

1. Agenda

Documents:

[SPECIAL EMERGENCY COUNCIL MEETING AGENDA 4 03 20.PDF](#)

2. Minutes

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[CITY COUNCIL MINUTES 04 03 20.PDF](#)

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[SPECIAL EMERGENCY COUNCIL MEETING PACKET 4 03 20.PDF](#)

**SPECIAL EMERGENCY COUNCIL MEETING AGENDA
CITY OF CARTHAGE, MISSOURI
FRIDAY, April 3, 2020
4:00 P.M. – BY VIDEO CONFERENCE**

In response to the Coronavirus pandemic and pursuant to the Declaration of Emergency within the City of Carthage, this meeting will be held by on-line video conference. If you would like to listen to the meeting, access information is provided below. For questions, contact City Clerk Traci Cox (417) 237-7000 or staff@carthagemo.gov.

If you would like to listen to the meeting please call by telephone #346-248-7799. You will have to enter the ID# 860 492 961 with a password of 197 424. This will allow you to listen to the meeting.

1. Call to Order
2. Calling of the Roll
3. Reading and Consideration of Minutes of Previous Meeting
4. Citizen's Participation
(Citizens wishing to address the Council or Committee should notify the City in advance, and provide the item they wish to address in written format at least 24 hours prior to the meeting to staff@carthagemo.gov. Residents who do not have internet service may call the Clerk's office at 417-237-7000.)
5. Report of the Mayor
6. Reports/Remarks of Councilmembers
(Each Councilmember is limited to no more than two (2) minutes. The time may be extended by the Chair if deemed necessary. Once a Councilmember has had their say on a particular issue they are not permitted to once again speak on the issue unless permitted by the Chair)
7. Administrative Reports
8. New Business
 1. **Consider and discuss termination of contract with Simmons Bank.**
 2. **Consider and discuss Stay at Home Order.**
 3. **Consider and Discuss Mayor's Memos and a Motion to Amend Resolution 1897.**
8. Adjournment

PERSONS WITH DISABILITIES WHO NEED SPECIAL ASSISTANCE CALL 417-237-7000 (VOICE) OR 1-800-735-2466 (TDD VIA RELAY MISSOURI) AT LEAST 24 HOURS PRIOR TO MEETING

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
APRIL 3, 2020

The Carthage City Council met in Special session on the above date at 4:00 P.M. via Zoom video conference with Mayor Dan Rife presiding.

The following Council Members answered roll call via Zoom video conference: Juan Topete, James Harrison, Ray West, David Armstrong, Mike Daugherty, Ceri Otero, Darren Collier, Alan Snow, Kirby Newport, and Ed Barlow. City Administrator Tom Short and City Attorney Nate Dally were present.

The following Department Heads were present via Zoom video conference: Police Chief Greg Dagnan, Fire Chief Roger Williams, Public Works Director Zeb Carney, Parks & Recreation Director Mark Peterson and City Clerk Traci Cox.

Mr. Snow made a motion, seconded by Mr. Collier, to approve the minutes of the March 24, 2020 Council Meeting. Motion carried unanimously.

Emails received from citizens wishing to address the council were distributed to the council members prior to the meeting for review and consideration.

During Reports of the Councilmembers, Mr. Armstrong asked if a policy had been implemented addressing City staff during the pandemic. A policy will be brought to the council at a future meeting. Ms. Otero and Mr. Snow thanked staff for their communications and work during this event.

Fire Chief Roger Williams continues to perform Fire Department employee health checks daily and reported on a large fire affecting an area business.

Public Works Director Zeb Carney reported the Public Works Department continues to address issues as they change daily.

Parks & Recreation Director Mark Peterson reported staff is working in pods to segment key employees and reported on procedures that have been put into place to address public safety issues in the Parks Department.

City Administrator Tom Short reported on the following: staff is working on employee leave policies.

There was no old business to conduct.

