SESSION
ADJOURNMENT

2. **Items not on the Agenda** – Pursuant to ORS 192.640, the City shall publish a list of the principal subjects anticipated to be considered at the meeting, “but this requirement shall not limit the ability of a governing body to consider additional subjects.”
3. **Special Announcements and Presentations** – All special presentations will be calendared and coordinated through the Mayor and/or the City Manager and will be limited to a time period not to exceed 5 minutes at each Council meeting. The Mayor may grant an exception to this requirement on a case-by-case basis.
4. **Council Communications** – The Council Communications section of the agenda provides Council the opportunity to briefly comment on Council business, activities, and community events. This may include verbal reports by councilors sitting on regional or local boards/commission/committees, city operations, city projects, upcoming events, and functions.
5. **Consent Agenda** – Routine items of business that require a vote but are not expected to require discussion or explanation may be placed on the consent agenda by the Mayor or City Manager. These items are voted on as one item to reduce the length of the agenda and the length of Council meetings. Any item that is placed on the consent calendar may be pulled for discussion at the request of a Councilor.

6. **Monthly Reports** – The following reports may be included in the agenda packet for each regularly scheduled meeting, and others as appropriate or requested by Council:
 - a. **Financial Report** – A condensed report of the City’s finances by operating fund. The City Council shall receive one detailed financial report on a quarterly basis.
 - b. **Council Discussion Items Follow-up Report** – A simple spreadsheet documenting issues raised by Council members during the Council Discussion portion of the agenda that require further follow-up by staff.
 - c. **Public Projects Update** – A brief description of current or planned public projects, updated monthly.
 - d. **Planning Report** – A brief description of planning and land use related issues.
 - e. **Police Report** – A brief report on crimes and traffic citations pertinent to the City of Silverton.

7. **Standard Adjournment** – The Council establishes 10:00 p.m. as the hour of adjournment and will not hear any new agenda items beyond 10:00 without a majority vote of the Council. To continue an item under consideration, the Council should find that discussion, deliberation, and action on the item can be concluded by 11:00 p.m. If an agenda item(s) remain after 11:00 p.m. the City Council may decide by majority vote whether to continue the meeting, schedule a special meeting, or defer the item(s) until the next regular meeting.

III. RULES OF CONDUCT FOR COUNCIL MEETINGS

1. **General Procedure** – It is the policy of the Council not to become involved in the entanglements over “parliamentary procedure.” Consistent with the City Charter and any applicable City ordinance, statute or other legal requirement, any issue or procedure relating to the conduct of a meeting or hearing not otherwise provided for herein may be determined by the Mayor, subject to appeal to the full Council.
2. **Addressing Members of the Public or Staff** – In addressing the public and members of the City’s staff, Council members will generally refer to persons as Mr. or Mrs., or Ms. followed by their surname. Staff shall refer to Council members as Mayor or Councilor followed by the surname of the person being referred to.
3. **Authority of the Mayor** – Subject to appeal to the full Council, the Mayor shall have the authority to prevent misuse of motions, or the abuse of privilege, or obstruction of the business of the Council by ruling any such matter out of order. In so ruling, the Mayor shall be courteous, fair, and should presume that the moving party is acting in good faith.
4. **Mayor to Facilitate Council Meetings** – In the role as facilitator, the Mayor will assist the Council to focus on the agenda, discussions and deliberations.
5. **Council Deliberation & Order of Speakers** – The Mayor is delegated the responsibility to control debate and the order of speakers. Speakers will generally be called upon in the order they make the request to speak.
 - a. **Questions Addressed to Another Councilor** – With the concurrence of the Mayor, a Council member holding the floor may address a question to another Council member and that Council member may respond while the floor is still held by the Council member asking the question. A Council member may opt not to answer a question while another Council member has the floor.
6. **Limit Discussion and Deliberations to Item at Hand** – Council members will limit their comments to the subject matter, item or motion being currently considered by the full Council.
7. **Length of Council Comments** – Council members will govern themselves as to the length of their comments or presentation.
 - a. The Mayor shall act as the arbiter in determining how long an individual Council member may speak on an item. The intent of this policy is not to limit debate, but rather to assist Council members in their efforts to communicate concisely.
8. **Obtaining the Floor** – Any member of the Council wishing to speak must first obtain the floor by being recognized by the Mayor.

