

Councilmember Serry D. Pate introduced the following ordinance:

ORDINANCE NO. 761-08

AN ORDINANCE TO ADOPT COUNCIL RULES OF PROCEDURES  
THIS ORDINANCE SUPERSEDES ORDINANCE # 367 ADOPTED DECEMBER 19, 1988.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HELENA, ALABAMA, which the order of procedure in all instances for the meetings of the Council shall be as follows:

**Section 1.** That the rules or order of procedure herein contained shall govern deliberations and meetings of the Council of the City of Helena, Alabama ("Council").

**Section 2.** Regular meetings of the Council shall be held on the first and third Monday of each month.

**Section 3.** Special meetings may be held at the call of the Mayor by serving notice on each Councilmember not less than twenty-four (24) hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50, Code of Alabama, 1975. Upon failure or refusal of the Mayor to call such meeting when requested, two Councilmembers making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least twenty-four (24) hours prior to such meeting.

**Section 4.** A quorum shall be determined as provided by Section 11-43-48, Code of Alabama.

**Section 5.** All regular meetings shall convene at 6:00 P.M. at the Helena Municipal Building and all meetings, regular and special, shall be open to the public.

**Section 6.** The order of business shall be as follows:

1. A call to order
2. Prayer
3. Pledge of Allegiance
4. Roll Call
5. Reading and/or approval of the minutes of the previous meeting(s)
6. Hearing on petitions and/or applications
7. Reports of Boards/Committees/Officers
8. Financial reports and questions
9. Resolutions, Ordinances and other business

**Section 7.** Any person wishing to speak on any item not on the Council agenda should contact the City Clerk, in writing, seven days prior to the Council meeting requesting to be placed on the agenda with his/her reason for speaking to the Council. No person, other than a Councilmember, shall be allowed to address the same while in session without permission of the Mayor or Presiding Officer.

**Section 8.** No person shall speak more than twice on the same subject without permission of the Mayor or Presiding Officer. Any member of the public wishing to address an item on the Council agenda during a public hearing shall be limited to 3 minutes per person.

- Section 9.** The City Clerk shall make available a copy of the proposed agenda to all Councilmembers no later than 12:00 noon on the Friday preceding the Council meeting.
- Section 10.** All resolutions, ordinances and amendments thereto shall be in writing at the time of introduction.
- Section 11.** Motions to reconsider must be made by a Councilmember who voted with the majority and at the same or next succeeding meeting of the Council.
- Section 12.** All votes shall be given in roll-call form and each vote shall be reflected in the minutes accordingly with the response as either "yea", "nay" or "abstain".
- Section 13.** All questions of order shall be decided by the Mayor or Presiding Officer in accordance with Robert's Rules of Order with right of appeal to the Council at large by any Councilmember.
- Section 14.** The Mayor or Presiding Officer may at his/her discretion, call any Councilmember to take the chair, to allow him/her to address the Council, make a motion, or discuss any other matter at issue.
- Section 15.** All meetings of the Council shall be open to the public.
- Section 16.** A motion for adjournment shall always be in order.
- Section 17.** The rules of the Council may be altered, amended, or temporarily suspended by a vote of two-thirds (2/3) of the Councilmembers present, given the establishment of a quorum.
- Section 18.** The chairman of each Board/Committee, or the person that represents the chairman, shall submit or make all reports to the Council when so requested by the Mayor or any Councilmember.
- Section 19.** All ordinances, resolutions, or propositions submitted to the Council which require the expenditure of money shall carry over until the next meeting. Such ordinances, resolutions, or propositions may be considered earlier by unanimous consent of the Council. This rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers or wages of employees of the City.
- Section 20.** The City Clerk, City Engineer, City Attorney, Chief of Police, and other such officers and employees of the City of Helena, shall remain in the Council chambers for such length of time as the Council may direct.
- Section 21.** No ordinance or resolution of permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution. Such consent shall be by roll call vote and the vote reflected in the minutes.
- Section 22.** If the City Clerk has reservations as to the wording of statement, he/she shall be able to request that the statement be submitted in writing so that the statement can be correctly recorded in the minutes of the meeting.
- Section 23.** *Robert's Rules of Order* is hereby adopted as the rules of procedure for this Council in those situations which cannot be resolved by the rules set forth in this ordinance.

Section 24. This ordinance shall go into effect upon the passage and adoption by the City Council of the City of Helena, Alabama, and posting as required by law.

APPROVED AND ADOPTED THIS 18<sup>th</sup> DAY OF February, 2008.



Peggy C. Dunaway  
Peggy C. Dunaway  
City Clerk

Charles W. Penhale  
Charles W. Penhale, Mayor

Jerry Leon Pate  
Jerry Leon Pate, Councilmember

Katherine E. Ennis  
Katherine E. Ennis, Councilmember

Barbara F. Hyche  
Barbara F. Hyche, Councilmember

absent  
Colleen K. Lenz, Councilmember

absent  
Thomas P. Lefebvre, Councilmember

STATE OF ALABAMA  
SHELBY COUNTY

I, Peggy C. Dunaway, City Clerk of the City of Helena, do hereby certify that the above is a true correct copy of **Ordinance Number 761-08** duly adopted by the Council of the City of Helena at its meeting held 18 day of February, 2008, and as same appears of record in the ordinance records of said City, and approved by the Mayor and City Council on 18 day of February, 2008.