Under New Business:

1. Consider and discuss termination of contract with Simmons Bank.

Simmons Bank began limiting business due to the coronavirus outbreak; however, they have now notified the City they will be closing the Carthage branch permanently. Closing of the Carthage branch is grounds for termination of the current contract. Ms. Otero made a motion, seconded by Mr. Armstrong, to terminate the contract with Simmons Bank. Motion carried.

2. Consider and discuss Stay at Home Order.

Mayor Rife informed the Council that the intention of this meeting was to get an idea of support from the Council regarding a Stay at Home Order. Mr. Dally informed Council that an Order is currently being drafted, but the Order can be very restrictive or very broad. Council members were awaiting results of a scheduled briefing from Governor Parsons and the possibility of a state-wide Stay at Home Order. Members discussed the pros and cons of a City of Carthage Stay at Home Order. Mr. West stated he was against a Stay at Home Ordinance. Chief Dagnan stated he felt there was a need for an Order when asked by Mr. Barlow. Mr. Newport questioned the stance of local agencies regarding support of the Order. Mr. Armstrong discussed the need for a special meeting depending on actions of Governor Parsons. Mr. Harrison stated most citizens are doing what they are supposed to be doing but there was concern regarding those that were not. Mr. Snow informed Council Members that Governor Parsons had issued a Stay at Home Order. Mr. Collier stated there was now a need for an Ordinance to work with the Governor's Order. Mr. Barlow and Ms. Otero requested that staff determine what gaps needed to be filled and what needed to be done to allow enforcement of the Order. A special council meeting may be necessary to pass an Ordinance addressing these and other issues related to the Governor's Stay at Home Order.

3. Consider and discuss Mayor's Memos and a Motion to Amend Resolution 1897.

Mr. Newport made a motion to strike "Canceling or suspending Council and/or Committee meetings or activities" from Resolution 1897. Mr. Dally informed members that a Motion to Suspend the Rules would need to be passed by a 2/3 majority prior to a Motion to Reconsider. Mr. Newport rescinded his motion.

Mr. Armstrong made a motion, seconded by Mr. Newport, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 5:30 PM.

Dan Rife, Mayor

Traci Cox, City Clerk

**SPECIAL EMERGENCY COUNCIL MEETING AGENDA
CITY OF CARTHAGE, MISSOURI
FRIDAY, April 3, 2020
4:00 P.M. – BY VIDEO CONFERENCE**

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MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
March 24, 2020

The Carthage City Council met in regular session on the above date at 6:30 P.M. via Zoom video conference with Mayor Dan Rife presiding via teleconference.

The following Council Members answered roll call via Zoom video conference: Alan Snow, Kirby Newport, Ed Barlow, Juan Topete, David Armstrong, Mike Daugherty, Ceri Otero and Darren Collier. Council members James Harrison and Ray West were absent. City Administrator Tom Short and City Attorney Nate Dally were present.

The following Department Heads were present via Zoom video conference: Police Chief Greg Dagnan, Fire Chief Roger Williams, Public Works Director Zeb Carney, Parks & Recreation Director Mark Peterson and City Clerk Traci Cox.

Mr. Newport made a motion, seconded by Mr. Barlow, to approve the minutes of the March 19, 2020 Special Council Meeting. Motion carried unanimously.

Ms. Otero reported the Committee on Insurance/Audit and Claims met on this date via Zoom video conference and approved the claims. The Committee discussed Resolution 1898 related to property, liability and auto insurance. Staff had been notified renewal rates could increase up to 20%. Passage of the Resolution would allow staff time to research other options or negotiate renewal rates with MPR.

Mr. Harrison joined the meeting via Zoom video conferencing.

Mayor Dan Rife thanked staff for their work during the emergency declaration.

During Reports of Council Members, Mr. Newport asked if the Public Safety meeting would be rescheduled with use of the Zoom video conferencing. The Public Safety meeting is scheduled for March 30. Mr. Harrison thanked the city staff and governing body for their work during the emergency event.

