

# ORDINANCE: 2023 – 01

**AN ORDINANCE TO REPEAL AND REPLACE ORD: 2022-01  
WHICH IS AN ORDINANCE TO ESTABLISH RULES OF  
PROCEDURE FOR THE CITY COUNCIL, CITY OF BULL SHOALS,  
MARION COUNTY ARKANSAS.**

**WHEREAS** The Arkansas State Statues provide latitude to municipal governing bodies in the establishment of rules and procedure, and

**WHEREAS**, The City Council City of Bull Shoals has determined that it is in the best interest of said City to have such rules and procedures in place to ensure transparency and open communications with its citizens, and

**WHEREAS**, this ordinance replaces ordinance, 2022 – 01, and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Bull Shoals, Marion County, Arkansas.

## **SECTION I – MEETINGS**

- A. REGULAR-**Regular meetings by the City Council shall be held on the last Thursday of each Calendar month beginning at 6:30 PM. If this day falls on a holiday or an emergency exists City Council may set an alternate date by majority vote for the meeting. Only matters discussed at a prior workshop may be voted on in a regular meeting, unless the city Council shall vote by a majority that an emergency exists to suspend this rule.
- B. WORKSHOP-**Regular workshop meetings of the City Council shall be held on Tuesday, 9 days prior to the regular City Council meeting, beginning at 6:30 PM. If this day falls on a holiday or an emergency exists City Council may set an alternate date by majority vote for the meeting.
- C. SPECIAL-** Special meetings of the City Council may be Called by the Mayor or by any (3) Alderman who shall make a request to the Recorder/Treasurer at least (2) days prior (unless a critical emergency/emergency exists) to the time specified for such meeting. Such request shall include the topic to be considered and a reason that consideration of said topic cannot be delayed. The person requesting the meeting shall be responsible for notification at least (2) hours, prior, each Alderman, the Mayor, and such Media that have requested notice to be given the time and purpose of such meeting and purpose of such meeting and the names of other requesting Council Meetings (ref A.C.A. 25-19-106)

## **SECTION II -ORDER OF BUSINESS**

The Business of City Council shall be conducted in the following order.

- Call to order by presiding officer.
- Pledge of Allegiance
- Roll Call
- Approval of Minutes of previous meeting.
- Treasurers Report.
- Department Reports (Fire, Police, P Works)
- Commission / Committee Reports (P & Zoning etc.)
- Public Input:

**I) Workshop: Comments at end of meeting to allow citizens to address agenda items or other concerns.**

**II) Council Meeting: Citizen comments after Commission / Committee reports (AGENDA ITEMS ONLY)**

- Old / Continuing Business
- New Business
- Mayor Comments and announcements
- Citizen comments.
- Adjournment (Meeting shall end by 8:30 PM unless voted to extend for special circumstances)

## **SECTION III-PRESIDING OFFICER**

- A. Control of meeting.** The Mayor shall preserve order and conduct the proceeding of the meeting following the guidelines of Arkansas Municipal Leagues Procedural Rules for Municipal Officials.
- B. Absence of Mayor.** If the Mayor is absent from any meeting, the Recorder/Clerk shall perform the function of this office, or the City Council can vote for a presiding officer for that meeting. (ref A.C.A. 14-42-111)
- C. Participation in debate.** The presiding officer may speak upon any question recognizing that some discretion must be exercised so as not to override a fair opportunity for debate by members of the Council.