9. **Discussion** – The following basic format should be followed for discussion on each item on the agenda. The Mayor will:
- a. Announce the agenda item, sometimes by number, clearly stating the subject of the issue. If it is a public hearing open the public hearing.
 - b. Invite reports from staff, advisory committees, or other persons charged with providing information to the Council.
 - c. Ask if any Council Members have any technical questions that require clarification.
 - d. Ask for public comments or, if when the item is a public hearing invite the appellant then the applicant and lastly the public to provide testimony as described in Section V. At the end of the public comment section announce that public input has concluded or the public hearing has ended. The balance of the discussion will be limited to the members of the Council, unless the Council waives this rule by majority vote.
 - e. Invite a motion from the Council and recognize/announce the name of the member making the motion and then the person seconding the motion.
 - f. Ensure that the motion is clearly understood, either by repeating it or by asking the clerk or the author of the motion to repeat it.
 - g. Ask if there is further discussion on the motion before the Council.
 - h. Moderate any further discussion if needed, allowing for normal and reasonable debate, on the motion or any proposed amendments before the question is called.
 - i. Determine that the motion is ready for a vote.
 - j. Call for the vote.
 - k. Announce the result of the vote.
10. **Motions** – Motions may be made by any member of the Council. Any member of the Council, other than the person offering the motion, may second the motion.
11. **Procedure for Motion** – The following is the general procedure for making motions:
- a. Before a motion can be considered or debated it must be seconded.
 - b. Council members wanting to make a motion should notify the Mayor of their intent to do so.

- c. A Council member wishing to second a motion should do so through a verbal request to the Mayor.
 - d. Once the motion has been properly made and seconded, the Mayor shall open the matter for discussion to the full Council.
 - e. Once the matter has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed, provided, however, Council members may be allowed to explain their vote.
12. **Motion Amendments** – When a motion is on the floor, and an amendment is offered, the amendment should be acted upon prior to acting on the main motion.
13. **Motion of Intention** – A Motion of Intention process is generally limited to matters legally required to be supported by findings.
- a. In proceedings identified as Quasi-Judicial on the agenda, when the City Council takes an action that is substantially different from the staff recommendation, the Council may utilize the Motion of Intention process.
 - b. A Motion of Intention provides staff direction as to the City Council’s action through a formal motion.
 - c. Based on this motion, staff revises the necessary findings, resolutions and or/implementing documentation for the City Council’s action at the next scheduled meeting.
 - d. Upon receiving a Motion of Intent by a Council member, the Mayor should make sure that the hearing on the matter resulting in the motion is closed prior to a vote.
14. **Ordinances** – Ordinances shall be read and enacted pursuant to Chapter VIII of the City Charter. In general, motions offering ordinances are deemed to include waiver of full reading of the ordinance unless otherwise specifically stated.
15. **Voting** – Pursuant to Charter Section 19, the concurrence of a majority of the Council voting when a quorum of the Council is present shall decide any question before it. No Council member present at a Council meeting shall abstain from voting without first stating reasons in detail at the meeting. If the vote is a voice vote, the Mayor shall declare the result. The results of the vote shall be clearly set forth in the record.
16. **Abstention** – If a Council member abstains because of a legal conflict, he/she is not counted as present for quorum purposes and is not deemed to be voting for the purposes of determining whether there has been a majority vote of those members present and voting.

- a. When a Council member abstains or excuses themselves from a portion of a Council meeting because of a legal conflict of interest, the Council member must briefly state on the record the nature of the conflict. The inclusion of this information in the public record is required by law.
17. **Tie Votes** – A tie vote results in a lost motion. In such an instance, any member of the Council may offer a new and different motion for further action and if there is no action by an affirmative vote on the motion, the result is no action and if the matter involves an appeal, the result is that the decision under appeal stands as decided by the decision-making person or body from which the appeal was taken.
18. **Motions for Reconsideration** –
 - a. A motion for reconsideration of a previous motion that passed or failed may be made at the same Council meeting, so long as it is under the active agenda item and only by a Council member that voted with the majority.
 - b. In the case of a tie vote, the prevailing side or the majority of the Council will be deemed to be those Council members who voted in the negative.
 - c. Any member of the Council may second a motion for reconsideration.
 - d. The same matter may be raised and a motion made by any Councilor at any subsequent Council meeting, provided it is placed on the agenda using the Policy Decision Making Process in Section VII and complies with the Oregon Open Meeting Laws.
19. **Non-Observance of Protocols and Guidelines** – The adopted protocols and guidelines are adopted to expedite and facilitate the transaction of the business of the Council in an orderly fashion and will be deemed to be procedural only. Failure to strictly observe any such protocol or guideline will not affect the jurisdiction of, or invalidate any action taken by the Council. The Council will make every effort to comply with all protocols and guidelines within this document. All questions pertaining to the document regarding its’ protocols and guidelines must be resolved by a majority vote of the City Council.
20. **Dress Code for City Council Members** – It is the policy of Council to create a dignified and professional environment for Council meetings. The Dress Code policy shall apply to any individual Council Member representing the City in their official capacity as a member of the City Council.
21. **Use of Handheld Electronic Devices During Council Meetings** – The use of handheld electronic devices shall not interfere with the meeting.

