

Ordinance 2026-01

AN ORDINANCE ESTABLISHING CITY COUNCIL MEETING RULES AND PROCEDURES; AND TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the members of a governing body elected for each city or town shall annually in January assemble and organize the governing body; and

WHEREAS, the governing body shall determine the rules of its proceedings and may consider the passage of rules on the following subjects, including without limitation: the agenda for meetings; the filing of resolutions and ordinances; and citizen commentary; and

WHEREAS, the Osceola City Council has determined that the city will be better served with a set of formally adopted policies and procedures governing the operation of the City Council of Osceola, Arkansas,

NOW THEREFORE, the City Council of the City of Osceola does hereby ordain as follows:

Definitions:

"Citizen" - an individual who resides in the City of Osceola

Section 1. City Council Jurisdiction.

The City Council shall possess all legislative powers granted by state law to cities of the first class and other corporate powers of the city not prohibited in state law or by some ordinance of the city council made in pursuance of the provisions therein and conferred on some officer of the city [A.C.A. 14-43-502(a)]

The City Council shall have the management and control of finances, and of all real and personal property belonging to the city. [A.C.A. 14-43-502(b)(1)]

Section 2. City Council Meetings:

City Council meetings are always open to the public. [A.C.A. 14-43-502 (b)(2)(A)]

The City Council shall conduct regular business meetings at 5:00pm at Osceola City Hall on the third Monday each month. The City Council by majority vote may reschedule or cancel such meeting as it deems necessary on a meeting by meeting basis. [A.C.A. 14-43-502 (b)(2)(A)]

Special or emergency meetings of the City Council may be called by the Mayor or any three (3) council members by signed submittal of time and place of the scheduled meeting and its agenda to the Mayor or Mayor's Office, in a timely manner to fully comply with the two-hour notification requirement [A.C.A. 25-19-106(6)(2)] for all media and for the same notification of all elected city officials. Notification shall be deemed given when those to be notified have been contacted or when an attempt to contact them has been made by the proper time, by every means of instant communications they have been submitted for notification purposes. All means of communication for notification purposes within a timely reason should be attempted regardless.

Regular and special city council meetings will be recorded and made available on the City of Osceola official web page.

Copies of any meeting recording shall be provided, in its entirety, to anyone requesting them via the Arkansas Freedom of Information Act.

Section 3. Agenda for City Council Meetings:

Agenda items shall consist of all items of city business needing city council approval, judgment or review arising out of the city budget; city departments; City Council committees; city committees, boards, and commissions; and all city systems and processes submitted for the purpose of city council action according to the procedures herein described. Agenda items may also be submitted by the Mayor or Council members following the procedures herein described for consideration at any city council meeting. Planning Commission items are automatically forward to the Mayor's Office for inclusion on the Agenda.

The Agenda is prepared by the Mayor's Office. All Agenda items for consideration at regular City Council meetings must be submitted to the Mayor's Office by 4p.m. no later than the Monday prior to the City Council meeting. Items may be included later with the Mayor and Council approval; however, the published Agenda shall not include items submitted after 4p.m. the Monday prior to the City Council meeting. All items should be submitted electronically (if applicable) with all necessary documentation including ordinances and/or resolutions.

Any citizen living within the city limits of Osceola desiring to place legislation on the city council agenda, or wishing to make public comments during the council meeting may do so by submitting the desired legislation or a concise statement of the subject matter in writing to any of the council members and engage them to sponsor the item. Once a council member has agreed to sponsor the legislation or public comment, it will be vetted to the city attorney before being placed on the agenda.

The City Council may by a two-thirds majority vote to add an item of business to any regular, special, or emergency City Council meeting.

Preparation of the Agenda packet for each regular City Council meeting should be completed and the Agenda published on the City's website before 4pm on Friday before the Monday City Council meeting. A paper copy shall be ready for pick up at the front office of OMLP for each Council Member and City Attorney by 3pm on the Friday before the Monday City Council Meeting. An electronic copy must be emailed out to all Elected officials by the End of Day Friday. This schedule may change for rescheduled meetings and does not apply to special meetings.

The agenda packet shall include an agenda, unapproved minutes from previous meetings, department reports, department expense reports, credit card reports for each city credit card including the total amount spent the previous month and balance owed, gas card reports including the total amount spent the previous month and balance owed, a report of each city bank account including the beginning balance and ending balance, city treasurers' report, OMLP department financials including but not limited to: balance sheet, profit and loss statement, vendor list, checks written, bills paid, charge-off list, and any ordinances or resolutions up for consideration.

Section 4. Conduct of the City Council Meeting:

The Mayor shall be the ex officio President of the City Council and shall preside at its meetings regular and special. [A.C.A. 14-43-501 (b) (1) (A)]

A quorum is defined as a majority of all Council members on the City Council.