## **SECTION IV-ORDINANCES & RESOLUTIONS**

- A. Reading Requirement** – All bylaws and ordinances shall be read in full on three (3) different days unless two-thirds (2/3) of the members of the Council shall suspend the rule (ref A.C.A. 14-55-202).
- B. Voting Requirements**
1. Passage of every bylaw, ordinance, resolution, or order to enter into a contract by the Council, the yeas and nays shall be recorded [ref. A.C.A. 14-55-203(a)].
  2. To pass any by-law, ordinance, resolution or order a concurrence, a majority of the whole number of members elected to the Council, shall be required [ref. A.C.A. 14-55-203 (b)].
  3. Any person or persons taking issue with an ordinance enacted by the City Council may within thirty, (30) days of publication of said ordinance file a referendum petition requesting reconsideration of said ordinance by fully stating reasons the ordinance should be reconsidered within said petition.
  4. Emergency clause of any given ordinance shall only be executed if a true emergency exists [ref A.C.A. 14-55-203 (c) (1) (C)]. (Existing Law)
  5. The Mayor shall have a vote to establish a quorum of the City Council and when his/her vote is needed to pass any ordinance, bylaw, resolution, order, or motion. (14-43-501) (B).

## **SECTION V-GENERAL RULES**

1. The deliberations of the City Council shall be conducted in accordance with the parliamentary rule contained in the Procedural Rules for Municipal Officials published by the Arkansas Municipal League, which is hereby incorporated in this section by reference.
2. Any Council member may bring a topic not on the agenda to the floor for discussion.
3. Any Council member absent from any Council meeting or workshop without 2-hours prior notification and concurrence through the presiding officer shall forfeit one half of their monthly stipend.
4. Any Council member who voluntarily removes themselves from any Council meeting or workshop in progress, without prior notice through the presiding officer, shall forfeit one half of their monthly stipend.
5. All members of the public, City Staff and Elected Officials shall always accord courtesy and respect to each other. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives and personalities. Violations of these standards shall be ruled out of order. Egregious violations of this standard shall be grounds for removal.

**SECTION VI-SUSPENSION OF RULES**

These rules or any part thereof may be suspended in connection with matter under consideration by a recorded vote of two-thirds of the members.

**SECTION VII-RECONSIDERATION OF MOTIONS OR QUESTIONS**

- A. When a motion or question has been decided it shall be in order for any member of the Council who voted on the prevailing side to move for reconsideration at the next succeeding meeting of the Council. If a motion to reconsider is made at the succeeding meeting, then a majority of the Council is required to decide whether a motion or question is to be reconsidered.
- B. A motion to reconsider any motion or question shall not be heard if it is not made at the succeeding meeting at which the original motion or question was proposed.
- C. If a motion or question is raised which had previously been decided by the Council, but not at the same or at the succeeding meeting then the Council in order to consider the motion or question must first vote to suspend the rules (as set forth in Section IV) to allow the question or motion to be brought before it.
- D. If the Council votes to suspend the rules to consider a question or motion once, the Council shall not vote to suspend the rules to consider the question or motion again until the beginning of the next scheduled meeting.

**SECTION VIII-SEVERABILITY**

The invalidity or unconstitutionality of the provisions of this Ordinance shall not affect any other section hereof but same shall remain in full force and effect.

**THIS ORDINANCE PASSED AND ADOPTED** by the City Council of the City of Bull

Shoals, Marion County, Arkansas this 26<sup>th</sup> day of January, 2023.

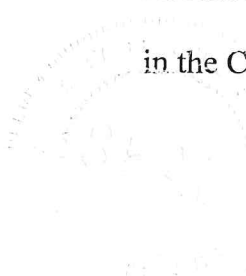
AYES: Michael Castagna, Joey Grede, Dale Forbus (Councilman Names)

NAYS: Dino Giannini, Wesley Phelan (Councilman Names)

MAYOR: [Signature] Attest: Tina M. Bailey  
CITY RECORDER

In accordance with Arkansas Statue 14-55-206, I, Tina M. Bailey

Recorder/Clerk certify that I have posted the Ordinance in Five (5) of the most public places in the City of Bull Shoals, Arkansas (City Library, City Hall, First Security Bank, Harps



Bulletin Board, and the Bull Shoals Community Center. Posted Date

Jan. 30<sup>th</sup>, 2023

Posted By Tina M. Bailey