Fire Chief Roger Williams stated the City is currently working in a state of emergency due to COVID-19.

Parks & Recreation Director Mark Peterson reported signs are being used at the park to discourage activity.

City Administrator Tom Short reported on the following: staff is directing council members and the public to the city's webpage for updates on the emergency situation with changes being made regularly.

The Committee on Claims filed a report in the amount of \$2,862,651.82 against the following funds: General Revenue \$103,857.02, Public Health \$130,431.85, Closed Landfill \$830,576.15, Public Safety \$609.92, Parks/Stormwater \$58,638.87, Fire Protection \$381.99, Golf \$1,988.25, Capital Improvements \$77,359.00, Payroll \$158,808.77, and Carthage Water & Electric \$1,500,000.00. Ms. Otero made a motion, seconded by Mr. Newport, to accept the report and allow the claims. Motion carried.

Under Old Business, C.B. 20-07 – An Ordinance authorizing the Mayor to execute a Contract between the City of Carthage, Missouri and CDL Electric of Pittsburg, Kansas for lighting improvements and upgrades at City Hall was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, and Topete. The council bill was approved and numbered Ordinance 20-09.

C.B. 20-08 – An Ordinance adopting and amending APPENDIX H (Signs) of the International Building Code/2006 was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, and Topete. The council bill was approved and numbered Ordinance 20-10.

C.B. 20-09 – An Ordinance authorizing the Mayor to execute a Contract between the City of Carthage, Missouri and G&G Construction Co. Inc., of Carthage, Missouri for the River Street Widening and Storm water Improvements project in an amount not to exceed \$241,016.14 was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, and Topete. The council bill was approved and numbered Ordinance 20-11.

C.B. 20-10 – An Ordinance authorizing the Mayor to execute a Contract between the City of Carthage, Missouri and Sprouls Construction, Inc., of Lamar, Missouri for Storm water Improvement projects in an amount not to exceed \$207,240.00 was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, and Topete. The council bill was approved and numbered Ordinance 20-12.

C.B. 20-11 – An Ordinance vacating a portion of an alley running North (from approximately 286 feet to 460 feet) off Centennial Street between Grand Avenue and Clinton Street, between 1429 S Clinton and 1500 Grand Avenue in Carthage Miscellaneous Addition, in the City of Carthage, Missouri was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, and Topete. The council bill was approved and numbered Ordinance 20-13.

Under New Business, C.B. 20-15 – An Ordinance amending the Annual Operating and Capital Budget of the City of Carthage for fiscal year 2019-2020 for various funds was placed on first reading with no action taken.

C.B. 20-16 – An Ordinance authorizing the Mayor to execute a Contract between the City of Carthage, Missouri and Dick Horton Consulting, 507 Norris, Pittsburg, KS 66762 for Parks and Recreation Consulting Services in an amount not to exceed \$130,000 was placed on first reading with no action taken.

Ms. Otero made a motion, seconded by Mr. Newport, to approve Resolution 1898 – A Resolution authorizing withdrawal of the City of Carthage's participation from Midwest Public Risk of Missouri's property and liability programs for the 2020-2021 policy year passed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, and Topete.

During closing remarks, council members thanked staff for their hard work during the recent COVID-19 emergency. Mr. Topete recommended use of "Reply" instead of "Reply All" to council emails that have been circulating.

Mr. Daugherty made a motion, seconded by Mr. Topete, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 7:20 PM.

Dan Rife, Mayor

Traci Cox, City Clerk

***NEW
BUSINESS***

CORRESPONDENCE



Sunshine Law Guidance for Public Governmental Bodies During a Public Health Crisis or State of Emergency

In light of current circumstances, some public governmental bodies may not wish to have in-person meetings in order to protect the public from possible transmission of a communicable disease during a public health crisis. However, it is still necessary for government agencies to conduct public business. The Attorney General's Office has prepared information for public governmental bodies seeking guidance on complying with the Sunshine Law during these times.