The Mayor shall have a vote to establish a quorum at any regular meeting of the City council and when his or her vote is needed to pass any ordinance, by-law, resolution, order, or motion. [A.C.A. 14-43-501 (b) (1) (B)]

The council members shall elect a president pro tempore to preside over meetings in the absence of the Mayor. [A.C.A. 14-43-501 (b) (2)].

Business shall be conducted by procedural rules contained in the Arkansas Municipal League publication "Procedural Rules for the Municipal Officials," dated May 2014.

A positive motion is encouraged to start consideration of each business item.

Ordinances by state law are required to be read at three separate council meetings before being considered for action unless the various readings are waived by Council. The Council can choose to waive any or all readings of an

ordinance when it comes up on the agenda by a two third majority voice vote.
[A.C.A. 14-55-202]

Ordinances shall require a roll call vote.

Emergency clauses associated with ordinances shall require a separate roll call vote and with a two-third majority approval.

The City Clerk shall maintain a roll call list of council members for each separate business item requiring a roll call vote (Ord. No. O-02-200).

City council members shall present themselves in a professional manner and wear business casual attire when present for the Council Meeting or representing the City on official business.

Section 5: Discussion and Citizen Commentary:

Debate on Agenda items appearing before the City Council is reserved for the City Council. Citizen commentary at council meetings is allowed in specific situations and under conditions allowed by the City Council herein described.

While the City Council generally wishes for public input and public participation and publishes their individual contact information through the City, this willingness does not constitute an unrestricted right to speak at meetings of the Council.

Section 6: Petitioners and City Officials:

Petitioners and city officials appearing before the City Council regarding items of business arising from the agenda or placed on the agenda are recognized by the Council as having a right to speak to their petition or report subject to restriction thereof.

City Council members and the Mayor may ask questions from time to time from petitioners, city officials, or the public. Those questioned will be allowed to answer subject to restriction thereof.

Section 7: General Citizenry:

The City Council restricts citizen input at any regular or special meeting to germane commentary regarding items of business before the Council arising from the meeting agenda or from the Council's placement of an item on the agenda. Citizen commentary may only occur at such time as the item of business is before the Council and under consideration for action.

It is the City Council's intention to allow public input in an informal format with due regard to the equity of allowing the various sides of issues to speak and,

within reason, with due regard to the number of people wishing to address the Council. The Mayor as ex-officio president of the Council may allow citizen input on a per business item basis provided that individual speakers are recognized in turn, identify themselves for the record and address the council as a whole from a podium and/or position established for such. Unrecognized comments from the audience are prohibited. The City Council may at any time restrict such citizen input in any fashion including, but not limited to, the length of individual comments, the total number of speakers, and/or the total time allotted for public input.

At all times, an open conversation with or within the audience is strongly prohibited.

Redundancy of commentary is prohibited. More than one speaker at a time prohibited.

Section 6: Non-Agenda Commentary:

The City Council may suspend the rules of order and allow citizen input/commentary on matters not included on the Agenda of the City Council meeting. Suspending the rules of order requires a two-third majority vote.

If the City Council allows citizen public comments, a citizen shall be allowed no more than three (3) minutes to make comments. The speaker shall be courteous in language and presentation. The comments shall be made from the podium and directly to the council as a whole. No questions shall be asked of the Council, the Mayor, members of the audience or other persons associated with City government.

Public comments are just that, a privilege and not a right, and a speaker should not expect an immediate response, nor any action to be taken by the council.

SECTION 7. Publication:

The city clerk shall record all ordinances or bylaws at length in a book to be kept by him or her for that purpose, as soon after their passage as may be expedient, and shall authenticate such ordinances or bylaws with his or her signature appended thereto, just beneath the signature of the presiding officer of the council. The city clerk shall as soon after their passage as may be, cause all bylaws or ordinances of a general and permanent nature, or which may impose any fine, penalty or forfeiture, to be published in the Osceola Times, a newspaper of general circulation in this city, over the signature of the presiding officer of the council, and his or her own as clerk.

SECTION 8. Emergency Clause:

That this ordinance is necessary for the protection of the peace, health and safety of the citizens of Osceola and so that council procedures can be in place

at the first meeting of the year and so that citizens know the required rules, and therefore an emergency is declared to exist, and this ordinance shall go into effect from and after its passage and approval.

PASSED this 21st day of January 2025.

APPROVED:

A handwritten signature in black ink, appearing to read "Joe Harris, Jr.", written over a horizontal line.

Mayor Joe Harris, Jr.

Attest:

A handwritten signature in black ink, appearing to read "Monica Stuppine", written over a horizontal line.

CITY CLERK