



## Board of Aldermen Request for Action

**MEETING DATE:** 1/20/2026

**DEPARTMENT:** Administration

**AGENDA ITEM:** Resolution 1539, adopting rules of order regarding the conduct of meetings of the Board of Aldermen and other actions relating to the same.

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### **REQUESTED BOARD ACTION**

A motion to approve Resolution 1539, adopting rules of order regarding the conduct of meetings of the Board of Aldermen and other actions relating to the same.

### **SUMMARY**

Resolution 1539, formally adopts the City of Smithville Board of Aldermen Rules of Order and revises the rules of order previously utilized by the Board to tract with Missouri regarding the adoption of ordinances by the Board.

### **PREVIOUS ACTION**

At the work session held on December 16, the Board of Aldermen was presented with information and best practices related to the governance of both the City and the Board itself. The session included a detailed review of the Board's authority to conduct two readings of an ordinance within the same meeting. Historically, Board procedures allowed for a double reading only when a matter required urgent action. However, Section 79.130 of the Revised Statutes of Missouri permits the Board to perform both readings at one meeting, provided that copies of the proposed ordinance are made available for public inspection before the Board's consideration.

### **POLICY ISSUE**

Generally, the statutory authority granted to the Board of Aldermen must be strictly observed, and representations in ordinances, resolutions, regulations, or related documents should reflect the unaltered statutory language. As previously discussed, the former rules of order employed by the Board did not align precisely with Section 79.130, RSMo or Section 130.050(A) of the Municipal Code. This inconsistency, which limited the Board's ability to adopt an ordinance through two readings at the same meeting, could have led to challenges concerning the validity of ordinances adopted under those provisions. The revised rules of order set forth in the Resolution address and resolve this issue by incorporating the exact language of Section 79.130, RSMo.

### **FINANCIAL CONSIDERATIONS**

N/A

### **ATTACHMENTS**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance                | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution    | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report             | <input type="checkbox"/> Minutes  |
| <input type="checkbox"/> Other: BOA Rule of Order |                                   |

## **RESOLUTION 1539**

### **A RESOLUTION ADOPTING RULES OF ORDER REGARDING THE CONDUCT OF MEETINGS OF THE BOARD OF ALDERMEN AND OTHER ACTIONS RELATING TO THE SAME**

**WHEREAS**, the Board of Aldermen have previously utilized a document titled City of Smithville Board of Aldermen Rules of Order; and

**WHEREAS**, certain provisions contained therein do not align with and otherwise modify certain provisions of Missouri law as it relates to the operations of the Board of Aldermen; and

**WHEREAS**, to clarify the rules relating to the conduct of members of the Board of Aldermen and the Board of Aldermen as a whole, the Board of Aldermen desires to formally adopt rules of order.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI:**

**THAT** the City of Smithville Board of Aldermen Rules of Order attached hereto as **Exhibit A**, incorporated into this resolution as if fully set forth herein, are hereby adopted.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, this 20<sup>th</sup> day of January, 2026.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

## EXHIBIT A



## **City of Smithville Board of Aldermen Rules of Order**

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## INTRODUCTION

Pursuant to Missouri state law, the Board of Aldermen of a fourth-class city may enact rules and regulations to govern its own proceedings and the transaction of its business. These rules, therefore, having been adopted by the Board of Aldermen, are intended to guide the efforts of its members, acting collectively, in conducting the business of the City of Smithville. These rules are intended to facilitate, and not obstruct the conduct of business by providing an orderly and consistent framework for conducting such meetings. They preserve the rights of all to fully participate in the proceedings and assist in an orderly discussion.

The Board of Aldermen is a single, ongoing governing body; the will of the majority shall be the decision of the body. These rules shall apply to all official proceedings conducted by the Board of Aldermen, in all its capacities, except those proceedings which by law requires a different procedure.

These rules may be amended by resolution at any time by the Board of Aldermen. They shall remain in effect upon adoption by resolution and until otherwise amended or suspended.

## DEFINITIONS

*Bill* – an ordinance introduced by an alderman's motion that does not become an ordinance until after the second and final reading of the title and is then signed by the mayor or acting president or passed over the mayor's veto. A bill shall be assigned a number by the city clerk during agenda packet preparation.