IV. QUASI-JUDICIAL PROCEEDINGS

1. **Defined** – Quasi-judicial proceedings are those proceedings in which the City Council is required to make findings based on an evidentiary record as to the entitlement. In Quasi-Judicial proceedings, the City Council sits as the judge and jury, and is required to make findings based on the evidence and records presented. Examples of Quasi-Judicial proceedings include conditional use permits, variances, subdivision map approvals, and enforcement of nuisance provisions.
2. **Identification on the Agenda** – Quasi-Judicial proceedings will be identified as such on the Council agenda under the heading of “Quasi- Judicial Proceedings.”
3. **Ex-Parte Communications** – Ex-parte communication is any oral or written communication made with a Council member outside the Council Chambers or designated meeting place with any person, except the City Attorney and City Staff when performing their official duties, concerning a Quasi- Judicial proceeding to be heard by the City Council.
 - a. When a Council member has an ex-parte communication concerning a subject that is the basis of a quasi-judicial proceeding before the Council, the Council member must state for the public record the nature of that communication. Council members must indicate with whom the ex-parte communication was made and provide a brief statement as to the substance of the communication.
 - b. A Council member may make an oral presentation of the nature of the communication or provide a written statement to be read into the public record.

V. PUBLIC HEARINGS

1. **General Procedure** – The Council procedure for the conduct of a public hearing is generally as follows:
 - a. The Mayor opens the public hearing and asks Council members if they wish to abstain, declare any ex-parte contact or conflicts of interest. The Mayor asks if any members of the public wishes to challenge the jurisdiction of the City Council or any individual Council member for bias.
 - b. Staff presents the staff report.
 - c. Council may ask questions of staff for clarification on issues raised in the staff report.
 - d. The applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called up first to provide comments or testimony. The applicant and/or appellant are allotted 12 minutes for testimony.
 - e. Members of the public are provided an opportunity to present their comments, testimony or argument. Generally, the order of public comment will be: those in favor, those in opposition, and those neither in favor nor opposed. Members of the public are allotted three (3) minutes or 12 minutes for a person(s) representing four or more individuals in attendance.
 - f. The applicant or appellant is given an opportunity for rebuttal or concluding comments. In the case of an appeal when the appellant is different from the applicant, the appellant is given the opportunity for closing comments. The applicant and/or appellant are allotted five (5) minutes for their rebuttal.
 - g. The public hearing may be closed or continued to a specific date and time by a majority of the Council.
 - h. If the public hearing is closed, the Council deliberates on the issue.
 - i. If the Council raises new issues through deliberation and seeks to take additional public testimony, (questions of the public, applicant or appellant), the public hearing must be reopened or continued to a specific date and time. At the conclusion of the public testimony, the public hearing is again closed by a majority of the Council.
 - j. The Council deliberates and takes action.
 - k. The Mayor announces the final decision of the Council.

2. **Time for Consideration** – Matters noticed to be heard by the Council will commence at the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and will continue until the matter has been completed or until other disposition of the matter has been made.

