

ORDINANCE 1030-2025

AN ORDINANCE TO ADOPT COUNCIL RULES OF PROCEDURES

WHEREAS, The City Council of the City of Helena, Alabama desires to update the Council Rules and Procedures regarding Council Meetings, and;

WHEREAS, The City Council of the City of Helena, Alabama recognizes the need to aid the public in attendance and/or viewing of City Council meetings, and;

WHEREAS, The City Council of the City of Helena Alabama wishes to repeal all other Council Rules and Procedures that have been in place prior to the adoption of this Ordinance. Namely Ordinances 761-08 and 912-2023;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HELENA, ALABAMA,

Ordinance 761-08 is hereby repealed.

Ordinance 912-2023 is hereby repealed and replaced with this Ordinance upon passage.

Section 1. GENERAL

That the rules or order of procedure herein contained shall govern deliberations and meetings of the Council of the City of Helena, Alabama

Section 2. MEETING DATE AND TIME

2.1 REGULAR MEETINGS:

Regular meetings of the Council shall be held on the second and fourth Monday of each month ("Regular Scheduled Meeting"). In the event a State or National Holiday falls on the date of a Regular Scheduled Meeting, the date may be adjusted to the Monday before the holiday or a day immediately following the holiday. All Regular Scheduled Meetings shall convene at 6:00 P.M. at Helena City Hall. All meetings of the Council shall be open to the Public and subject to the Alabama Open Meetings Act.

2.2 SPECIAL CALLED MEETINGS:

Special Meetings shall be held according to Section 11-43-50 of the Code of Alabama 1975

- a) **PRESIDING OFFICER.** Special meetings may be held at the call of the Presiding Officer (as defined in Section 4 *infra*) whenever in his/her opinion the public interest may require it.
- b) **COUNCIL MEMBERS.** When two council members request the Presiding Officer in writing (including electronic communications) to call a meeting. The Presiding Officer shall serve notice on each Councilmember not less than twenty-four (24) hours before the time set for such special meetings.
- c) **MAYOR IN NORMAL COURSE OF BUSINESS.** A special meeting may be requested by Mayor at any time to the Presiding Officer.
- d) **MAYOR IN EMERGENCY SITUATIONS.** A special meeting of the Council may be held at the behest of the Mayor in event of a local, State, or Federal emergency.

2.3 PUBLIC HEARINGS:

The Presiding Officer, if he/she deems it in the public interest may hold a public hearing on various matters, including but not limited to, budget presentation, land use, and future City planning. These meetings shall be conducted and noticed in the same manner as a Regular Meeting but be limited on the Agenda to just the topic(s) for public hearing. All meetings of the Council shall be open to the Public and subject to the Alabama Open Meetings Act.

Section 3. WORK SESSIONS

The Council may have a work session prior to a regular or special meeting, or at any time deemed necessary. Proper notice and agenda shall mirror the other sections of this Ordinance. At no time shall a vote be taken at a work session. All work sessions are subject to the Alabama Open Meetings Act.

Section 4. PRESIDING OFFICER

The Council President is the presiding officer over all Council work sessions, and in his/her absence the Council Pro-Tem shall be the presiding officer. In the event both the Council President and Council Pro-Tem are absent, the Council President shall delegate a member of Council to preside, and such shall be documented by the City Clerk.

Section 5. QUORUM AND ELECTRONIC ATTENDANCE

5.1 QUORUM: A quorum shall be determined as provided by Section 11-43-48,

Code of Alabama.

5.2 ELECTRONIC ATTENDANCE: Council Members may attend and participate in a Council meeting subject to the following conditions:

- a) A quorum (as defined in Section 5.1 *supra*) must be physically present at the meeting, and;
- b) The Council Member(s) participating via electronic means are unable to attend due to illness, and;
- c) Council Member(s) presence by electronic means shall constitute presence in person at the meeting for all purposes, except for the establishment of a quorum.
- d) The Council Member(s) shall participate using a video meeting service, including but not limited to zoom, teams, etc. The video and/or audio shall be audible to both Council, and the public.
- e) This section incorporates Section 32-25A-5.2 of the Code of Alabama *in toto*.

Section 6. ORDER OF BUSINESS AND PROCEDURE

6.1 GENERAL.

- a) Call to Order
- b) Prayer
- c) Pledge of Allegiance
- d) Roll Call
- e) Approval of Agenda
- f) Reading and/or approval of the minutes of the previous meeting(s)
- g) Revenue & Bill Payment Approval
- h) Municipal Operations Report from the Mayor
- i) Reports of Boards/Committees/Officers as applicable
- j) Resolutions, Ordinances, and other business
- k) Period for Public Comment
- l) Council Comments
- m) Adjournment by Presiding Officer

6.2 No member shall speak more than twice on the same subject without permission of the Presiding Officer.

6.3 No person, not a member of the Council, shall be allowed to address the same while in session without permission from the Presiding Officer.

6.4. Motions shall be reduced to writing when required by the Presiding Officer of the Council or any member of the Council. All resolutions and ordinances and any amendments thereto shall be in writing at the time of introduction.