The Sunshine Law provides means for public governmental bodies to conduct public meetings in alternative ways, such as via video conference, online meeting, and telephone conference. A public governmental body should always ensure that it maximizes the amount of notice given to the public before hosting any public meetings, whether in-person or via alternative means. As a best practice and if possible, public governmental bodies should take advantage of their website and social media pages to post recordings or live streams of public meetings.

Along those lines, the Attorney General's Office encourages public governmental bodies to be mindful of the nature of business discussed or decided during states of emergencies, such as public health crises. For example, it would be appropriate to continue to discuss and decide routine and essential matters. However, given the Sunshine Law's goal of maximizing governmental transparency, as a best practice it may be advisable for a public governmental body to postpone discussions and votes on higher-profile matters until the state of emergency or crisis has been resolved and the public could resume attending and participating in meetings in person, if such a postponement would not jeopardize the matter.

Meeting Notices - If a public governmental body chooses to have a meeting by telephone or other electronic means, staff will need to ensure that the meeting notice references the change from the usual method. If the meeting will be held online, § 610.020.1, RSMo, requires that the body **"post a notice of the meeting on its website in addition to its principal office."** Section 610.020.1, RSMo, further requires that the body **"shall notify the public how to access that meeting."** Depending on the circumstances, this may include a phone number the public can use to dial in to listen to the meeting or the web address where a video feed can be accessed.

Meeting notices will still need to be provided at least twenty-four hours in advance of the start of the meeting, exclusive of weekends and holidays. § 610.020.2, RSMo. If it is impossible or impractical to provide a meeting notice that far in advance, the body should post the meeting notice as soon as possible.

Meeting Agenda - If a meeting will be held in an online or other electronic format, the public governmental body will need to still provide a tentative meeting agenda that is “**reasonably calculated to advise the public of the matters to be considered.**” § 610.020.1, RSMo. Bodies should create and post their tentative meeting agendas in the same manner as the meeting notice.

Voice Votes – The Sunshine Law does not preclude members of a public governmental body from participating in voice-votes during online or conference call meetings. However, the Sunshine Law does require that some votes must be held by a roll call vote, and not a voice vote, as explained below.

Roll Call Votes – Generally, under § 610.015, RSMo, an elected member of a public governmental body can only participate in a roll call vote if they are physically present or participating via videoconferencing. This also means that a quorum of the public governmental body must be present in-person or via videoconferencing for a roll call vote to be held. In addition, if a closed meeting is held, all votes in closed session must be held by a roll call vote.

However, § 610.015, RSMo, also includes special provisions for emergency situations, which may include a public health crisis or state of emergency:

When it is necessary to take votes by roll call in a meeting of the public governmental body, due to an emergency of the public body, with a quorum of the members of the public body physically present and in attendance and less than a quorum of the members of the public governmental body participating via telephone, facsimile, internet, or any other voice or electronic means, the nature of the emergency of the public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.

Emergency Public Meetings – The Sunshine Law provides for public governmental bodies to have a meeting on less than twenty-four hours of notice, at a place that is not reasonably accessible to the public, or at a time that reasonably convenient to the public. In these events, § 610.020.4, RSMo,

requires that **“the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.”** In addition, § 610.020.2, RSMo, requires that public notice of the meeting be given as soon as practicable.

The Missouri Sunshine Law is meant to be liberally construed, and the exceptions to openness are to be interpreted as strictly as possible in order to promote openness. Emergency meetings would be considered an exception to openness and should only be held when necessary.

A public governmental body should also refer to provisions its charter, bylaws, or ordinances that address governmental transparency. These documents may contain additional procedures that complement the Sunshine Law.

We hope this information is helpful. If you have any questions or concerns please feel free to visit our website at www.ago.mo.gov/missouri-law/sunshine-law or contact our Director of Sunshine Law Compliance, Ms. Casey Lawrence, at 573-751-8905.

