



CITY COUNCIL
AGENDA
"ANNUAL STATUTORY MEETING"
MONDAY, JANUARY 4, 2021
7:00 P.M.
CITY COUNCIL CHAMBERS – CITY HALL

LEGISLATION AND PUBLIC WORKS

RULES OF
ORDER

1. Adopting the Rules of Order for the year 2021.

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CITY CLERK
MOUNT VERNON, NY
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RULES
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ORDER
2021

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RULES OF ORDER OF THE CITY COUNCIL OF THE CITY
OF MOUNT VERNON, NEW YORK

MONDAY, JANUARY 4, 2021

CHAPTER I

POWERS AND DUTIES OF THE PRESIDENT.

Rule 1.

A. The City Council shall fix 7:00 p.m. for public hearings or such time as may be otherwise specified by the Council.

B. The Committee of the Whole meetings shall be held at 7:00 p.m. on the second and fourth Wednesdays of the months of September through June, inclusive; and the second Wednesday of the months of July and August; or, if these regular meeting days be holidays, then the Council shall meet on the next days; or, if these regular meeting days be the eve of Thanksgiving, the eve of Christmas, the eve of Rosh Hashanah, the eve of Yom Kippur, or New Year's eve, then the Council shall meet on the preceding day, or following public hearing(s) or at such time as may be otherwise specified by the City Council, or at the time to which the City Council shall have adjourned.

C. The Legislative session of the City Council shall be held at the beginning of the Committee of the Whole meeting on the second and fourth Wednesdays of the months of September through June, inclusive; and the second Wednesday of the months of July and August; or, if these regular meeting days be holidays, then the Council shall meet on the next days; or, if these regular meeting days be the eve of Thanksgiving, the eve of Christmas, the eve of Rosh Hashanah, the eve of Yom Kippur, or New Year's eve, then the Council shall meet on the preceding day.

D. The President of the City Council shall take the chair each meeting at the said hour. He/she shall call to order and, except in the absence of a quorum, shall proceed to conduct business in the manner prescribed by these rules, and in and during his/her absence or disability, the President Pro Tempore shall act and shall perform the duties of the President as herein prescribed. In and during the absence or disability of the President Pro Tempore, the acting President Pro Tempore shall act and shall perform the duties of the President as herein prescribed.

E. The Council shall maintain a record of activities for the months of January February, and March. The record of activities should contain daily

detail of hours worked and duties performed directly related to the official duties of the Council.

Rule 2.

The President of the City Council shall possess the powers and perform the duties herein prescribed, viz.:

A. He/she is the representative of the City Council on the Board of Estimate and Contract and shall represent the will of the City Council on all matters previously voted upon by the City Council.

B. He/she shall preserve order and decorum, and in debate, shall prevent personal comments, and confine members to the question under discussion. When two or more members ask to be recognized at the same time, he/she shall name the one entitled to the floor.

C. He/she shall decide all questions of order, subject to appeal to the City Council. On every appeal, he/she shall have the right in his/her place to assign his/her reason for his/her decision. In case of such appeal, no member shall speak more than once.

D. He/she shall, when so directed by the City Council, appoint Special Committees to be selected from the members thereof, except when the City Council shall otherwise order.

E. He/she shall designate the persons who shall act as newspaper reporters not exceeding five persons. Such reporters so appointed shall be entitled to such seats as council shall designate and shall have the right to pass to and from such seats in entering or leaving the City Council Chambers or Committee of the Whole rooms.

F. He/she shall have general control, except as provided by rules of law, of the City Council Chambers and Committee of the Whole room. In case of any disturbance, trespass or disorderly conduct in the City Council Chambers or in the Committee of the Whole meeting room, he/she shall have the power to order the expulsion of any person or persons creating such disturbance or trespassing therein.

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CHAPTER II

ORDER OF BUSINESS.

Rule 3.

Following the conclusion of the Committee of the Whole, the Legislative meeting shall commence.

The first business of each legislative meeting shall be the calling of the roll, and immediately thereafter, except on days and at times set apart for the consideration of special orders, the order of business, which shall not be departed from, except by a vote of a majority of the members present, to be determined by a call of the roll, shall be as follows:

- Ordinances and Resolutions
- Adjournment.

CHAPTER III

OF THE RIGHTS AND DUTIES OF COUNCILPERSONS.

Rule 4.

Every Councilperson presenting a paper shall endorse the same; if a petition, memorial or report to the City Council, it shall be with a brief statement of its subject or contents, adding his/her name; if a report of a Committee, a statement of such reports with the name of the committee and members making the same; all ordinances and resolutions must be presented in quadruplicate.

Rule 5.

No member shall leave the bar of the City Council after the roll call of the members present without permission of the Chair. Every member who shall be within the bar of the City Council chamber when a question is stated from the Chair shall vote thereon, unless he/she is excused by the City Council or unless he/she is directly interested in the question; but any request to be excused whether by reason of interest or otherwise shall be made before the call of the roll on the question. The bar of the City Council shall be deemed to include the entire portion of the City Council east of the railing.

CHAPTER IV

OF ORDER AND DECORUM.