- 6.5 Motions to reconsider must be made by a member who voted with a prevailing side and at the same or next succeeding meeting of the Council.
- 6.6 Whenever it shall be required by one or more members, the "yeas" and "nays" shall be recorded, and any member may call for a division on any question.
- 6.7 All questions of order shall be decided by the Presiding Officer of the Council with the right of appeal to the Council by any member.
- 6.8 The presiding officer of the council may, at his or her discretion, call any member to take the chair, allow him/her to address the Council, make a motion or discuss any other matter at issue.
- 6.9 Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the most distant day and the largest sum shall be first put.
- 6.10 All meetings of the Council shall be open to the public, except when the Council meets in executive session as authorized by state law.
- 6.11 The Council may meet in executive session only for those purposes authorized by state law. When a Councilmember makes a motion to go into executive session for an enumerated purpose, the Presiding Officer shall put the motion to a vote. If the majority of the Council vote in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive session was called. No action may be taken in an executive session. When the discussion has been completed, the Council shall resume its deliberations in public.
- 6.12 A motion for adjournment shall always be in order.
- 6.13 The rules of the Council may be amended in the same manner as any other ordinance of general and permanent operation.
- 6.14 The rules of the Council may be temporarily suspended by a vote of two-thirds of the members present.
- 6.15 The chairman of each respective City Board and/or Committee, or the councilmember acting for him or her, shall submit or make all reports to the Council when so requested by the Presiding Officer or any member of the Council. Notwithstanding the foregoing; the chairman of each Board and/or Committee, or the person that represents the Chairman, shall present a quarterly report in accordance with Ordinance 880-2021.

- 6.16 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 or wages of employees of the City.
- 6.17 The clerk, engineer, attorney, chief of police, fire chief and such other officers or 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.
- 6.18 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 and the vote thereon spread on the minutes.
- 6.19 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 out in this ordinance.

Section 7. PUBLIC MEMBER WISHING TO ADDRESS COUNCIL OUTSIDE OF PUBLIC COMMENT PERIOD

Any person wishing to address the Council at a Regular Scheduled Meeting should contact the City Clerk, in writing, five business 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 Presiding Officer. The Council, at its discretion, and upon a motion, second, and majority vote, may suspend this rule to allow a public member to address Council outside of the Public Comment Period.

Section 8. PUBLIC COMMENT ON ORDINANCES

No person shall speak more than twice on the same subject without permission of the Presiding Officer. Any member of the public wishing to address an item on the Council agenda during a public comment period may be limited to no more than 3 minutes per person, unless the Presiding Officer allows for more time in his/her discretion. The Presiding Officer will appoint a timekeeper prior to the start of any public comment period.

Section 9. AGENDAS AND MINUTES

9.1 REGULAR MEETING AGENDAS

The Council President is responsible for adding items to any proposed agenda. All requests for Agenda items should be sent to the Council President for placement on the agenda. The City Clerk and Council President shall work together to have the Agenda and supporting documents related to the Agenda publicly posted to the by 5:00pm on the Wednesday preceding the Council meeting. At the latest, barring unforeseen circumstances, the City Clerk shall make available a copy of the proposed agenda to all the Public no later than 12:00 noon on the Friday preceding the Council meeting. In the event a State or Federal holiday falls on a Friday prior to a Council meeting, the Clerk shall make a available a copy of the proposed agenda to all the Public no later than 5:00pm on the last business day preceding the Council meeting. All supporting documents that are available to items placed on an approved agenda shall be included with the Agenda when published.

9.2 SPECIAL MEETINGS AGENDAS

For special meetings, the City Clerk shall provide all related documents as soon as possible to the Council and Post them for the Public on a bulletin board at City Hall, the City's website, and social media accounts (if available)

The City Clerk shall record on the Special Meeting Agenda, how the Council was informed of the meeting and the Agenda.

9.3 MINUTES

The City Clerk shall take minutes of Regular or Special meetings. Additionally, the City Clerk shall take minutes of any Council Work Session. The Minutes taken by the Clerk shall be the exclusive and only official record of any meeting/work session once voted upon and approved by Council at a subsequent meeting.

Section 10. LIVE STREAMING

The Council shall (subject to technical limitations that are unforeseen) live stream all Regular and Special Called meetings.

The LiveStream link shall be provided on the City Website, and social media (where available)

The LiveStream is not the official record of any Council meeting and should not be construed as such.

Section 11. SEVERABILITY

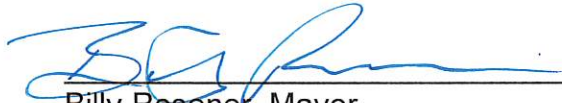
If any portion or provision of this Ordinance, or its application to any person or circumstance, shall be declared unconstitutional or otherwise declared void, or invalid for any reason, or should any portion be preempted by State or Federal law or regulation, such portion or provision shall be deemed severed, any such decision or preemption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 12. EFFECTIVE DATE

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.

[SEAL]




Billy Rosener, Mayor


Cathy Hammann, Council Member


Any Healy, Council Member


Dennis Wilson, Council Member

ATTEST:


Brooke Dodson, Council President


Madison Harris, City Clerk


Jeff McDaniels, Council Member

**STATE OF ALABAMA
SHELBY COUNTY**

I, Madison Harris, Clerk of the City of Helena, do hereby certify that the above is a true correct copy of Ordinance Number 1030-2025 duly adopted by the Council of the City of Helena at its meeting held 8 day of December, 2025, and as same appears of record in the ordinance records of said City, and approved by the Mayor and City Council on 8 day of December, 2025.

Given under my hand and corporate seal of the City of Helena, this the 8 day of December, 2025.



Madison Harris

Madison Harris, City Clerk

CERTIFICATION

I, Madison Harris, the Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number 1030-2025 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, on our website www.cityofhelena.org, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 8 day of December, 2025, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 8 day of December, 2025.

[SEAL]



Madison Harris

Madison Harris, City Clerk