3. **Public Discussion at Hearings** – When a matter for public hearing comes before the Council, the Mayor will open the public hearing. Upon opening the public hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present evidence respecting the matter.
 - a. **Public Member Request to Speak** – Any person desiring to speak or present evidence shall make his/her presence known to the Mayor and upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Mayor. All persons providing testimony must fill out a public hearing request to speak and clearly state their name and address for the record.
 - b. **Council Questions of Speakers** – Members of the Council who wish to ask questions of the speakers or each other during the public hearing portion may do so but only after first being recognized by the Mayor. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue. Council members should avoid raising questions as a method to extend the allocated time for a speaker.
 - c. **Due Process** – The Mayor shall conduct the meeting in such a manner as to afford due process.
 - d. **Public Oral Presentations** – All Council rules pertaining to oral presentation by members of the public apply during public hearings.
 - e. **Materials for Public Record** – All persons interested in the matter being heard by the Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the City Clerk as part of the official record of the hearing, unless otherwise directed.
 - f. **Germane Comments** – No person will be permitted during the hearing to speak about matters or present evidence which is not germane to the matter being discussed. A determination of relevance shall be made by the Mayor, but may be appealed to the full Council.

4. **Communications and Petitions** – Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Mayor. A reading in full shall take place if requested by a majority of the Council.

5. **Admissible Evidence** – Hearings need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be considered if it is the sort of evidence upon which a reasonable and responsible person is accustomed to rely in the conduct of serious affairs.

VI. ADDRESSING THE CITY COUNCIL

1. **Staff Presentations** – Staff presentations will be limited to 10 minutes. Longer staff presentations must be approved by the City Manager prior to the Council meeting.
2. **Oral Presentations by Members of the Public** – Oral presentations by members of the public at City Council meetings are as follows:
 - a. Prior to the meeting, or during the meeting prior to a matter being reached, persons wishing to address the Council should fill out a general request to speaker card and submit it to the Mayor or City Manager.
 - b. When called upon, the person should come to the podium, state his/her name and address for the record, and, if speaking for an organization or other group, identify the organization or group represented.
 - c. All remarks should be addressed to the Council as a whole, not to individual members thereof.
 - d. Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.
3. **Public Comment** – Public Comment is that portion of the City Council meeting set aside for members of the public to address the City Council on items of any city business other than scheduled agenda items.
 - a. **Timing** – Public Comment is generally permitted at the beginning of a Council meeting just after the Council takes action on the proceeding meeting’s minutes and public recognition. Public comment is limited to three (3) minutes per speaker, but may be extended at the discretion of the Mayor.
 - b. **Addressing Council** – Persons wishing to speak under Public Comment should sign the sign-in sheet and identify themselves at the appropriate time.
 - c. **City Business** – Presentations under Public Comment are limited to items within the subject matter jurisdiction of the City.
 - d. **Council Deliberations Prohibited** – In compliance with Oregon Open Meetings Law, the Council may not deliberate or vote on any matter raised during Public Comment. The Mayor, however, may request the City Manager or staff to provide additional information on any matter of general interest to the full Council or the public at large. To insure the most efficient use of staff time, and to insure that a majority of the Council wishes to take formal action on a matter brought before the Council during Public Comment, a Council member may request a policy consideration or reconsideration through the Council’s Request for Policy

Consideration process in Section VII or by raising the issue during Council discussion at the same meeting. Using the latter method, if at least three other Councilors agree to do so, the matter will be placed on the agenda of the next regular meeting. In no event will the matter be decided at a meeting where the matter is not on the agenda published before the meeting.

- e. Council interaction with the Public – If a Council member believes that a material misstatement of fact has been made by a person during the public comment portion of the agenda, the Council member may ask the City Manager or City Attorney to correct or otherwise clarify the matter or the Council member may provide a direct response at that time. If a spontaneous response is not possible, the Mayor should direct the City Manager to either respond directly to the individual making the request once all the facts are established, or require the City Manager to clarify the issue at the next regular Council meeting for the benefit of the Council and the general public.

- f. Repetitious or Dilatory Comments Prohibited

- (1) A speaker shall not present the same or substantially same items or arguments to the Council repeatedly or in a dilatory manner. If a matter has been presented orally before the Council, whether the Council has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person any further.

Nothing in the foregoing precludes submission of comments to the City Council in writing for such action or non-action as the Council, in its discretion, may deem appropriate.

- (2) In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged.

Whenever a group of people wish to address the Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. The Mayor may extend the time allocation for a designated spokesperson.

- g. Waiver of Rules – Any of the foregoing rules may be waived by majority vote of the Council when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.
- h. Non-Exclusive Rules – The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time or in a particular circumstance for purposes of orderly and effective conduct of the affairs of the City.

