Resolution No. 2098

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, ADOPTING THE GOVERNING BODY RULES OF PROCEDURE.

WHEREAS, the Mayor and City Council recognize the importance of adopting clear and consistent rules that guide the conduct, deliberation, and decision-making of the Governing Body; and

WHEREAS, the Governing Body Rules of Procedure establish expectations for attendance, meeting conduct, debate procedures, agendas, voting, interactions with staff and the public, and other standards necessary for the efficient and transparent operation of City government; and

WHEREAS, the City Council has reviewed the proposed Governing Body Rules of Procedure and finds that their adoption is in the best interests of the City of Rolla and its citizens; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: The City Council hereby adopts the Governing Body Rules of Procedure, attached hereto as "Exhibit A" and incorporated herein by reference.

Section 2: This resolution shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 5TH DAY OF OCTOBER 2026.

Approved: _____
Mayor Pro-Tempore Aaron Pace

Attest: _____
City Clerk

Approved as to form: _____
City Counselor

EXHIBIT A

RULES OF PROCEDURE

CITY OF ROLLA GOVERNING BODY

Adopted: Resolution No. 2098 **Date:** 10-5-2026

Policy Statement 3

1. Governing Body 3

1.1 Composition 3

1.2 Expectations of Attendance at Meetings and Workshops 3

2. Meetings, Generally 3

2.1 The Presiding Officer 3

2.2 Decorum 4

2.3 Rules of Debate 4

2.4 Agenda 5

2.5 Motion to Reconsider 5

2.6 Public Meeting Law Adopted 5

3. Types of Meetings 6

3.1 Regular Meetings 6

3.2 Work Sessions 6

3.3 Special Meetings 7

3.4 Closed Meetings 7

3.5 Emergency Meetings 7

3.6 Video Meetings 8

4. Meeting Procedures 9

4.1 Order of Business 9

4.2 Call to Order 10

4.3 Roll Call 10

4.4 Quorum 10

4.5 Reading of Minutes 10

4.6 Public Comments 10

4.7 Consent Agenda 11

4.8 Resolutions 12
4.9 Ordinances 12
4.10 Voting 14
4.11 Recess 15
4.12 Suspension of the Rules 15
4.13 Adjournment 15
4.14 Council Conduct with City Staff 15
4.15 Council Conduct with other sources 15
5. Miscellaneous 17
5.1 Conflicts of Interest 17
5.2 Vacancies in Elected Office 19

POLICY STATEMENT

The Mayor and City Council of the City of Rolla, Missouri acknowledge that elected officials have a duty to actively participate in the governance process by engaging in meetings, deliberations, and decision-making activities relevant to their office. This includes attending scheduled meetings, reviewing materials in advance, asking informed questions, and contributing thoughtfully to discussions. Elected officials are expected to represent the interests of their constituents, communicate regularly with the public, and remain accessible and responsive to community concerns. Their participation should reflect a commitment to transparency, accountability, and the effective functioning of community they serve.

To that end, these Rules and Procedures are adopted by the City Council of the City of Rolla to guide the conduct, deliberation, and decision-making processes of the Mayor and City Council.

Note: Any reference to a specific city code or state statute could change upon the adoption of new or amended code or statutes.

1. GOVERNING BODY

1.1 COMPOSITION

The Mayor and City Council of the City of Rolla, Missouri collectively serve as the elected officials of the governing body of the City pursuant to Chapter 77 of the Revised Statutes of Missouri. The City Council shall consist of twelve (12) members, two (2) from each Ward. The Mayor and City Council shall be elected or appointed as provided by law, and possessing all of the qualifications as provided for by law.

For the purpose of this document, when referring to the Mayor and City Council collectively, they will be referred to as "Officials" or "Governing Body" When referring to members of the City Council individually, they will be referred to as "Councilmembers."

1.2 EXPECTATIONS OF ATTENDANCE AT MEETINGS AND WORKSHOPS

It is expected that all members of the Governing Body will attend all regularly scheduled meetings and workshops in person. The Governing Body recognizes that to accommodate varying schedules, work and personal commitments, occasional attendance at a meeting through virtual participation may be warranted. As such, the Governing Body considers attendance to include participation via telephone, video conferencing and other modern means to meet the standards established in state statutes and City Code for participation in a meeting. In the event that a Councilmember is unable to attend, contact should be made to both the City Clerk and the City Administrator; email is sufficient.

2. MEETINGS, GENERALLY

2.1 THE PRESIDING OFFICER

The Mayor is the Presiding Officer and shall preside over all meetings of the City Council.

At the first regular meeting of the City Council after the election in each year, the council shall elect one (1) of its members as Mayor pro tempore, who shall hold their office for a term of one (1) year and who, in the absence of the Mayor, shall preside at the meetings of the council. If neither Mayor nor Mayor pro tempore can be present, the council may select one (1) of its members present to preside at such meetings, who shall be appointed as "acting Mayor pro tempore."

The Presiding Officer shall preside over and preserve strict order and decorum at all meetings of the City Council. City Code Section 2-5.1 further lists acceptable duties.

2.2 DECORUM

By Councilmembers
During all meetings, all Councilmembers must preserve order and decorum, and shall not delay or interrupt the proceedings, nor disturb any Councilmembers while speaking, or refuse to obey the orders of the Presiding Officer, except as otherwise herein provided.

Positive Leadership
The City Council recognizes that it is essential to remain positive in working together as a team and will stive to:

- Strive to see the good in others.
- Look for, recognize, and promote the positive contributions of each Councilmember.
- Refrain from speaking negatively about the character of other Councilmembers.
- Seek ways to turn obstacles into opportunities.
- Maintain a sense of optimism and humor in working together.
- Strive toward increasingly high levels of professionalism in dealing with one another.

2.3 RULES OF DEBATE

Procedure
Robert's Rules of Order, Revised, will be observed and shall govern in all instances of procedure, unless modified by these Rules, in the event a question should arise.

Getting the Floor
Every Councilmember desiring to speak shall address the Presiding Officer and upon recognition shall be confined to the question under debate but cannot make a second speech on the same agenda item as long as any member who has not spoken on that item desires the floor. No one can speak longer than ten minutes at a time without permission of the council.

How a Councilmember Gets the Floor

1. A Councilmember raises their hand or otherwise signals the presiding officer.
2. The presiding officer recognizes them by saying their name or acknowledging them.
3. Once recognized, the councilmember "has the floor" and may speak.

Interruptions
A Councilmember, once recognized, shall not be interrupted when speaking unless to be called to order by the Presiding Officer, or as hereinafter provided. If a Councilmember, while speaking, be called to order, the Councilmember shall cease speaking until the question of order be determined and if in order, shall be permitted to proceed.

2.4 AGENDA

An agenda is to be prepared by the City Clerk in a manner reasonably calculated to advise the public of the matters to be discussed at all meetings of the Governing Body. Reports, communications, ordinances, resolutions, contract documents, or other matters on the agenda are to be posted pursuant to the Sunshine Law and distributed by the City Clerk or their designee to the Governing Body.

A Councilmember may request that a specific item be placed on the agenda for consideration. After consultation with the City Administrator, the item will be listed under "Mayor and Council Comments." The presenting Councilmember will then have the opportunity to explain the purpose and need for the item. It will be up to the consensus of the Council to determine whether the item should advance to "New Business" on a future agenda.

Council meeting agendas will be open and publicized. Surprises at meetings from Councilmembers or staff are unwelcome and counterproductive. Information upon which decisions are to be made must be communicated to all Councilmembers equally and prior to decision making meetings and in sufficient time for free discussion.

2.5 MOTION TO RECONSIDER

A motion to reconsider any action of the Governing Body (except for the approval of ordinances), may be made on the same day the original vote took place or on the day of the next Regular or Special Meeting. The motion for reconsideration must be made by a Councilmember of the prevailing side and approved by a majority of the City Council on a roll call vote. The "prevailing side" refers to the side (yes or no) that received the majority of votes on a motion of action.

Ordinances that have been approved may be reconsidered only at the Regular or Special Meeting at which they are initially approved. After the close of the meeting at which the ordinance is approved, it shall be necessary to amend or repeal said ordinance with a new ordinance.

2.6 PUBLIC MEETING LAW ADOPTED

The Governing Body hereby adopts RSMo §610.010 through §610.120, as revised, known as the Sunshine Law. When there is a conflict between State Statutes and the City's Code of Laws, the more restrictive provisions shall govern.

3. TYPES OF MEETINGS

3.1 REGULAR MEETINGS

Time and Date of Meetings
The City Council will hold regular meetings on the first and third Monday of each month at 6:30 p.m. If Monday is an observed holiday, that meeting will be moved to Tuesday. Meetings should conclude by 10:00 p.m. If council wants to go past that time, a motion must be made and approved by a majority vote through roll call. If needed, the meeting can also be continued to another date and time with a motion and majority vote.

Location of Meetings
All Regular Meetings shall be held in the Council Chambers of City Hall, 901 North Elm Street, Rolla, Missouri, unless otherwise specified with proper notice.

Cancellation
In the event the business of the Governing Body does not require immediate attention, the Mayor may cancel a Regular Meeting, but in no instance shall more than one (1) Regular Meeting be cancelled in any month.

Rescheduling
Regular Meetings may be rescheduled by the Mayor provided that rescheduling occurs at least two weeks prior, unless there are extenuating circumstances. Examples of such instances would be when it is known in advance that a quorum will not be present, or in which there is an apparent conflict with another meeting, holiday, inclement weather, conferences or an event of significance to the community. An adjourned meeting is a continuation of a regular or special meeting. The meeting continues at the point where it was interrupted when the first meeting adjourned.

Informal Meetings of the Governing Body
An Informal Meeting is a meeting in which at least seven (7) or more Officials are present (making a quorum) to discuss, decide, or formulate public business or policy outside of a scheduled meeting and without proper notice pursuant to the Sunshine Law. **Informal Meetings are prohibited**. Informal gatherings of Officials for ministerial or social purposes shall not constitute an informal meeting.

A public meeting may also include a series of meetings (in person, telephone, virtual meetings, group texts, and email chains), each involving fewer than a quorum of the members, but collectively involving a quorum of the public body, where the body's members deliberately attempt to discuss public business while evading the Sunshine Law. This is **prohibited** per Missouri Sunshine Law.

3.2 WORK SESSIONS

A work session is an informal meeting of the Governing Body and will typically be held on the second Monday of the month. The meeting follows an agenda, but its purpose is to provide an opportunity for in-depth review and analysis of complex issues prior to their consideration in a regular or special meeting. Even though a quorum is present, No formal action is taken except in

rare circumstances or items critical to city functions. (example: passage of tax setting) No formal action is typically taken in a work session; rather it is designed to obtain additional information. Review of a complex municipal budget might be a subject for several work sessions.

Public Discussion at Work Sessions
Public input into agenda items at Work Sessions is subject to the approval of the Presiding Officer. The Presiding Officer may limit the time for public input to expedite the discussion on the agenda items.

Conduct at Work Sessions
Work Sessions shall be limited to a small number of priority topics and are intended solely for informal purposes. Their purpose is to promote a better understanding of complex issues prior to formal consideration. No formal action is taken except in rare circumstances or items critical to city functions.

3.3 SPECIAL MEETINGS

Per City Code Section 2-4: The Mayor may call for a Special Meeting. At such meetings no business shall be transacted except that which is mentioned in the calling of the posted Agenda unless 2/3 of all the members of the Council shall consent to the transaction of other business by declaring same as an emergency. (example: passage of tax setting)

3.4 CLOSED MEETINGS

The Mayor, may call for a Closed Meeting. Such call shall announce the specific reason for the Closed Meeting by reference to a specific section of RSMo §610.021. The call shall be ratified by a majority of the City Council on a roll call vote.

A closed meeting, record, or vote shall be held only to the extent necessary for the specific reason announced. The Governing Body shall not discuss any business which does not directly relate to the specific reason announced as justification for the closed meeting, record, or vote.

All closed meetings shall comply with the notice requirements of the Sunshine Law and the specific exception allowing for the closed meeting shall be referenced in said notice.

3.5 EMERGENCY MEETINGS

At the sole judgment of the Mayor (or, in their absence, the Presiding Officer), Emergency Meetings may be called when an unforeseen, urgent circumstance demands immediate action by the Governing Body. Examples of such emergencies include, but are not limited to, war; riot; terrorism; natural disasters; a pandemic or any other emergency as declared by the State of Missouri or Phelps County. All efforts shall be made to conduct Emergency Meetings in compliance with applicable provisions of the Sunshine Law and City Code and the minutes of the next Regular or Special Meeting will state the nature of the emergency and reasons for any deviation from State or City law. Per City Code Section 2-4: Any business conducted during an Emergency Meeting shall require a two-thirds (2/3) majority vote of the elected members. (example: critical incident/tornado)

3.6 VIDEO PARTICIPATION IN MEETINGS

Video Conference Defined
For purposes of this section "video conference" shall refer to a means of communication where at least one (1) Official participates in the public meeting via an electronic connection made up of three (3) components:

1. Live video so the official not physically present can be seen by others at the meeting;
2. Live audio so the official not physically present can be heard by other officials and the public attending in person; and
3. Live audio so the official not physically present can hear what other officials and public are saying during the meeting.

If at any time during a meeting, one (1) or more of the elements of a video conference becomes compromised (e.g., if any participants are unable to see, hear, or fully communicate), then the Official attending by video conference is deemed immediately absent and the absence should be reflected in the minutes. An absence of an Official not in physical attendance may compromise a quorum, in which case applicable rules regarding a loss of quorum shall take effect.

Loss of Quorum
If a quorum is lost during a meeting due to the departure or disconnection of one or more members, the meeting shall be immediately paused. No formal business, including motions, votes, or official actions, may be conducted without a quorum present. The Presiding Officer may call for a short recess to attempt to re-establish quorum. If quorum cannot be restored within a reasonable time, the meeting shall be adjourned. The loss of quorum, including the time it occurred, and any actions taken prior to that point, shall be clearly documented in the official minutes. Any discussion that continues after the loss of quorum must remain open to the public and shall not result in any decisions or directions to staff.

Frequency of Use of Video Conference Attendance.
Attendance via video conference should only occur sparingly and for good cause. For purposes of this rule, good cause must be a significant reason, such as an unavoidable absence, a family emergency or serious illness or injury of the Official (or a member of their immediate family). Officials should give the City Administrator and City Clerk as much advanced notice as possible in order to prepare for their virtual attendance. If adequate time has not been given for the City Clerk to make such arrangements, then virtual attendance may not be possible and the Official will be expected to attend in person or be absent.

Physical Location
Except in emergency situations as described in Section 3.5, the public may not participate in a public meeting of a governmental body via video conference. The public wishing to attend a public meeting shall participate in the Council Chambers of City Hall, or as otherwise provided in the public meeting notice.

Voting
Officials attending a public meeting by video conference, as defined above, are considered present

and may fully participate, including in roll call votes, just as if they were physically in the room. If any part of the video connection (video, audio to the meeting, or audio from the meeting) fails during the meeting, the Official will be considered absent immediately. If the absence causes the meeting to lose quorum, all voting must stop and the meeting must be adjourned unless the connection is restored.

Closed Meetings
In a meeting where an Official is participating via videoconferencing and the meeting goes into a closed session, all provisions of Missouri law, the City Code, and these Rules relating to closed sessions apply. An Official participating via videoconferencing must ensure there are no members of the public, including family members, present at their location to see, hear, or otherwise communicate during the closed meeting.

Minutes
In the meeting, whether in open or in closed session, the minutes taken should reflect the Official(s), if any, participating via video conference, the Officials in physical attendance, and Officials, if any, absent.

Emergency Meetings
The Governing Body as a whole may meet, and, if necessary vote, by video conference in the event of an emergency, as declared by the Mayor. To the extent possible in such emergency circumstances, reasonable efforts should be made to arrange for live broadcasting video via the City's YouTube channel for members of the public. This is contingent on the availability of the city to do so.

4. MEETING PROCEDURE

4.1 ORDER OF BUSINESS

The Agenda of the Regular and Special Meetings shall be prepared as follows:

Call to Order
Pledge of Allegiance
Consent Order – consisting of Report of Mayor & Council/Reports of Boards and commissions/City Departments (first meeting of month); Business by Resolutions; Meeting minutes; Approval of board appointments
Public Hearing
Acknowledgements and Special Presentations
Old Business
New Business
Citizen Communication
Mayor/City Council Comments
Comments for the Good of the Order
Closed Session (either at the beginning or the end, as set by Mayor)
Adjournment

4.2 CALL TO ORDER

The Presiding Officer shall take the chair at the time appointed for the meeting and shall call the Meeting to order.

4.3 ROLL CALL

Before proceeding with the business of the Governing Body, the City Clerk shall record the roll of the Officials, and the names of those present and absent shall be entered in the Minutes. This can be done verbally or by visible indication, and the results shall be recorded by the City Clerk for the minutes.

4.4 QUORUM

A quorum is made up of seven (7) City Councilmembers, regardless of any vacancies. No official action may be taken unless approved by a majority of the members present, unless a larger vote is required by ordinance. In the absence of a quorum, the Presiding Officer should call the meeting to order, announce the absence of a quorum and entertain a motion to adjourn.

4.5 READING OF MINUTES

Unless an Official requests a reading of the Minutes of a Meeting, and that request is approved by a majority of the members of the City Council, the Minutes shall be approved without a reading, provided the City Clerk has previously furnished each Official with a copy.

4.6 PUBLIC COMMENTS

Policy Statement
The purpose of Public Comments is to foster open government, encourage civic participation and ensure productive meetings. Public Comments shall be for the public to have input on any agenda item as well as any other item of community interest. The Governing Body shall take no action nor vote during Public Comments. Public comment is intended for individuals to share their views with the Governing Body. It is not a question-and-answer session or a back-and-forth conversation between the Governing Body and the commenter.

Public Hearings
Any comments intended for Public Hearings shall be spoken during those hearings and not during the Public Comments section of the agenda. The rules for Public Comments during a meeting also apply to individuals addressing the Governing Body during Public Hearings.

Procedure
Any person desiring to address the Governing Body shall first secure the permission of the Presiding Officer. Persons addressing the Governing Body during Public Comments shall stand at the public microphone, give their names and identify if they are a citizen residing in the city limits of Rolla or if they reside outside the city limits but in Phelps County. Persons are asked to

speak in an audible tone of voice for recording in the minutes and may be asked to spell or repeat themselves for accuracy. A Citizen Comment form will be available for all speakers to fill out to make the process more efficient. Citizens will fill the form out ahead of time and present to the City Clerk.

Time limits

An individual is limited to three (3) minutes and may only address the Governing Body once per meeting unless given permission by the Presiding Officer. Groups intending to speak on the same subject matter are encouraged to select a spokesperson and their total presentation time shall be limited to five (5) minutes. However, all time limits may be waived at the discretion of the Presiding Officer. Speakers may not yield or transfer their allotted time to another individual.

Decorum

By Other Persons in Attendance

Any person making personal, impertinent, or slanderous remarks, or who shall behave in a disruptive manner, may be barred from further attendance during that meeting by the Presiding Officer, unless permission to remain is granted by a super majority vote (2/3) of the Councilmembers.

Enforcement of Decorum

The Presiding Officer may designate a Sergeant-at-Arms, who shall be a member of the Police Department, and who shall carry out all orders and instructions given by the Presiding Officer, for the purpose of maintaining order and decorum at all meetings.

Video and Audio Taping of Open Meetings

The Presiding Officer may establish guidelines regarding the manner in which members of the public may conduct audio or video recording of any open meeting, as to minimize disruption to the meeting.

All remarks shall be addressed to the Governing Body and not to any individual Official thereof. No person, other than Officials and the person having the floor, shall be permitted to enter into any discussion, without the permission of the Presiding Officer. No questions shall be asked of the Officials, except through the Presiding Officer.

Any person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the Governing Body, shall be ordered by the Presiding Officer to leave the microphone or the sound will be cut from the microphone. If the speaker refuses to relinquish the podium they shall be escorted from the podium by the Sergeant-at-Arms. If a speaker is escorted from the podium, they shall be prohibited from addressing the Governing Body in a meeting for a period of six (6) months.

Any person attending a meeting carrying a sign cannot hold the sign in a manner to be disruptive or blocking the view of anyone else attending the meeting. Signs may not be bigger than 11" x 14" and shall be contained within the seated area of the person holding such sign. Signs not being held by an individual will be removed.

4.7 CONSENT AGENDA

Items to be Included on Consent Agenda

A consent agenda is typically used for routine, non-controversial items that don't require discussion. It allows the council to approve multiple items in one motion, saving time. Consent items may include all business items except ordinances. Approval of Consent Agenda items automatically instructs the City Clerk to reflect in the minutes that the Staff recommendation has been accepted and approved.

Discussion of Items on Consent Agenda

Any Official may request that an item be removed from the Consent Agenda for discussion. Discussion on same would take place under New Business. The request does not need to be voted upon by Council. Any item removed from Consent will be moved to the last item of business under New Business.

4.8 RESOLUTIONS AND PROCLAMATIONS OF THE GOVERNING BODY

Resolutions shall be reduced to writing prior to consideration by the Governing Body and may be placed on the Consent Agenda or New Business.

4.9 ORDINANCES

Proposed Ordinance Process

1. Introduction as a Bill
    - All proposed ordinances shall first be introduced in the form of a bill.
    - Each bill will be assigned a sequential number by the City Clerk.
    - Bill numbers will begin with the year followed by the bill number (e.g., 2027-1, 2027-2, etc.). These numbers reset with each new calendar year.
    - Bills shall be numbered in the order they are introduced.
2. Introduction Requirement
    - A City Councilmember may introduce the concept of a bill during Mayor/Council Comments on the agenda to gauge Council interest.
    - If the consensus of the Council wishes to proceed, staff will proceed to follow the same process outlined here for a future agenda.
    - Bills must be introduced by the Mayor or Mayor Pro-Tempore,
3. Pre-Review Before Governing Body
    - Every bill shall be reduced to writing prior to coming before the Governing Body under "New Business".
    - If needed, the City Counselor will review the ordinance for legal compliance.
    - If the final ordinance authorizes payment of City funds, the Finance Director may certify that sufficient funds are available in the budget.
    - Any substantial proposal to edit a bill must be submitted in writing to the Governing Body at least twenty-four hours prior to the meeting.
4. Conversion to Ordinance
    - Once a bill is approved by the Governing Body, it becomes an ordinance.
    - The ordinance will be assigned a new sequential ordinance number, separate from its original bill number. Ordinance numbers do not reset each calendar year.

Readings:

All bills shall be read in full or by title two (2) times, prior to final passage; all readings may occur at a single meeting of the Governing Body by a motion to suspend the rules. If a bill is read by title only, copies of the proposed ordinance shall be posted in the lobby and made available for public inspection upon request, in the office of the City Clerk prior to the time the bill is under consideration by the Governing Body.

The style of ordinances shall be, "Be it ordained by the City Council of the City of Rolla, Missouri, as follows:"

Unless an Official requests a bill be read in full with a majority vote of Council, the procedure for consideration and adoption shall be as follows:

1. Bill Introduced: The agenda item and coordinating bill shall be introduced by the coordinating staff member.
2. First Reading: The Bill is read by title by the City Counselor. Option for discussion on the motion for the first reading of the bill is opened by the Presiding Officer.
3. Discussion
4. Vote Taken: The Clerk calls the roll. If a majority of those present vote in favor of the Bill, it is automatically advanced to the subsequent meeting. Otherwise, it shall not advance to the next reading.
5. Final Reading: The Bill is read by title by the City Counselor for a final reading. Option for discussion on the motion for the final reading of the bill is opened by the Presiding Officer.
6. Discussion
7. Vote Taken: Roll call shall be taken by the City Clerk and if the bill passes, then an ordinance number will be assigned.

Mayor's Veto Powers

All bills must be signed by the Mayor to become an ordinance. However, if the Mayor objects to the passing of an ordinance, they shall refrain from signing the bill and shall return the bill to the City Council at the next regular meeting with their objections.

The Mayor's objections shall be entered into the minutes, and the City Council must vote on the ordinance again. If two-thirds of the City Council vote in favor of the bill, it becomes an ordinance without the Mayor's signature and over the Mayor's objections.

Should the Mayor fail to sign any bill which has received seven (7) votes for it to become an ordinance, and the Mayor fails to provide their written objections, said bill will become an ordinance without their signature automatically at the next regular session.

Amendments to Bills

To be considered, any amendments to a bill made after introduction of said bill must be approved by motion and an affirmative vote of the majority of those present. The amended bill is then considered for adoption as amended. Substantial amendments to a bill should be provided in writing twenty-four hours in advance of the meeting.

Tabled or Postponed Bills
When a bill is tabled, it shall be brought back to the Governing Body in the same meeting in the same form as when it was previously considered, and shall be read by title, if it had not been read earlier in the same meeting. A bill may also be postponed to a future meeting where it shall be brought back in the same form and shall automatically appear on the agenda for that meeting. The date must be specified for the minutes.

4.10 VOTING

Recording Votes
Except as authorized by law, all votes shall be recorded. If a roll call vote is taken, each "aye," "nay," or any abstention shall be recorded next to the name of the individual Councilmember casting that vote. Abstentions shall be recorded as a "non-vote." If a Councilmember is absent when the vote is taken, it shall also be recorded as a "non-vote." All votes taken during a closed meeting shall be by roll call.

Duty to Vote
All present Councilmembers are expected to vote on all matters presented for consideration, unless a conflict of interest or other lawful basis for abstention exists.

Abstention Vote
Abstention votes shall be recorded as a "Non-vote" and the reason for abstention must be stated and included in minutes.

Should a Councilmember be absent when the vote is taken, it shall be recorded so that it is a "non- vote".

Councilmembers should be prepared to vote on an issue when their name is called. Councilmembers are expected to vote and not "pass" on a vote. If additional information was needed to enable the Councilmember to vote, that should have been stated prior to the calling for the vote.

Required Votes for Passage and/or Adoption
Passage of resolutions and other motions shall require the affirmative vote of a majority of Councilmembers present, and the "Ayes" (pronounced "eyes") and "Nays" shall be entered in the Minutes.

The affirmative vote of seven (7) Councilmembers, irrespective of any vacancy, shall be necessary to adopt any ordinance, except as otherwise provided by Law. The "Ayes" and "Nays" shall be recorded on the vote for final passage of every ordinance.

A bill is considered failed if it fails to receive the required number of affirmative votes at the final passage.

Mayor's Vote
The Mayor shall not vote on any matter except in the case of a tie vote among the

Councilmembers, at which time the Mayor is authorized to cast the deciding vote.

The Mayor Pro-Tempore of the City Council, when exercising the duties of the Mayor, shall, in case of a tie vote, exercise the right to vote as a Councilman and shall also vote on behalf of the Mayor's office.

4.11 RECESS

Recess shall be called at the discretion of the Presiding Officer.

4.12 SUSPENSION OF THE RULES

Per City Code, Chapter 2, Section 7: The council may temporarily for the passage of ordinances or transaction of other business, by a vote of two-thirds (2/3) of the members present, suspend any of the rules and regulations governing it in the transaction of business; provided, that the action taken under such suspension be not in conflict with the statutes of the state concerning cities of the third class.

4.13 ADJOURNMENT

The Mayor will adjourn the meeting entirely upon conclusion of all business. In the event that the adopted agenda or order of business has not been completed, by majority vote the Governing Body may adjourn the meeting. Uncompleted items of business are listed as unfinished business, never old business-at the next meeting.

4.14 COUNCIL CONDUCT WITH CITY STAFF

Governing the City requires the cooperation of the elected officials who set policy, and City staff who implement and administer the policy. The city's organizational structure or Chain of Command should be followed and respected.

Treat City staff as professionals – Clear and honest communication that respects the abilities, dignity and experience of staff members is expected.

Chain of Command – Questions and requests of City staff should be directed to the City Administrator and/or Department Directors. Information given to a Councilmember in response to a question or request (not ward specific) will be given to all Councilmembers to ensure equal access to information.

As stated in Section 2-171 of the City Code – no member of City Council shall interfere with the conduct of any department or duties of employees subordinate to the City Administrator. The Governing Body shall deal with the administrative functions of the City through the City Administrator and any employees they may designate.

Never publicly criticize an individual employee – Councilmembers should not be critical of a City employee in public, to the employee directly, or to the employee's manager. Staff performance should be discussed with the City Administrator outside of a public meeting.

4.15 COUNCIL CONDUCT WITH OTHER SOURCES

Make no promise on behalf of the Council – Councilmembers will be asked to explain a Council action and/or for their opinion about an issue. It is appropriate to discuss City policy and to refer questions to City Staff for more information. Do not promise Council action or promise that the City will do something specific. Closed Session items are not available for discussion with the public while deemed closed.

Conduct with other public agencies –

Councilmembers should make clear that their statement;

1. reflects personal opinion; or
2. it is the official stance of the City; or
3. the statement is the majority or minority opinion of the Council.
4. Correspondence also should be equally clear about representation.

Contact with the Media

Official notification to the Media will come from the City Administrator or Mayor. If a Councilmember is approached by media for comment, choose words carefully and cautiously. Immediately notify the Mayor and City Administrator when contacted and give a summary of statements.

Conduct with Private Businesses

It is generally not within an individual Councilmember's purview to personally investigate a citizen complaint against a local business. That role typically belongs to administrative staff (e.g., City Manager, code enforcement, police, licensing, or legal), not elected officials acting on their own.

1. Form of government & role clarity
    - In most council–manager cities, the City Council sets policy and oversees through the City Administrator. Individual members do not direct staff or conduct investigations independently.
2. Due process & fairness
    - If the City has regulatory/quasi-judicial authority over the business (e.g., licensing, zoning, nuisance abatement), an individual member investigating or contacting witnesses can create bias concerns, jeopardizing the City's ability to take action later.
3. Sunshine/open meetings concerns (Missouri)
    - If multiple members start "looking into" a matter and discussing it, that can trigger open meeting requirements under Chapter 610, RSMo (Sunshine Law). Even one member gathering information should avoid creating records or commitments outside of the established process.

4. Liability & ethics

    - Unilateral inquiries can be perceived as harassment or selective enforcement, expose the City to claims, or create appearance-of-impropriety issues, especially if the member has any personal or business ties.

5. What *is* appropriate for a Councilmember

    - Refer the complaint to the City Administrator for intake and investigation.
    - Request a staff report at a public meeting (or through proper channels) so the process is transparent and the record is clear.
    - Initiate policy review: If the complaint reveals a broader gap (e.g., noise, signage, nuisance), propose a policy or ordinance update for future cases.
    - Participate in formal hearings (if applicable) strictly within the quasi-judicial framework; no independent fact-gathering outside the record.

6. Appearance of using official office for personal gain

Councilmembers should avoid referencing their official title while conducting personal business. Doing so may create the appearance of seeking preferential treatment or using the influence of office for personal benefit. To protect both the member and the City, it's best to keep official titles limited to City-related matters

7. Handling of Public Concerns

When a Councilmember is contacted by a constituent with a concern, he or she will:

- Listen to the individual's concern.
- Affirm the desire to reach a satisfactory solution.
- Assure the person that their concerns will be forwarded to the proper department.
- Express appreciation to the individual for presenting the concern.
- Follow-up to determine if appropriate action has been taken or if any was needed.

5. MISCELLANEOUS

5.1 Conflict of Interest

The Mayor and members of the City Council (hereinafter "Officials") shall not place themselves in a position which may substantially conflict with their official duties or which may be a substantial influence to act other than in the best interests of the public they serve and to which they owe an undivided loyalty.

1. *Disclosure and Disqualification*
   Any Official with a substantial personal or private interest in a matter, as defined by state law, must disclose the nature of the interest on the public record and recuse themselves from voting or participating in related discussions.

   "Substantial Interest" shall be interpreted in accordance with RSMo §105.450, as amended

2. Prohibited Conduct:
   By way of illustration, and not limitation, the following shall be deemed to constitute prohibited conduct by any Official:

   a. Business Dealings:

Officials shall not transact City business with, or hold a substantial interest in, any business entity they are affiliated with as an officer, director, agent, partner, or member. Officials may not personally invest in or sell goods/services to businesses regulated by or doing business with the City if it creates a substantial interest.

   b. Private Appearances and Transactions:

Officials shall not represent private interests before City departments or engage in private transactions with parties who have matters pending before the Governing Body. If already engaged in such a transaction, the Official must recuse themselves.

- Example Scenario: Councilmember Smith owns a landscaping company. A developer who is seeking approval for a new subdivision hires Smith's company to do landscaping work. Because the developer's project will come before the City Council for approval, Smith must recuse themselves from any discussion or vote on that project to avoid a conflict of interest.

   c. Post-Term Restrictions:

For one (1) year following the end of their term (or longer if required by law), Officials shall not receive compensation in relation to matters they were personally involved in during their term. This does not prohibit affiliated business entities from acting independently, so long as the former Official does not benefit from the transaction.

   d. Participation in Legislation:

Officials with a direct or indirect financial or other private interest in proposed legislation must publicly disclose the interest, which shall be recorded in the meeting minutes.

   e. Representation Against the City:

Officials shall not represent private interests in legal actions or proceedings involving the City or its agencies.

- Example Scenario: A city official is asked by a friend to represent their business in a lawsuit against the city's zoning department. Under this rule, the official cannot do that because it would mean advocating for a private interest in a case involving the city.

   f. Gifts and Preferential Treatment:

Officials shall not accept gifts valued at $25 or more from parties with an interest in City business. No person or business may offer such gifts to gain preferential treatment.

i. *Per Rolla Personnel Rules and Regulation 2018: Chapter 3, Section 2, (h): City employees are prohibited from accepting any/all gifts or gratuities of $25 and over from persons doing or seeking to do business with the City. Further, all employees should discourage any person from offering such gifts and gratuities. Items in the category of advertising novelties (i.e. matches, caps, pencils, calendars) having wide distribution may be retained by the employee. Also any gift which will be made available to all or many employees may be retained upon approval by the City Administrator.*

g. *Employment and Investments*: Officials shall not:
- Accept employment or services incompatible with their official duties;
- Engage in or hold investments that create a substantial conflict;
- Solicit or negotiate employment with any party involved in City business or affected by their official actions.

h. City Contracts:

City officials are not allowed to sell to, buy from, or enter into contracts with the City unless the terms are the same as those offered to the general public. If this rule is violated, the contract may be canceled, unless the transaction was part of a lawful eminent domain process.

i. Confidentiality:

Officials shall not disclose or use confidential City information for personal or financial gain.

5.2 VACANCIES IN ELECTIVE OFFICE

Per RSMo 77.240 relating to a vacancy in the office of Mayor: The council may adopt procedures to fill any such vacancy consistent with this section. In the case of a temporary absence of the Mayor or disability to perform the duties of their office, the Mayor pro tempore of the council shall perform the duties of Mayor until the Mayor shall return or such disability be removed; and during the time the Mayor pro tempore of the council shall act as Mayor, the Mayor pro tempore shall receive the same compensation that the Mayor would be entitled to.

- Temporary absences such as vacation, illness, or short-term leave do not qualify for additional compensation.

Per RSMo 77.450 relating to a Councilmember vacancy: If a vacancy occurs in any elective office other than the office of Mayor, a successor to the vacant office shall be selected by appointment by the Mayor with the advice and consent of a majority of the remaining members of the council. The council may adopt procedures to fill vacancies consistent with this section. The successor shall serve until the next available regular municipal April election. If a vacancy occurs in any office not elective, the Mayor shall appoint a suitable person to discharge the duties of the same until the first regular meeting of the council thereafter, at which time the vacancy shall be permanently filled.