Rule 6.

When presenting any local law, ordinance or resolution, the member presenting the same shall address the Chair, and shall proceed only upon recognition by the President.

Rule 7.

No members shall debate, give a notice, or make a motion or report, or present a petition or other paper until he/she shall have addressed the President and have been recognized by him/her.

Rule 8.

While a Councilperson is speaking, other members shall not entertain any private discourse.

Rule 9.

While the President is putting a question, or a count is being had, no member shall speak or leave his/her place.

Rule 10.

When a motion to adjourn is carried, Councilpersons and officers shall keep their seats and places until the President declares the City Council adjourned.

CHAPTER V

OF ORDER AND DEBATE.

Rule 11.

No Councilperson shall speak more than once on the same general question, without leave of the City Council, until every member desiring to speak on the question pending shall have spoken.

Rule 12.

If any Councilperson in speaking transgresses the rules of the City Council, the President or any member may call him/her to order in which

case the Councilperson so called to order shall cease speaking, and shall not commence speaking unless to explain or proceed in order.

Rule 13.

All questions relating to the priority of business, that is, the priority of one question or subject matter of another under the same order of business, shall be decided without debate.

CHAPTER VI

Rule 14.

The five Councilpersons shall constitute a General Committee of the Whole.

Rule 15.

No person except department heads on official business shall be permitted to address this City Council, in meeting assembled as the Committee of the Whole. Application by citizens, other than department heads, to address the City Council, must be made to the City Clerk, either in person or by telephone, not later than 3:00 p.m. of the day of the Committee of the Whole meetings and must include the name and address of the speaker, the organization, firm, corporation or person on whose behalf he/she is appearing, whether he/she was duly authorized to appear and the matter about which he/she wishes to speak. If there be no prior application to address the Council, the Council, by majority vote, may waive the prior application by the proposed speaker. No person will be allowed to address the Council for a period of more than four minutes unless additional time is requested and granted by a majority vote of the Council.

Rule 16.

It shall be the duty of the standing committees to consider and report, without unreasonable delay, upon the respective matters referred to them. Every proposed Ordinance or Resolution must be submitted to the Standing Committee having special oversight over the subject matter, unless by a voice vote of the majority of the Standing Committee, said Committee waives such consideration and approves the submission of such legislation without further report or consideration by them. No legislation submitted to a Committee for consideration and report shall be considered by the Council unless reported out of Committee by a majority of the members of that Committee. However, by a majority vote of the Council any proposed

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legislation not reported out of Committee may be presented to the entire Council and then voted on by the entire Council.

Rule 17.

The standing committees, each consisting of three Councilpersons, shall be appointed by the City Council, by a majority vote thereof, and shall be as follows:

1. LEGISLATION and PUBLIC WORKS

City Clerk, Mayor's Office, Law Department, Management Services, Parks, Public Works, Railroads and Bridges, City Property, Water Department State and Federal Legislation, Charter Revision, Governmental Relations and related matters;

2. HUMAN RESOURCES

Civil Service, Health and Welfare Services, Human Rights, Recreation, Senior Citizens Affairs, Veterans Affairs, Youth Bureau, Department of Human Resources, Mental Health, Immigration, Mount Vernon City School District and related matters;

3. PUBLIC SAFETY and CODES

Civil Defense, Consumer Affairs, Fire Department, Buildings, Housing and Code Enforcement, Parking Bureau, Police Department, Pet Control, Zoning, Returning Citizens, Oversight and Investigations, Civilian Complaint Review Board and related matters Board of Ethics;

4. FINANCE and PLANNING

Budget, City-owned Property taken through In Rem Tax Foreclosure proceedings or other means and not needed for municipal purposes (under the jurisdiction of the Department of Finance), The Mount Vernon Public Library, Funded Programs and Grants, Planning, Taxes and Assessment, Office of the Inspector General, Memorial Field Finances, Economic Development, Architectural Review, Landmarks and Historical Preservation, Chambers of Commerce and related matters, Urban Renewal Agency;

The President of the City Council shall not chair any of the standing committees but shall be a voting member of each.

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CHAPTER VII

ON MOTIONS AND THEIR PRECEDENCE.

Rule 18.

When a question shall be under consideration, no motion shall be received except as herein specified, which motion shall have precedence in the order stated, viz.:

1. For an adjournment of the City Council
2. A call of the City Council
3. For the previous question
4. To lay on the table
5. To postpone immediately
6. To postpone to a certain day
7. To commit to a select committee
8. To amend

Rule 19.

The motion to adjourn for the day or to lay on the table shall be decided without amendment or debate.

The motion to postpone to a certain day or committee shall preclude all debate of the main question.

Rule 20.

Every motion or ordinance shall be first stated by the President or read by the Clerk, before debate and immediately before putting the question; and every motion, except those specified in subdivision one to eight, inclusive, of Rule 18 herein, shall be reduced to writing if the President or any member desires it.

Rule 21.

After a motion shall be stated by the President and seconded, it shall be deemed in the possession of the City Council but may be withdrawn at any time before it shall be decided or amended.

Rule 22.