VII. POLICY DECISION MAKING PROCESSES

1. **Council member Appointments and Assignments** – The Mayor appoints, and the City Council confirms Council member assignments to outside agencies, committees, taskforces and liaison roles.
2. **Mayor to Act as Council Ceremonial Representative** – The Mayor has been delegated the responsibility to act as the City Council’s ceremonial representative at public events and functions. In the Mayor’s absence, the Council President assumes this responsibility. In both the Mayor and Council President’s absence, the Mayor will appoint another Council member to assume this responsibility.

Proclamations

- a. Incoming requests for a proclamation to be presented at an event or Council meeting are provided to the Mayor for approval. All proclamation requests are provided in writing two weeks prior to event/Council meeting date and also include a draft proclamation.
- b. Once the Mayor approves the proclamation request, the proclamation is either scheduled at an upcoming Council meeting, presented at an event or the proclamation is picked up/mailed to the requesting entity/person. In the event that the Mayor is unable to attend an event, the Council President or a Council member attends on behalf of the Council. In this case, the Mayor along with the attending Council President/Council member signs the proclamation.
- c. In the event the Mayor receives a request for a proclamation where the subject matter is questionable as to the appropriateness, the Mayor will forward the request to the full Council for a vote.

Certificate of Recognitions

- a. Incoming requests for certificates of recognition to be presented at an event or Council meeting are provided to the Mayor for approval. All certificate requests are provided in writing two weeks prior to event/Council meeting date and also include certificate verbiage. A copy of the request must be provided to the City Clerk to retain in accordance with Oregon Record Retention Law.
- b. Once the Mayor approves the certificate request, the certificate is either scheduled at an upcoming Council meeting, presented at an event or is picked up/mailed to the requesting entity/person. In the event that the Mayor is unable to attend an event, the Council President or a Council member attends on behalf of the Council. In this case, the Mayor along with the attending Council President/Council member signs the certificate of recognition.

c. In the event the Mayor receives a certificate request where the subject matter is questionable as to the appropriateness, the Mayor will forward the request to the full Council for a vote.

3. **Council member participation in Community Activities** – From time to time, Council members may choose to participate in community activities, committees, events, task forces and civic groups. When a Council member participates in these types of activities, he/she is acting as an interested party rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the Council has formally designated the Council member as its representative for the matter.

4. **Study/Work Session** – Study or Work Session items may be placed on regular or special meeting agendas for the purpose of open discussion. During Study or Work Sessions, Council members will ask questions that staff records. For those questions that staff cannot readily answer, responses will be provided for the Council, transmitted in writing at the earliest possible date.

5. **Advance Administrative and Informational Reports** – Administrative and informational reports will be forwarded to the Council as part of the monthly agenda packets.

6. **Policy Decision-Making Process Steps** – As illustrated in Appendix A, the Policy Decision-Making Process may be initiated by individual Council members, appointed Committees/Commissions and/or staff members. These individuals or groups may request the full Council to consider the review or revision of existing policies or the consideration of new policy. Members of the public may request a Council member to initiate the full Council’s consideration.

a. **Step 1 Initial Inquiry** – Step 1 is accomplished by including the matter on an upcoming meeting agenda for the Council’s consideration. A brief write up of the matter is included on the Request for Policy Consideration Form (Appendix B). The Request for Policy Consideration Form briefly lays out the request so that Council can choose if they wish to dedicate staff time and resources to review the matter. At this juncture, a vote of the Council is taken to determine if the Council feels they have adequate information to make a decision, dedicate staff time and resources to investigate and review revisions, or possible modifications to Council policy.

Action Taken – If the Council feels they have adequate information to make a decision, action is taken at this juncture.

No Further Consideration – If the majority of the Council chooses not to dedicate staff time and resources to investigate and review policy changes at this time, the decision-making process is complete.