Given under my hand and corporate seal of the City of Helena, this the 18 day of February, 2008.



Peggy C. Dunaway  
Peggy C. Dunaway, City Clerk

C E R T I F I C A T I O N

I, Peggy C. Dunaway, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number 761-08 is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three public places in said City, being on the bulletin board of the City Hall, in the BP Coosa Mart in the City of Helena, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 25 day of February, 2008, five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 18 day of February, 2008.



*Peggy C. Dunaway*

Peggy C. Dunaway, City Clerk

ESTABLISHING RULES AND PROCEDURES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HELENA, ALABAMA, that the order of procedure in all instances for the meetings of the council shall be as follows;

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the council of Helena, Alabama.

Section 2. Regular meetings of the council shall be held on the first and third Mondays of each month.

Section 3. Special meetings may be held at the call of the Mayor by serving notice on each member of the council not less than twenty-four hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50 of the Alabama Code. Upon failure or refusal of the mayor to call such meeting when requested, two council members making the request shall have the right to call such meeting.

Section 4. A quorum shall be determined as provided by Section 11-43-48 of the Alabama Code.

Section 5. All regular meetings shall convene at 7:00 P.M. at the City Hall and all meetings, regular and special, shall be open to the public.

Section 6. The order of business shall be as follows:

1. Call to order
2. Prayer
3. Reading of the minutes
4. Hearing on petitions, applications, complaints
5. Reports of Boards/Committees/Officers
6. Financial reports and questions
7. Resolutions and Ordinances, other business

Section 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

Section 8. Any person wishing to speak should contact the clerk on or before 4:30 P.M. on the Thursday preceding the council meeting, requesting to be placed on the agenda with his reason for speaking to the council. No person, not a member of the council, shall be allowed to address the same while in session without permission of the mayor/presiding officer.

Section 9. The clerk shall make available a copy of the proposed agenda to all council members no later than 12:00 noon on the Friday preceding the council meeting.

Section 10. All resolutions and ordinances shall be in writing.

Section 11. Motions to reconsider must be made by a member who voted with the majority, and at the same or next succeeding meeting of the council.

Section 12. All votes shall be given in roll-call form, and each vote shall be recorded in the minutes accordingly with the response as either "yea", "nay", or "abstain".

Section 13. All questions of order shall be decided by the mayor/presiding officer, in accordance with Robert's Rules of Order, with right of appeal to the council by any member.

Section 14. The mayor/presiding officer may at his discretion, call any member to take the chair, to allow him to address the council, make a motion, or discuss any other matter at issue.

ORDINANCE NO. 367  
ESTABLISHING RULES AND PROCEDURES  
CONTINUED PAGE 2

Section 15. All meetings of the council shall be public.

Section 16. A motion for adjournment shall always be in order.

Section 17. The rules of the council may be altered, amended, or temporarily suspended by a vote of two-thirds of the members present, given the establishment of a quorum.

Section 18. The chairman of each Board/Committee, or the person that represents the chairman, shall submit or make all reports to the council when so requested by the mayor or any member of the council.

Section 19. All ordinances, resolutions, or propositions submitted to the council which require the expenditure of money shall lie over until the next meeting; provided that such ordinances, resolutions, or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers of, or wages of employees of the City.

Section 20. The city clerk, city engineer, city attorney, chief of police, and other such officers and employees of the City of Helena shall, when requested, attend all meetings of the council and shall remain in the council room for such length of time as the council may direct.

Section 21. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such ordinance or resolution. Such consent shall be by roll call vote and the vote thereon spread on the minutes.

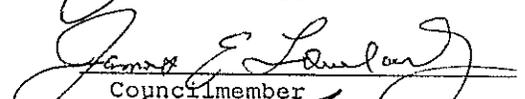
Section 22. If the clerk has reservations as to the wording of something, he shall be able to request that the statement be submitted to him in writing so that the statement can be correctly recorded in the minutes of the meeting.

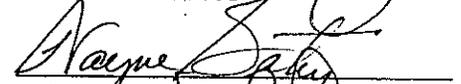
Section 23. This ordinance shall go into effect upon the passage and publication as required by law.

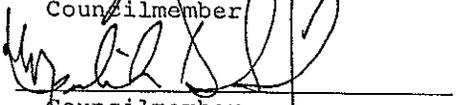
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Councilmember

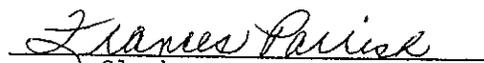
  
\_\_\_\_\_  
Councilmember

  
\_\_\_\_\_  
Councilmember

  
\_\_\_\_\_  
Councilmember

  
\_\_\_\_\_  
Councilmember

Approved this the 19 day of December, 1988.

  
\_\_\_\_\_  
Clerk