"Rosenberg's Rules of Order"

(Simple Rules of Parliamentary Procedure for the 21st Century)

Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules - "Robert's Rules of Order" - which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time, and for another purpose. If one is chairing or running a Parliament, then "Robert's Rules of Order" is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of, say, a 5-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of "Rosenberg's Rules of Order."

What follows is my version of the rules of parliamentary procedure, based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars: (1) Rules should establish order. The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings. (2) Rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate. (3) Rules should be user friendly. That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process. (4) Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, and fully participate in the process.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the Chair of the body who is charged with applying the rules in the conduct of the meeting. The Chair should be well versed in those rules. The Chair, for all intents and purposes, makes the final ruling on the rules every time the Chair states an action. In fact, all decisions by the Chair are final unless overruled by the body itself.

Since the Chair runs the conduct of the meeting, it is usual courtesy for the Chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the Chair should not participate in the debate or discussion. To the contrary, the Chair as a member of the body has the full right to participate in the debate, discussion and decision-making of the body. What the Chair should do, however, is strive to be the last to speak at the discussion and debate stage, and the Chair should not make or second a motion unless the Chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. And each agenda item can be handled by the Chair in the following basic format:

First, the Chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The Chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the Chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the Chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the Chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the Chair may limit the time of public speakers. At the conclusion of the public comments, the Chair should announce that public input has concluded (or the public hearing as the case may be is closed).

Fifth, the Chair should invite a motion. The Chair should announce the name of the member of the body who makes the motion.

Sixth, the Chair should determine if any member of the body wishes to second the motion. The Chair should announce the name of the member of the body who seconds the motion. (It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the Chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the Chair.)

Seventh, if the motion is made and seconded, the Chair should make sure everyone understands the motion. This is done in one of three ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the Chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the Chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the Chair takes a vote. Simply asking for the "ayes", and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain". Unless the rules of the body provide otherwise (or unless a super-majority is required as delineated later in these rules) then a simple majority determines whether the motion passes or is defeated.

Tenth, the Chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the Chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision-making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the Chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words: "I move" So, a typical motion might be: "I move that we give 10-day's notice in the future for all our meetings."

The Chair usually initiates the motion by either (1) Inviting the members of the body to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the body. "A motion would be in order that we give 10-day's notice in the future for all our meetings." (3) Making the motion. As noted, the Chair has every right as a member of the body to make a motion, but should normally do so only if the Chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a 5-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion which is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So that if a member makes what that member calls a "motion to amend", but the Chair determines that it is really a "substitute motion", then the Chair's designation governs.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The Chair can reject a fourth motion until the Chair has dealt with the three that are on the floor and has resolved them.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to have a 5-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a 5-member committee to plan and put

on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the Chair would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Chair would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

Second, if the substitute motion failed, the Chair would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be 5 members or 10 members). If the motion to amend passed the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Chair would now move to consider the main motion (the first motion) in its original format, not amended.

Third, the Chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (5-member committee), or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the Chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a 2/3 vote of the body. Note: that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a 2/3 vote of the body. A similar motion is a motion to object to consideration of an item. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a 2/3 vote.

Majority and Super-Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a 7-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which, effectively, cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a 2/3 majority (a super-majority) to pass:

Motion to limit debate. Whether a member says "I move the previous question" or "I move the question" or "I call the question" or "I move to limit debate", it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a 2/3 vote to pass.

Motion to close nominations. When choosing officers of the body (like the Chair) nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a 2/3 vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled, or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a 2/3 vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a 2/3 vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate, perhaps disagreement and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to a re-opener if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and by a 2/3 majority, can allow a motion to reconsider to be made at another time.) Second, a motion to reconsider can only be made by certain members of the body. Accordingly, a motion to reconsider can only be made by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she can make the motion to reconsider (any other member of the body may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again. That would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak.

The Chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "point of privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "point of order." Again, the Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Chair discovers that the agenda has not been followed, the Chair simply reminds the body to return to the agenda item properly before them. If the Chair fails to do so, the Chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the Chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.