Further Consideration – If the majority of the Council chooses to dedicate staff time and resources to review current policy for possible modifications or the consideration of new policy, additional steps in the Policy Decision-Making Process are triggered as follows:

- b. Step 2 Scope & Assignment – Step 2 of the process includes the City Council, with the assistance of the City Manager, defining the scope of the investigations to be undertaken and assigning primary responsibility for the task to a commission, board, committee or staff. The Council will generally define the scope and assign the task directly after the majority has chosen to have a policy/issue reviewed. The responsible commission, board, committee or staff will proceed to complete the review.
- c. Step 3 Analysis of Alternatives – Step 3 in the process includes completing the alternatives analysis. After the background and current status are completed, alternatives are identified and an analysis is completed. At any time during this process, an administrative report may be prepared to seek confirmation regarding the identified alternatives’ consistency with Council’s direction. This feedback option will insure that additional time is not spent on alternatives that may be inconsistent with the Council’s direction.
- d. Step 4 Administrative Report – Step 4 is the preparation of an Administrative Report. After the analysis of alternatives is completed, recommendations are prepared for the Council’s consideration. The recommendations are included on an upcoming Council agenda for discussion and action.
- e. Step 5 Policy Direction – Step 5 includes the Council providing policy direction. At the conclusion of their discussion regarding the alternatives and recommended actions, the majority of the Council reaches a decision and provides direction as to which alternative will be implemented.
- f. Routine Matters – The policy decision making process is not intended for routine matters where Council, by majority vote, can provide direction to staff to remediate a problem or issue for a member of the community. The process is intended for more complex issues or when they may involve significant staff/board/commission time, where the Council desires to explore all alternatives before reaching a decision.

Placing Items on Council Agendas

- a. By Council Members – Any Council member may request an item or matter be placed on the Council’s agenda. The Council member has two options for making this request:
 - (1) Use of Policy Decision Making Process following the steps in Subsection 6 above; or

- (2) Raise the issue during Council Discussion at a regular meeting. If at least three other Councilors agree to do so, the matter will be placed on the agenda of a future meeting or Work Session. In no event will the matter be decided at a meeting where the matter is not on the agenda published before the meeting.
- b. By Mayor or Manager – The Mayor or City Manager may place any item on the regular agenda that they believe is of general interest or necessary to carry on city business.

VIII. COUNCIL COMMITTEES

1. **Appointed and Ad Hoc Committees of the Council** – From time to time the Council may establish standing committees or ad hoc committees to deal with a specific issue or challenge in the community.
 - a. An Appointed Committee is a committee of the Council established by Ordinance and/or Resolution and meets on a regular or semi-regular basis to address specific issues or challenges in the community
 - b. Ad Hoc Committee Defined – An Ad Hoc committee of the Council is one that:
 - (1) does not have a continuing subject matter jurisdiction, and
 - (2) does not have a meeting schedule that is fixed by ordinance, resolution or other formal action of the Council. In addition, an ad hoc committee may not consist of more than three (3) Council members. Appointments to Ad Hoc committees are recommended by the Mayor and confirmed by City Council.
 - c. Conduct of Appointed or Ad Hoc Committee Meetings – Meetings of an appointed or ad hoc committee of the Council are subject to Open Meeting Laws and the City’s Record Retention Schedule.
 - d. When a vacancy occurs or a term is expiring on an appointed committee, the City will open the recruitment for at least three (3) weeks to accept applications for the available seat. Applications will be forwarded to the Mayor for review. Incumbents will be notified prior to their term expiring regarding their term and they will be required to re-apply. Applicants must meet established qualifications as provided in the Silverton Municipal Code or the Resolution establishing the Committee.
 - e. The Mayor may interview the applicant(s) or incumbent(s) and then make a recommendation to the City Council for appointment. The City Council may approve the recommendation or vote to select another appointment.

IX. COUNCIL MEMBER ADMINISTRATIVE SUPPORT

1. Mail

- a. Letters addressed to Mayor and/or City Council – All letters addressed to the Mayor and/or entire City Council requiring a response from staff are copied to all Council members with a note as to which staff person will be preparing a response for the Mayor’s signature. A copy of the response mailed, along with the original letter will be provided to each Council member.

Letters addressed to the Mayor and/or entire City Council that do not require a response, but provide information on Council agenda items or like matters are copied to the full Council. Cards and other mail addressed to the Mayor marked “personal” and/or “confidential” will not be opened.

- b. Letters addressed to Individual Council members – All letters addressed to individual Council members will not be opened. The envelopes will be delivered/mailed to the individual Council member’s home address. If a Council member is requesting a response to be prepared by staff, the letter is copied to all members of the Council with a note as to which staff person will be preparing a response for the addressee’s signature. A copy of the response mailed, along with the original letter will be provided to each Council member.