The motion to adjourn, to take a recess, or to adjourn for a longer period than one day, shall always be in order; but the latter motion shall not preclude debate.

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Rule 23.

A motion reconsidering any vote must be at the same meeting on which the vote proposed to be reconsidered was taken, or at the next meeting succeeding, and by a member who voted in the majority; such motion may be made under any order of business but shall be considered only the order of business in which the vote reported to be reconsidered occurred.

Rule 24.

A motion or reconsideration being put and lost shall not be renewed, nor shall any vote be a second time reconsidered, without unanimous consent.

Rule 25.

All questions providing for more than one subject and which may be divisible, shall be divided on the demand of any member, but a question to strike out and insert shall be deemed indivisible.

Rule 26.

When a blank is to be filled, the question shall be taken on the largest sum, greater number and longest time.

Rule 27.

No motion or resolution shall admit of more than two amendments.

CHAPTER VIII

ON THE PREVIOUS QUESTION.

Rule 28.

The "previous question" shall be put as follows: "Shall the main question not be put," and until it is decided, shall preclude all amendments or debate. When, on taking the previous question, the City Council shall decide that the main question shall not be put, the main question shall be on the passage of the ordinance or any matter under consideration; but when amendments are pending, the question first be taken upon such amendments in their order.

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CHAPTER IX

Rule 29.

In all cases where a motion or ordinance shall be entered on the Minutes, the name of the member introducing or moving the same shall also be entered on the Minutes.

Rule 30.

If any question contains several distinct propositions, it shall be divided by the Chair at the request of any member, but a motion to strike out and insert shall be indivisible.

Rule 31.

An Aye or Nay vote must be taken in every question, except that any member may elect to abstain on the question provided that the reason for such abstention is stated for the record. Upon every call of the roll of the members, the same shall be called in alphabetical order, and when taken shall be entered on the Minutes, except that the President shall be called last.

Rule 32.

Any member requesting to be excused from voting upon any matter, may make, before the call of the roll upon the matter, a brief statement of the reason for making such request, not exceeding two minutes in time, and the City Council without debate, shall decide if it will grant such request, but nothing in this rule contained shall abridge the right of any member to record his/her vote on any question prior to the announcement of the result.

Rule 33.

Any of the foregoing rules may be suspended for a special purpose by a vote of four-fifths of the members of the City Council.

Rule 34.

Any question or order not governed by the foregoing rules shall be decided in accordance with Robert's Rules of Order.

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Rule 35.

These rules are not to be construed as abridging in any manner any powers given to any member or officer of the City Council by City Charter.

Rule 36.

Notwithstanding the provisions of Chapter II, Rule 3 of these Rules of Order, the reading of petitions and communications at legislative meetings shall be dispensed with unless they relate to public hearings being conducted at said meetings or the reading of any or all of said petitions or communications is requested by any member of the Council. The President, in cooperation with the City Clerk, shall refer all communications and petitions to the proper departments and parties.

Rule 37.

At public hearings conducted by the Council the presiding officer shall at the beginning of the hearing, designate the time to be allowed each person desiring to speak on the question. No person shall speak more than once on the same general question and no rebuttal shall be permitted. At such public hearings, the presiding officer may, before the hearings commence, also designate the hour at which discussion will end, and shall preserve order and decorum and shall prevent personal comments and confine speakers to the legislation under discussion.

CHAPTER X

Rule 38.

Gentlemen shall remove their hats in City Council Chambers.

CHAPTER XI

Rule 39.

A. Guest Speaker

Both invited and approved speakers must follow the guidelines for presenting at a city council meeting. Request to be a guest speaker must be submitted to the Office of the City Clerk by 3:00PM on the day of the scheduled meeting. Shortly following their request, they will receive notice from the office of the City Clerk informing them that they have been approved to be a speaker.

B. Guest Speaker Virtual Meeting Etiquette

The Mount Vernon City Council values your attendance and wants to make your experience productive and inspiring by fostering an open exchange of

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ideas in a professional setting. Our Code of Conduct was established to communicate a transparent set of standards and guidelines for acceptable behavior at City Council Meetings and to provide a positive, safe, and welcoming environment for all attendees and staff.

All virtual meeting participants (regardless of their role) are expected to follow the Code of Conduct while attending any portion of City Council Meeting Online, including but not limited to Keynote Presentations, Concurrent Sessions, and Live Poster Q&A sessions. Because of the virtual nature of the City Council Meetings, our Code of Conduct extends to communications related to the meeting and its attendees, presenters, exhibitors, sponsors, staff, and vendors. These types of communications include chat, Q&A window, Live Poster Q&A, email, social media, and texts.

C. Stay on Mute if you are Not Talking

During the meeting, it is best if participants click the "mute" button and stay muted until directed by the City Clerk or meeting host., pets, outside / ambient noise, people talking over each other with the few second delays can contribute to chaotic video conferences.

D. Presentations by Invited Guest Presenters or city employees

If you will be presenting materials during the meeting, please let the City Clerk's Office know at the time of the initial request so that preparations can be made for materials to be received in advance of the start of the presentation.