

CITY OF BARRE, VERMONT

RULES OF PROCEDURE

for

PUBLIC BODIES OF THE CITY OF BARRE

A. Purpose.

The Barre City Council, and all current and future public bodies, are required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Barre City Council and all current and future public bodies must always be open to the public, except as provided in 1 V.S.A. § 313.

B. Application.

This policy shall apply to all regular, special and emergency meetings of public bodies of the City of Barre City.

C. Definitions.

For the purposes of this policy, the following definitions shall apply:

Advisory Group means a group appointed to provide input or recommendation offered as a guide to topic specific action to City Staff or designee. Solicitation and appointment are made by the City Manager or a designee of the City Manager.

Board means an official group of persons who direct or supervise some activity provided by Legislative of municipal mandate.

Council mean the City Councilors and Mayor for the City of Barre.

Commission means a group of persons authoritatively charged with particular functions. Solicitation and appointment are made by the Council.

Committee means a person or group of persons elected or appointed to perform some service or function, as to investigate, report on, or act upon a particular matter. Solicitation, direction, and appointment are made by the Council.

Public body means any current or future advisory group, board, council, commission, or committee of the City of Barre. Teams and Work groups are not considered public bodies.

Public interest means an interest of the community as a whole, conferred generally upon all residents of the City of Barre.

Public officer or **public official** means a person elected or appointed to perform executive, administrative, legislative or quasi-judicial functions for the City of Barre. Persons elected or appointed must be legally able to hold the position.

Work Group means a group of two or three City Councilors that work collaboratively to provide a service or function of the City of Barre. Solicitation and assignment are made by the Council.

**D. Procedures.
City Council.**

1. The Mayor shall serve as the Chair of the council. In the absence of the Mayor, the council member present with most seniority shall serve as acting Mayor in the Mayor's absence.
2. The Mayor/Chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure and shall enforce these rules as required by 1 V.S.A. § 312(h).
3. Order and decorum shall be observed by all persons present at the meeting. Neither members of the council, nor the members of the public, shall delay or interrupt the proceedings or the peace of the council, or disturb any member while speaking. Neither members of the council, nor the members of the public, shall refuse to obey the orders of the Mayor or other presiding members. Any person making personal, impertinent, slanderous, threatening, or profane remarks shall be called to order by the Mayor and may be ordered removed from the meeting if necessary.
4. A majority of the seats on the council shall constitute a quorum. If a quorum of the members of the council is not present at the meeting, the only action that may be considered by the council is a motion to recess or adjourn the meeting.
5. No single member of the council shall have authority to represent or act on behalf of the council unless, by majority vote, the council has delegated such authority for a specific matter at a duly- noticed meeting and such delegation is recorded in the meeting minutes.
6. Regular meetings of the council shall take place as provided for in City Charter sec. 302. Notice of regular meetings shall be posted on the City Hall bulletin board and at two other locations in the City as designated by the council, at least three (3) days in advance of the meeting, excluding holidays.
7. Special meetings of the council may be called at any time by the Mayor. The meetings may also be called by the Clerk on a petition signed by a majority of the council and filed with the Clerk. Notice of special meetings shall be served on the council members by the Clerk delivering to each member a copy of the call or leaving it at the place of the member's residence. City charter sec. 303. Notice of special meetings shall be posted on the city hall bulletin board and at two other locations in the city as designated by the council, except that the Mayor or four (4) councilors may reduce the time limited for posting to not less than four (4) hours, in which case the news media located in the city shall be notified at least four (4) hours before such meeting.

8. At least 48 hours prior to a regular meeting and at least 24 hours prior to a special meeting, a meeting agenda shall be posted on the city website (www.barrecity.org). The agenda must also be made available to any person who requests such agenda prior to the meeting.
9. A member of the council may attend a regular, special or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member is identified when the meeting is convened and is able to hear and be heard throughout the meeting.
10. Councilors may only vote electronically where a quorum of the council is not present, and the lack of a quorum would prevent the council from taking warned action. Voting by councilors by electronic or other means must be done by roll call. If a majority of the members wish to attend a meeting by electronic or other means, the requirements of V.S.A. § 312(a)(2) must be met.
11. Electronic participation of executive or deliberative sessions shall be strictly prohibited.
12. If a quorum or more of the council attend a meeting without being physically present at a designated meeting location, the following requirements shall be met:
 - a. At least 24 hours prior to the meeting, or as soon as practicable prior to an emergency meeting, the council shall publicly announce the meeting and post notice of the meeting on the city hall bulletin board and at two other locations in the city as designated by the council.
 - b. The public announcement and posted notice of the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the council, or at least one staff or designee of the council, shall be physically present at each designated meeting location.
13. Public comment: Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the council so long as order is maintained. Such public comment is subject to the following rules:
 - a. At the Visitors and Communications section of each meeting, there will be time afforded for open public comment. The amount of time designated for public comment and the order in which people shall address the council shall be controlled by the Mayor.
 - b. Public comment on issues discussed by the council, if not offered during the open public comment period, may be offered during the meeting with the permission of the Mayor.