2. **Council Correspondence** – All Council member correspondence written with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Council, not individual Council member’s positions, except for the Mayor. All Council member correspondence using City resources will be copied to the full Council. For example, if a citizen writes a letter to an individual Council member, the response to the letter along with a copy of the citizen’s letter will be copied to the full Council.

- a. **Personal Correspondence** – City Council members will have access to individual stationery and envelopes for use in communications reflecting their personal opinions and positions, not the position of the full Council. These communications will be prepared and sent at the expense of individual Council members. Council members may utilize the City’s outgoing mail service; however, postage will be at the Council member’s expense.

3. **Clerical Support** – The City Manager’s Office will coordinate the typing of correspondence requested by individual Council members. All correspondence typed for Council members will be on City letterhead and will reflect the position of the full Council, not individual Council members, and will be copied to the full Council.

- a. From time to time, citizens write to the Mayor to voice concern, request assistance, or to request information on an issue/item. When such letters are addressed to the Mayor, the City Manager will prepare a response letter for the

Mayor's review and signature. The response, along with a copy of the citizen's letter, will be copied to the full Council.

- b. **Retention of Correspondence** – Correspondence will be retained in accordance with the City's Record Retention Schedule.
4. **Master Calendar** – A master calendar of Council events, upcoming agenda items, functions or meetings will be provided to the full Council. Functions, events or meetings to be attended by individual Council members will only be included on the master calendar at the request of individual Council members.
5. **Requests for Research or Information** – All requests for information or research from individual Council members shall be directed through the City Manager's office. Requests for new information or policy direction will be brought to the full Council at a regular meeting for consideration. All written products will be copied to the full Council.
 - a. From time to time Council members will call or email the City Manager to request information or bring attention to a matter that needs to be addressed (e.g., code enforcement issue, pothole, etc.). In all such instances, these matters will be addressed in the most expeditious manner possible.

When such calls for information deal with policy-related matters, the City Manager shall inform the full Council of the nature of the call/e-mail, and provide the full Council with any response that was given to the Council member who made the request. The intent of this protocol is to insure that all Council members are being provided with the same information.

6. **Tickets to City Events** – The Silverton City Council places a high value on community involvement and encourages its members to participate actively in community-related events. Two tickets for each Council member will be made available for events hosted by the City. Departments hosting City events will coordinate the distribution of tickets to Council members with the City Manager's office. The availability of tickets for events hosted by other organizations which the City sponsors will be at the discretion of the organizing agency. When the City is a major sponsor of an event, staff will endeavor to include the availability of tickets in the sponsorship agreement or contract.
 - a. The Council may elect to provide tickets to individual Council members and their spouse for other city-related/community events where the City's presence is expected and/or required. The Council will make such determinations on a case-by-case basis.
7. **Council Notification of Significant Incidents** – In conjunction with the City's Police Department and Silverton Fire District, the City Manager's office will coordinate the notification to Council of major crime, fire or other incidents. This will be accomplished concurrently through e-mail and/or phone calls for the more significant incidents. In addition, the City Manager will endeavor to keep the Council informed by e-mail of

incidents/issues that occur in the community that do not rise to the level of a “significant incident.”