*Consent agenda* – items that are acted on under a single motion without additional discussion unless an item is removed for discussion.

*Debate* – formal discussion on a particular topic during a meeting in which opposing arguments may be put forward.

*Majority vote* – two-thirds of the Aldermen vote in favor.

*Minutes* – an official record of all proceedings and transactions of a legislative body.

*Motion* – formal proposal to act that recommends a course of action the Board of Aldermen should take.

*Ordinance*– originated as a bill and becomes a permanent part of the City's law book upon passage [RSMo §79.130].

*Quorum* – minimum number of members required to attend a meeting before any business is transacted; the quorum for the Board of Aldermen is four (4) members who are present and eligible to vote.

*Resolution* –subject matter that is temporary or ministerial in character and relates to the administrative business of the municipality and may be passed by a majority

of the quorum.

*Roll call vote* – a vote in which aldermen are called by name and allowed to cast their vote as aye or nay. Roll call votes are taken when the mayor states “will the city clerk please call the roll.”

*Voice vote* – a parliamentary vote taken by calling for ayes and nays and estimating which response is stronger.

## **RULE 1: ALDERMAN**

The Board of Aldermen consists of seven (7) members, six (6) aldermen who serve four-year terms and the elected mayor. Two aldermen are elected from each of the three (3) wards [Municipal Code 105.020]. All aldermen have and share equal rights, privileges, responsibilities and obligations, which include, but are not limited to:

- 1) All aldermen present and participating in meetings have the right to make, second and amend motions. Traditionally the mayor has asked two aldermen to make and second motions for routine matters in order to promote the orderly flow of business.
- 2) All aldermen present and participating in meetings have the right to participate in debate when discussion is permitted. Aldermen shall speak only after being recognized by the mayor.
- 3) All aldermen present and participating have the right to ask questions and seek clarification or further information on pending matters.
- 4) All aldermen present and participating in the meeting have the right to vote on matters, unless prevented by a conflict of interest in which case a member should recuse him or herself from participating in the proceedings.

**Conduct.** Aldermen shall conduct themselves in a civil, businesslike manner during all proceedings, and shall respect and follow these rules: each alderman shall demonstrate courtesy and respect for the Board, as well as for the public, for staff and other aldermen. Aldermen shall comply with the Code of Ethics [Municipal Code Chapter 135] The professional and personal conduct of public officials shall be above reproach and shall avoid even the appearance of impropriety. Public officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of the Mayor, other members of the Board of Aldermen, boards, commissions, committees, City staff and the public. A real or potential conflict of interest shall be declared and the alderman so declaring the conflict shall abstain from further participation in the matter and leave the Board Room during the debate and vote, all in accordance with Smithville Municipal Code §135.040. The conflict of interest will be noted in the official minutes.

**Attendance.** Aldermen shall attend all meetings, unless prevented while performing other business of the City or prevented due to absence, illness, emergency or other conflict. Aldermen expecting to be absent from the meeting should notify the city administrator, mayor and city clerk at least 24 hours prior to the meeting.

Aldermen shall not speak on behalf of the Board of Aldermen or the organization unless formally designated to do so. If designated, the alderman shall state only the official policy or position adopted by the Board of Aldermen [Municipal Code §135.080]

## **RULE 2: MAYOR**

The mayor, elected to a four-year term, is the presiding officer of the Board of Aldermen who enforces the rules and designates who can speak at any given time during the meeting. The mayor is considered a member of the Board of Aldermen, with all rights and privileges accorded to other members except making or seconding a motion and may only vote to break a tie [RSMo §79.120]. Duties of the mayor include officiating over all proceedings, ensuring order and compliance with these rules and facilitating the will of the majority; recognizing those entitled to the floor and confining debate to matters under consideration; deciding all questions of order, subject to appeal by any alderman; putting to vote all matters properly introduced and declaring the result thereof for the record; and authenticating by signature all acts and judgments made by authority of the Board of Aldermen.

**Removal of Elected Official.** The mayor may remove, for cause shown, any elected officer so long as removal is approved by a majority of all the members of the Board of Aldermen. Before removal, the officer must be given an opportunity to be heard, along with witnesses, before the Board of Aldermen. The aldermen act as a board of impeachment during this hearing. Any elective officer, including the mayor, may be removed by a two-thirds vote of all the members. That same majority can remove an appointed officer despite the mayor's disapproval [Municipal Code §130.040 and RSMo 79.240].

**Vacancy of elected office.** When the office of an alderman becomes vacant, the mayor nominates, with approval by the Board of Aldermen, a replacement to serve until the next municipal election [RSMo §79.280].

**Mayor's Absence.** In the absence of the mayor, the acting president shall preside over the meeting [RSMo §79.090 and Municipal Code §130.030]. In the absence of both the mayor and acting president, the longest-serving alderman shall call the meeting to order and serve until the mayor or acting president return, or adjournment of the meeting. The acting president, when exercising the duties of mayor, shall exercise the right to vote as an alderman; in a case of a tie vote, the acting president shall also vote on behalf of the mayor [Attorney General Opinion No. 38-88, 1/21/1988].

## RULE 3: STAFF

**City Clerk.** The city clerk, or designee, shall attend all meetings and record the proceedings thereof; shall keep and preserve records and files belonging to the Board of Aldermen [RSMo §610.023] and perform such other services that may be provided. The city clerk's signature and the city seal attest that an ordinance and resolution has been properly adopted and oaths of office that verify officials were properly sworn in. The city clerk must ensure that proper notice is posted within 24 hours of a meeting along with a tentative agenda. The city clerk is also responsible for the minutes, attestations, legal and public notices, and is the keeper of the city seal. In the absence of the city clerk at a meeting, he/she shall select another qualified staff member to sit in as acting city clerk for the meeting.

**City Administrator.** The city administrator shall attend all meetings, unless excused; shall provide advice or opinions on all matters before the Board of Aldermen or oversee the same from other city staff; and perform such other services as required. In the event the city administrator is unable to attend a Board of Aldermen meeting, he/she may appoint another qualified staff member to attend the meeting on behalf of city administration.

**Department Heads.** The City Administrator may request department heads to attend any meeting to provide information or advise upon matters regarding the functions, services and general operation of the department under his/her leadership.

## RULE 4: MEETINGS

For all Board of Aldermen meetings, a quorum is required before any business can be transacted. If during a meeting the roll call shows less than a quorum the mayor can call a recess of not more than 10 minutes after which time if a quorum is not present the meeting may be adjourned, or the mayor may call for an additional recess in order to find the aldermen needed to create a quorum. Except for emergencies, the public must be given notice 24 hours in advance of the meeting by way of a tentative agenda. The full agenda packet will be posted on the City's website for public viewing and the tentative agenda will be posted at the top floor main entrance and lower floor Municipal Court doors. If staff is aware that a quorum will not be present for a meeting, the meeting can either be canceled or rescheduled in accordance with Municipal Code §120.030.

**Public accessibility.** All meetings shall be open and public, unless it qualifies as a closed session, and at all times comply with the accessibility requirements provided under the Missouri Sunshine Law; citizens and other visitors attending the Board of Aldermen meetings shall observe the same rules of good conduct applicable to aldermen. The public is invited to attend but can only provide comment if authorized by the Board of Aldermen (see Rule No. 7). Guests with special needs should contact



the City Clerk's Office at least 24 hours before the meeting to arrange accommodations.

## **Types of Meetings**

**Regular meetings** shall be held the first and third Tuesdays each month, with the exception of holidays, and shall be conducted in the Council Chambers at City Hall, 107 W. Main Street, Smithville, unless otherwise determined by the mayor and provided for and notice given to the public. Each regular meeting shall open at 7:00 p.m.

**Special meetings** may be called at the mayor's discretion, by notifying the city clerk to provide notice to the Board, staff and public at least 24 hours in advance; special meeting business shall be transacted as at regular meetings [Municipal Code §120.030].

**Executive Sessions** are closed meetings authorized by RSMo §610.021. The most common reasons include legal actions, real estate transactions, personnel matters, sealed bids, contract negotiations, and audits. A roll call vote is required during an open session to hold a closed meeting for one of the specific authorized purposes. Notice must be given 24 hours in advance of the closed meeting and cite the specific section of the statute. Notice of an executive session will be included on regular or special meeting agendas. Where no regular or special meeting is scheduled, notice of an executive session shall be given separately. Minutes must be compiled for all executive sessions and must include date, time, location, motions and mover/seconder of the motion, and votes. Any votes taken during executive session must be made by roll call vote and published within 72 hours of the decision by notice posted at City Hall.

**Public Hearings** shall be conducted when required by State law to receive testimony from the public on pending matters and shall be called by public notice. The general procedure for a public hearing is as follows: open the public hearing, including a staff explanation of the purpose of the public hearing; provide a summary of the issue(s) and an overview of the recommendations; presentations from the parties involved or who are primarily affected by any action that may arise as a result of the public hearing; public testimony or comments from the general public; and close the public hearing after all comments and testimony have been received. The mayor may impose time limits for public testimony in order to ensure the orderly conduct of business (see Rule No. 7). After the public hearing is officially closed, unless otherwise prescribed by law, no further evidence or comments can be admitted into the record by the public unless the Board of Aldermen wishes to reopen the public hearing to receive additional testimony before making a decision. Any alderman may propose, by regular motion, that the

Board of Aldermen take certain action on the matter.

**Work Sessions** are informal sessions where the Board of Aldermen can address and discuss issues before taking formal action at regular or special meetings. Work sessions are for discussion and general direction only and no actions are taken.

**Emergency meetings** can be called within 24 hours of the proposed meeting time, in compliance with the Open Meetings Act [RSMo §610.020]. If an emergency meeting must be scheduled, the reason for the departure from the normal requirements will be stated in the motion and public notice posted at City Hall. If by any reason it is unsafe to meet at City Hall,

the meetings may be held for the duration of the emergency at such other place as may be designated by the mayor, or in the mayor's absence by the acting president or the city administrator.

Changes to meeting schedules can occur in different circumstances. Meetings that fall on a city-observed holiday can be rescheduled to the day following the scheduled date. If for any reason the date of a meeting is to be changed, the mayor may reschedule a meeting provided there is 24 hours' notice prior to the new date and/or time [Municipal Code §120.030].

## **RULE 5: AGENDAS**

Every agenda item to come before the Board of Aldermen for consideration must be filed with the city clerk under the direction of the city administrator by 5:00 p.m. the Wednesday prior to the Board of Aldermen meeting. Each item must include relevant background information, budget impact (if any), recommended action(s), and any supporting documentation. The city administrator will consult with the mayor to review the agenda for each meeting which shall list an outline of all matters to be introduced, considered or acted upon (see Rule No. 6). The description of each matter contained on the agenda shall be sufficient enough for the general public to determine the nature or subject of each item. Agenda items may be submitted by any alderman to the Mayor and the city administrator. The public may request an item be added to the agenda through the city clerk by noon on the Thursday prior to the Board meeting in order for it to be included on the tentative agenda. The agenda packet will be distributed to the Board of Aldermen and the agenda will be posted on the City's website and at City Hall the Friday before the meeting by 4:30 p.m.

Items on the action agenda should be presented in the following order:

1. Mayor reads the item's title
2. Staff presents the item, including a background, financial impact, recommendations, etc.
3. Aldermen may ask questions of staff and other members

4. Public comments on action items
5. Alderman makes a motion and another alderman seconds the motion
6. Mayor restates the motion in order to be clear on the motion to be voted upon [Robert's Rules of Order]
7. Aldermen vote on the motion

**Ordinance.** An ordinance requires favorable votes by a majority of the elected board members and must be read by title twice before passage. It becomes effective the date it is approved by the Board of Aldermen and subsequently signed by the mayor, unless otherwise stated. Ordinances shall be in writing and prepared by City staff and reviewed by the City Attorney. Any ordinance amending or repealing any portion of the Municipal Code shall also amend or repeal the respective portions of any underlying ordinance(s).

The style of the ordinances of the city shall be: "Be it ordained by the board of aldermen of the city of Smithville, as follows:" No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the board of aldermen shall vote for it, and the ayes and nays be entered on the journal. Every proposed ordinance shall be introduced to the board of aldermen in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the board of aldermen. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the board of aldermen. No bill shall become an ordinance until it shall have been signed by the mayor or person exercising the duties of the mayor's office, or shall have been passed over the mayor's veto, as herein provided.

## **RULE 6: ORDER OF BUSINESS**

The Board of Aldermen's regular agenda will be presented in the following order:

1. Call to Order
2. Consent Agenda. Items on the consent agenda may be pulled for debate or a separate motion if desired. Aldermen are allowed to question or comment on an item without a

separate motion. The recommended motion is "I move to approve the consent agenda and recommended motions for each item as presented." The consent agenda will consist of items considered routine in nature, non-controversial or previously approved by the Finance Committee. The consent agenda will be approved by roll call vote. If an item is removed from the consent agenda for a separate motion, the item becomes the first item on the action agenda.

3. Reports from officers and standing committees
4. Ordinances
5. Other matters of importance

6. Public Comment
7. New business proposed from the floor
8. Adjourn

The mayor may have discretion to alter the order of business prior to the public posting of the meeting agenda.

## **RULE 7: PUBLIC COMMENT**

A member of the public is allowed to speak before the Board of Aldermen during regular meetings. Each speaker is limited to three (3) minutes under Public Comment for comments on issues not listed on the action agenda. A member of the public must submit to the city clerk his/her name, address and the subject to be presented, before the Board meeting begins. The Board of Aldermen will not make a decision on an issue(s) presented by an individual or group during that particular meeting but may refer any item to staff for action or additional analysis.

Public comment will be accepted on all items on the action agenda. At the mayor's discretion, speakers may be limited to three (3) minutes. In addition, the mayor may limit the total time devoted to public comment on any given agenda item, provided that proponents and opponents of the action are given equal opportunity to comment.

After being recognized by the mayor, each member of the public addressing the Board of Aldermen shall go to the podium, state his/her name and address. All remarks should be addressed to the Board of Aldermen as a whole and not to any individual member or to staff. The names, addresses and a general overview of the public comments will be entered in the minutes.

## **RULE 8: MOTIONS**

Unless operating under procedures provided by Missouri statute or other legal regulations, all motions shall be open to debate without restriction, shall require a second (except as noted herein), and shall require a simple majority vote for passage. A motion requires that 1) an alderman makes a motion by stating "I move to..." 2) another alderman seconds the motion (except when not needed), and 3) the mayor restates the motion. If a motion does not receive a second, the motion will not be considered.

A motion must be made, seconded and restated by the mayor before the Board of Aldermen can debate the motion. Debate is limited to the motion immediately on the floor.

If an alderman makes a motion he is not permitted to speak against his or her own motion, but can vote against his or her own motion [Robert's Rules of Order].

**Amending or withdrawing a motion.** If a main motion is on the floor and an alderman moves to amend that motion, discussion must be limited to the amendment first. If the seconder disagrees with the amendment he or she may withdraw the second and the amendment must be seconded by another alderman. If the amendment is passed, the main motion, as amended, can be discussed. If the amendment is not seconded it will not be considered.

The motion maker owns the motion and may withdraw or modify it before it is restated by the mayor without approval by the Board of Aldermen by stating "I ask permission to withdraw (or amend) the motion."

If the motion is restated by the mayor, it belongs to the Board of Aldermen and any withdrawal or amendment must be approved by the Board of Aldermen. The mayor will ask for unanimous consent from the Board of Aldermen for the withdrawal or amendment. If the mayor hears no objection, he/she will announce the motion is withdrawn or amended.

If there is not unanimous consent, a motion must be made to withdraw or amend the motion. The motion does not need a second, is not debatable and needs a simple majority vote. The minutes will not reflect the withdrawn or amended motion [Robert's Rules of Order].

**Main motions.** Motions that bring business before the Board of Aldermen are debatable and amendable and as a general rule need a majority vote to pass.

*APPROVE* – official action to endorse a proposal

*AUTHORIZE* – official approval to empower an action or a person to act on behalf of the Board of Aldermen in a specific manner

*DENY* – official action to reject a proposal

*RESCIND/REPEAL* – official action to nullify previous action taken by the Board of Aldermen; requires a two-thirds vote or a majority of the entire membership [Robert's Rules of Order].

**Privileged motions.** Motions that warrant interrupting all other motions, take precedence over other questions and are not debatable.

*FIX THE TIME TO WHICH TO ADJOURN* – sets the time for continuation of the present meeting in order for another meeting to continue business, but does not adjourn the present meeting or set the time for its adjournment; requires a majority vote

**Example:** I move that when this meeting adjourns, it adjourns to meet on (date and time) at (place).

*ADJOURN* – a privileged motion to close a meeting that must be seconded and is not subject to debate; discussion must be halted and a vote taken

*RECESS* – Short interruption which does not close the meeting; motion is not required if recess is included on the agenda

*EXECUTIVE SESSION* – allows for a closed session for those purposes stated in RSMo 610.021; motion must be made in an open session, must be seconded, and is subject to limited debate as to the date and/or time and general purpose.

**Incidental motions.** Motions that arise out of another pending question that takes precedence and must be decided before the question is answered or are incidental to a question that should be decided before any other business is taken up

*POINT OF ORDER* – enables an Alderman to bring attention to a potential breach of order or to question a procedure or rule; it does not require a second and is not debatable

*SUSPENSION OF THE RULES* – enables the Board of Aldermen to temporarily set aside its rules, or any specific portion of its rules, in order to proceed to the consideration of a question or matter; it must not extend past the matter acted upon or the meeting, must state the purpose for the suspension and requires a second

*DIVIDE A QUESTION* – enables the Board of Aldermen to divide a complex question or proposal and to consider the matter by section or paragraph; it must be seconded and is not subject to debate

**Subsidiary motions.** Motions that set aside a motion temporarily and permanently

*AMEND* – to improve or clarify the intent or substance of a pending motion that must be made while a motion is on the floor. Amendments must be relevant to the question under consideration and shall be acted upon in reverse order. Motions can be amended only to a third degree, that is, one can amend an amendment, but can go no further.

*ADDITION* – addition of specific words or phrases or sentences to perfect the intent or meaning of the pending main motion.

*SUBSTITUTION* – substituting provisions, sections or the entire language of the original motion and providing in lieu thereof new provisions, sections or language; substantially, offering a new motion relevant to the subject of the original main motion properly in possession of the body.

*REFER* – enables any pending question or matter to be referred to a committee, agency or department, or another entity for review, comment and possibly recommendation.

*POSTPONE* – postponing consideration (or further consideration) of a measure to a certain motion and carries a time limit and can be debated as to the merits of postponement.

*POSTPONE TO A CERTAIN TIME/POSTPONE DEFINITELY* – set the date and time when the motion will be acted upon

*TABLE* – temporarily setting aside a pending motion (or series of pending

motions) to take care of something else deemed urgent; if the motion laid on the table is not taken from the table by the next regular meeting, the motion dies [Roberts Rules of Order].

**Pending motion.** When a main motion has been made, members can amend it, postpone it, etc. All of the actions that take place while the main motion is pending are subsidiary motions.

Every motion must not violate the rules adopted by the City. It is the mayor's duty to rule the motion out of order. These include: 1) conflicts with federal, state or local law and rules of the City; 2) an action outside of the City's scope unless approved by two-thirds vote to allow it; 3) conflicts with a motion previously adopted and still in force; 4) presents the same question that was rejected during the same meeting; and 5) conflicts or presents the same question as one that was postponed or tabled.

## **RULE 9: VOTES**

Votes can be taken two different ways, voice vote or roll call vote. If a voice vote is unclear, the mayor or an alderman may demand the ayes and nays by calling for a roll call vote. A majority decides a question except when basic rights of members are involved. A two-thirds vote is required if a motion deprives a member of rights in any way, or when otherwise required by state law.

**Roll Call Vote.** For a roll call vote, the city clerk will determine a random order which will change for each meeting. Roll call votes are required for the final passage of bills and to approve the consent agenda.

**Voice Vote.** Most votes can pass by a majority of a quorum unless specified differently by statute. Voice votes are taken by the mayor stating "all those in favor say aye; all opposed say no."

**Abstention.** If an alderman abstains from a vote because of a conflict of interest, he/she is not counted as present for quorum purposes and is not deemed to be "voting" for purposes of determining whether there has been a majority of those voting and present. An alderman must recuse himself from the meeting until the matter is acted upon by the Board of Aldermen. If the vote required is of the members present, or of the entire membership, an abstention will have the same effect as a "no" vote. Even in such a case, however, an abstention is not a vote and is not counted as a vote.

**Tie vote.** In the case of a tie vote, the mayor shall cast his/her vote to dissolve the tie vote.

**Demand for a roll call.** Upon the demand of any alderman, made before the negative votes are taken, the roll shall be taken for ayes and nays upon any question before the Board of Aldermen.

## RULE 10: MINUTES

Full and accurate minutes of the Board of Aldermen proceedings, including closed sessions, shall be kept by the city clerk. Minutes must include the date, time, place, members present and a record of the votes [RSMo §610.021 and RSMo Chapter 79]. The exact wording of each motion and results of each vote shall be recorded in the minutes. Short summaries of comments pertinent to the discussion at the meeting will be included when appropriate. At the request of an alderman, exact statements made by he or she can be put into the record by stating "I would like to note for the record..." The Board of Aldermen must give final approval to all minutes prior to the city clerk's signature. Meeting minutes will be posted on the City's website and printed copies are available on request and are subject to printing fees in accordance with RSMo §610.026.1. Archives of the meeting audios are also on the City's website.

## RULE 11. MISSOURI SUNSHINE LAW

The Missouri Sunshine Law [RSMo §610.021] sets the rules to help municipalities and other public governmental entities provide transparency and fairness. The law applies to all meetings of the Board of Aldermen and all authorized boards, commissions and committees. It also determines which types of meetings are open and which meetings can be closed. All Board of Aldermen meetings shall be held and all business conducted in compliance with the requirements of the Missouri Sunshine Law.

## RULE 12: BOARDS/COMMITTEES/COMMISSIONS

The Board of Aldermen may establish, by ordinance, special commissions, committees and boards. Each subcommittee shall have a defined purpose and undertake only the work it is assigned or which is relevant to its purpose. Members are appointed by the mayor with consent of the Board of Aldermen. Terms expire annually in May and appointments are made at the first meeting in May [Municipal Code §130.040]. All committees established by the Board of Aldermen must comply with requirements of the open meetings and open records laws of Missouri as well as rules established by the Board of Aldermen. [RSMo §610.040.4]

**Standing Committees, Commissions and Boards.** The Mayor shall make appointments to the following committees, commissions and boards after seeking applications from the public and after consulting with the Board of Aldermen.

- Economic Development Committee
- Parks and Recreation Committee
- Land Clearance Committee
- Legacy Fund Advisory Board
- TIF Commission



## Housing Authority Board

Each year the Board of Aldermen must nominate and appoint a representative of the Board to the Planning & Zoning Commission, Economic Development Committee and the Parks and Recreation Committee.

**Appointment procedure.** The city clerk is responsible for administering the process by which appointments are made in accordance with Municipal Code regulations adopted by the Board of Aldermen. The city clerk will work with the mayor to ensure appointments are made when needed or are on the list to be made.

## **RULE 13: SUSPENDING THE RULES**

If in the event a rule does not coincide with the wishes of the Board of Aldermen, any alderman may make a motion to suspend the Rules of Order that must be approved by a two-thirds vote; but such suspension shall not extend past the matter acted upon, or the meeting, as appropriate. A motion to suspend the rules must state the reason for the suspension and the rules to be suspended.

## **RULE 14. REFERENCE TO ROBERT'S RULES OF ORDER**

The Board of Aldermen shall refer to the current edition of *Robert's Rules of Order Newly Revised* to answer procedural questions not resolved in these rules, so long as it does not conflict with Missouri law.