- c. No member of the public may speak during the meeting unless called upon or recognized by the Mayor.
 - d. Comment by the public or members of the council should be addressed to the Mayor or to the council as a whole and not to any individual.
14. Each regular and special meeting of the council shall have an agenda, with time allotted for each item of business to be considered. Those who wish to be added to the meeting agenda shall contact the city manager's office to request inclusion on the agenda. The Mayor shall determine the final content of the agenda.
15. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to, changes to, or deletion from the noticed agenda must be made as the first act of business at the meetings. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has concluded. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by majority vote of the council.
16. Motions made by councilors require a second. The Mayor may not make motions or seconds, but may vote on any properly moved question of the council. A motion will only pass if it receives the votes of a majority of the members of the council.
17. Any councilor may request a roll call vote. All votes taken when one or more councilors attend a meeting through electronic or other means shall be taken by roll call.
18. Meetings may be recessed to a time and place certain.
19. These rules shall be made available at all meetings, and procedures for public comment may be reviewed at the beginning of any meeting.

**E. Procedures.
Other Public Bodies.**

- 1. A Board, Commission or Committee shall annually elect a chair and a vice-chair. The chair of the body, or in the chair's absence, the vice-chair, shall preside over all meetings. If both the chair and the vice-chair are absent, a member selected by the public body shall act as chair for that meeting. Advisory Groups do not need to elect a chair or vice-chair.
- 2. Where applicable, the chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure and shall enforce these rules as required by 1 V.S.A. § 312(h).
- 3. Order and decorum shall be observed by all persons present at the meeting. Neither members of the public body, nor the members of the public, shall delay or interrupt the

proceedings or the peace of the public body, or disturb any member while speaking. Neither members of the public body, nor the members of the public, shall refuse to obey the orders of the chair or other presiding members. Any person making personal, impertinent, slanderous, threatening, or profane remarks shall be called to order by the mayor/chair and may be ordered removed from the meeting if necessary.

4. A majority of the members of the public body shall constitute a quorum. If a quorum of the members of the public body is not present at a meeting, the only action that may be considered by the public body is a motion to recess or adjourn the meeting.

5. No single member of the public body shall have authority to represent or act on behalf of the council/public body unless, by majority vote, the public body has delegated such authority for a specific matter as directed by Council at a duly-noticed meeting and such delegation is recorded in the meeting minutes.

6. At least 48 hours prior to a regular meeting and at least 24 hours prior to a special meeting, a meeting agenda shall be posted on the city website (www.barrecity.org). The agenda must also be made available to any person who requests such agenda prior to the meeting.

7. A member of the public body may attend a regular, special or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member identifies him or herself when the meeting is convened and is able to hear and be heard throughout the meeting.

8. Members of the public body may only vote electronically where a quorum of the public body is not present, and the lack of a quorum would prevent the public body from taking warned action. Voting by electronic or other means must be done by roll call. If a majority of the members wish to attend a meeting by electronic or other means, the requirements of V.S.A. § 312(a)(2) must be met.

9. Electronic participation of executive or deliberative sessions shall be strictly prohibited.

10. If a quorum or more of the public body attend a meeting without being physically present at a designated meeting location, the following requirements shall be met:

- a. At least 24 hours prior to the meeting, or as soon as practicable prior to an emergency meeting, the public body shall publicly announce the meeting and post notice of the meeting on the city hall bulletin board and at two other locations in the city as designated by the council.
- b. The public announcement and posted notice of the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the public body, or at least one staff or designee of the public body, shall be physically present at each designated

meeting location.

11. Public comment: Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the public body so long as order is maintained. Such public comment is subject to the following rules:

- a. At the Visitors and Communications section of each meeting, there will be time afforded for open public comment. The amount of time designated for public comment and the order in which people shall address the public body shall be controlled by the chair.
- b. Public comment on issues discussed by the public body, if not offered during the open public comment period, may be offered during the meeting with the permission of the chair.
- c. No member of the public may speak during the meeting unless called upon or recognized by the chair.
- d. Comment by the public or members of the public body should be addressed to the chair or to the public body as a whole and not to any individual.

12. Each regular and special meeting of the public body shall have an agenda, with time allotted for each item of business to be considered. Those who wish to be added to the meeting agenda shall contact the chair to request inclusion on the agenda. The chair shall determine the final content of the agenda.

13. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made as the first act of business at the meetings. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has concluded. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by majority vote of the public body.

14. Motions made by members require a second. The chair may not make motions or seconds, but may vote on any properly moved question of the public body. A motion will only pass if it receives the votes of a majority of the members of the public body.

15. Any member of the public body may request a roll call vote. All votes taken when one or more members attend a meeting through electronic or other means shall be taken by roll call.

16. Meetings may be recessed to a time and place certain.

17. These rules shall be made available at all meetings, and procedures for public comment may be reviewed at the beginning of any meeting.

Adopted by Council 7/15/14; Amended 02-05-19

The foregoing Policy is hereby adopted, as amended, by the Barre City Council on February 5, 2019, and is effective as of this date until amended or repealed.

CITY OF BARRE, VERMONT CITY COUNCIL:

Lucas J. Herring, Mayor

Brandon Batham

Michael Boutin

Sue Higby

John LePage

Richard Morey

Jeffrey Tuper-Giles

Carolyn S. Dawes, City Clerk