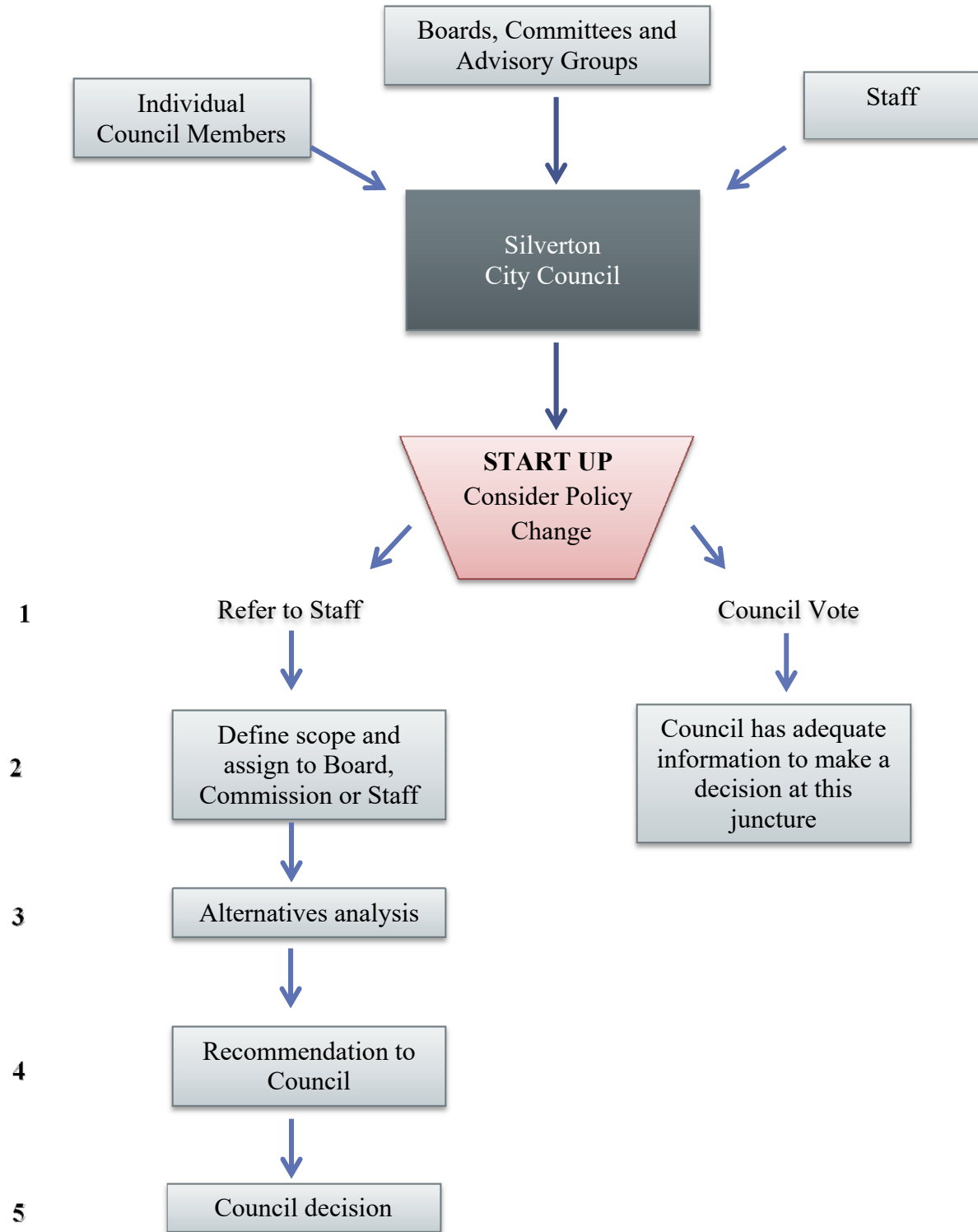
8. **Council Travel & Training** – The Travel & Training line item in the City Council Department of the General Fund is allocated typically for the Council to attend the League of Oregon Cities (LOC) Annual Conference. Council Members may request to attend other training events as necessary.
 - a. A Council Member may inform the Mayor, Council and City Manager they would like to attend an event. If it is a one day event and there are enough funds, the Council Member may be registered to attend the event.
 - b. If the event requires an overnight stay [excluding the annual LOC Conference], the Council Member will notify the Mayor as soon as possible and the request will go before the Council for consideration.

X. PROTOCOL & GUIDELINE ADMINISTRATION

1. **Biennial Review of City Council Protocols & Guidelines** – The Council will review and revise the City Council Protocols and Guidelines as needed or every two years.
2. **Adherence to Protocols and Guidelines** – During City Council proceedings, the Mayor is delegated to insure that the City Council, staff and members of the public adhere to the Council’s adopted protocols.
3. **City Attorney as Protocol Advisor** – The City Attorney assists the Mayor as a resource to confer with, and acts as an advisor for interpreting the City Council’s adopted protocols and guidelines.
4. **Adherence to Administrative Procedure & Process Protocols** - The City Council has delegated the Mayor responsibility to discuss, on behalf of the full Council, any perceived or inappropriate administrative action with a Council member. The Mayor will discuss with the Council member the action and suggest a more appropriate process or procedure to follow. After this discussion, if further inappropriate action continues, the Mayor will report the concern to the full Council.

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APPENDIX A
 Silverton City Council
 Policy Decision Making Process



APPENDIX B
Request for Policy Consideration

Agenda Item Number: _____

Council Meeting Date: _____

Introduced by: _____

Idea/issue/problem name:

Description of idea/issue/problem:

Requested action:
