

**ONEIDA CITY COUNCIL**  
**RULES AND PROCEDURES**



109 NORTH MAIN STREET  
ONEIDA, NEW YORK 13421

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# City of Oneida City Council

## RULES AND PROCEDURES

Pursuant to the provisions of the Oneida City Charter, Article III, titled "Common Council", Section 3.5 thereof, titled "Rules of Procedure," the City Council of the City of Oneida hereby adopts the following as its "**RULES AND PROCEDURES.**" A majority vote of all members of Council shall be required to suspend these Rules and Procedures.

If the Rules and Procedures are or become at any time in conflict with statutory law, statutory law shall take precedence.

### **I. REGULAR MEETINGS**

Meetings of the Oneida City Council shall be held commencing at 6:30 p.m., on the first and third Tuesday of each month in Council Chambers at Oneida City Hall, 109 North Main Street, Oneida, New York or elsewhere upon public notice in advance thereof by public notification to the local media, City Website and posted on the City sign. For security purposes Oneida City Hall shall close to the public within fifteen minutes following the adjournment of any City Council meeting held outside of normal business hours. The Council may adjust the meeting date at any time and for any reason by resolution.

### **II. SPECIAL MEETINGS**

A special meeting may be called in accordance with Section 3.6(B) of the Oneida City Charter and Section 104 of the Open Meetings Law. The Clerk shall contact each member of the Council, the City Manager, the Mayor, and shall post notice on the sign board and the official City website to notify the public of the special meeting.

### **III. EMERGENCY MEETINGS**

Emergency meetings may be held at any time upon the request of the City Manager, the Mayor and/or a member of the City Council with two (2) hours' notice. A call for an emergency meeting shall be made in writing, shall state the reason for the emergency meeting, and shall be filed with the Office of the City Clerk. The Clerk shall contact each member of the Council, the City Manager, and the Mayor, and shall post notice on the sign board and official City website to notify the public of the emergency meeting.

### **IV. PRESIDING OFFICER**

In accordance with Section 3.7 of the Oneida City Charter, the Mayor, as the Presiding Officer, shall preserve strict order and decorum at all meetings of the Council. He or she shall vote on all questions, his or her name being called first in the voting order. In debate, he or she shall confine speakers to the question under discussion.

### **V. AGENDA**

### **A. Regular Meetings**

1. All reports, communications, proposed local laws, ordinances, resolutions, or other matters to be submitted to the City Council, should be submitted to the City Clerk by Thursday prior to each Council meeting, not later than 12:00 PM that day. All documents to be discussed at a public meeting shall be made available upon request and shall be posted on the City's website at least 24 hours prior to the meeting.
2. The City Clerk shall prepare the agenda for the meetings of the City Council. All reports, communications, proposed local laws, ordinances, resolutions, or other matters introduced by the Mayor, a member of Council, or a Department Head to be acted upon or considered by the Council shall be submitted in writing to the City Clerk's Office in accordance with submissions specified in Paragraph V(A)(1). The City Clerk shall cause the agenda and supporting materials to be published and delivered the Thursday preceding the next scheduled Council meeting. Prior to publication and distribution, the final completed agenda for any Council meeting as prepared by the City Clerk must receive approval for publication from the Mayor.
3. Any new matters of City business submitted to the City Clerk after the above time and day shall not be considered by the Council until its next scheduled meeting. This requirement may, however, be waived by the Council by a majority of the body present to allow the introduction of the matter during the Council Meeting.
4. Each proposed legislative matter sought to be introduced by the Mayor or a member of the City Council or a Department Head shall first be submitted to the City Attorney for approval as to its form and legality, and to insure proper integration into City law.
5. Meeting agendas shall be delivered to the Council members by e-mail, unless a member of Council notifies the City Clerk that they prefer a paper copy of the agenda. If a paper copy of the agenda or any agenda item is requested, such copies shall be delivered to the members of Council via their mailbox in the mailroom on the first floor of the Oneida City Hall. It shall be the responsibility of the members of Council to obtain the paper copies of the agenda or agenda item documents from their mailbox in the aforementioned mailroom.

### **B. Special Meetings**

For purposes of a special meeting, all documentation to be considered or discussed shall be presented to each member of the Council and shall be made available upon request and posted on the City's website at least 24 hours prior to the special meeting.

### **C. Emergency Meetings**

For purposes of an emergency meeting, to the greatest extent possible, all documentation to be considered or discussed shall be presented to Council members prior to the meeting. Meeting documentation shall be posted on the City's website as soon as possible after the meeting is adjourned.

## **VI. CALL TO ORDER – PRESIDING OFFICER**

The Presiding Officer shall take the chair at the hour appointed for the Council meeting and shall immediately call the Council to order. In the absence of the Mayor, the Deputy Mayor shall call the Council to order and assume the responsibilities of the Presiding Officer. At the discretion of the Presiding Officer, a delay of up to ten (10) minutes may be allowed for a member of Council to appear who is not yet in attendance at the time of the meeting.

## **VII. ROLL CALL**

Before proceeding with the business of the City Council, the City Clerk, or the Deputy City Clerk, shall call the roll of the members, and the names of those present shall be entered into the minutes.

## **VIII. ORDER OF BUSINESS**

### **A. Regular Meetings** of the Council shall observe business in the following order:

1. Pledge of Allegiance
2. Roll Call
3. Ceremonial Presentations and Proclamations
4. Public Hearings
5. Public Comment
6. Old Business from the Council
7. Reports of City Officials (Mayor, City Manager, Supervisors)
8. Approval of the Meeting Minutes
9. Approval of the Warrant
10. Matters to Come Before Council per the Agenda
11. New Business from the Council
12. Adjournment

### **B. Special Meetings** of the Council shall observe business in the following order:

1. Pledge of Allegiance
2. Roll Call
3. Matters before Council
4. Adjournment

### **C. Emergency Meetings** of the Council shall observe business in the following order:

1. Pledge of Allegiance
2. Roll Call
3. Matters before Council
4. Adjournment

## **IX. EXECUTIVE SESSION**

Upon a majority vote of the total membership of the City Council, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Council may conduct an executive session for the below enumerated purposes only, provided, however, that no action by the formal vote shall be taken to appropriate public monies:

- a. matters, which will imperil the public safety, if disclosed;
- b. any matter which may disclose the identity of a law enforcement agent or informer;
- c. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- d. discussions regarding proposed, pending or current litigation;
- e. collective bargaining negotiations pursuant to article fourteen of the civil service law;
- f. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension or removal of a particular person or corporation;
- g. the preparation, grading or administration of examinations;
- h. the proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof; and
- i. any matter made confidential by Federal or State law. Section 4503 of the Civil Practice Law and Rules establishes that a confidential communication between attorney and client shall be privileged. Pursuant to this section, Council will be receiving legal advice from its attorney which fulfills the requirement provided in Section 108(3) of the Public Officers Law allowing this exemption.

Attendance at an executive session shall be permitted to any member of the public body and/ or any other persons upon authorization by the Common Council.

*(The above is taken from the New York State Public Officers Law, Article 7, Open Meetings Law, § 105. Conduct of executive sessions.)*

## **X. PROCEDURE: PUBLIC COMMENTS/HEARINGS**

### **A. PUBLIC COMMENT**

The Council shall reserve time on the Council meeting agenda for the public to be heard. This public portion of all *regular* meetings of the Council is open to any individual wishing to speak on issues before or involving the City Council, the City government, or matters of general City concern. City committees and boards may elect whether to provide the opportunity for Public Comment. Individuals wishing to speak before Council shall be allowed to do so subject to the following rules:

- 1. Speakers shall be required to use the microphone situated at the podium located in the Council chambers.
- 2. Prior to addressing the Council, speakers shall be required to state their name, address where they reside, including municipality if they reside outside of the City of Oneida, and organization affiliation, if any.

3. Questions and comments should be addressed to the Council as a whole and not to individual Council members, the Mayor, City Manager, City staff, or audience members.
4. Speakers shall only speak for themselves or the organization they represent. No speaker shall be allowed to speak or read a statement for another identified or anonymous individual or organization.
5. A limit of three (3) minutes shall be allotted to each speaker on any given topic and each speaker shall be allotted to speak just once per meeting. The Presiding Officer or their designee shall notify the speaker when their allotted time has expired, and the speaker shall promptly conclude their remarks. All speakers are encouraged to submit supplemental or detailed written remarks for Council consideration to the City Clerk. A speaker who does not need a full three (3) minutes may yield the unused portion of his/her time to another person.
6. Council members may, upon recognition of the Presiding Officer, interrupt a speaker during their remarks, but only for the purpose of clarification of information. Otherwise, it is expected that members of Council shall not engage in dialogue or reply to remarks during the speaker's comment time.
7. The Council in addition to, or in lieu of, oral presentations may receive written statements presented to the City Clerk before noon on the Thursday prior to the next Council meeting.

## **B. PUBLIC HEARINGS**

The following Rules of Procedure shall apply to any Public Hearing conducted by the City Council or any Council committee or board:

1. When calling a Public Hearing to order, the Presiding Officer or Chairperson shall request all persons who wish to speak to provide their name, address, and the name of any group they represent.
2. Speakers shall be permitted to speak without interruption regarding the matter on hand for the public hearing. Only members of Council, upon recognition of the Presiding Officer, or members of a committee, upon recognition by the Chairperson, shall be permitted to question speakers at the conclusion of their remarks and questions should be asked only for the purpose of clarification of a topic presented.

## **C. DECORUM**

1. It is expected that speakers before the Council and City committees or board shall observe the commonly accepted rules of courtesy, decorum, dignity, and good taste. Personal attacks upon any Council member, individual, any City staff, any City board, or commission members, committee members, and/or any contractor working for the City shall promptly be ruled out of order by the Presiding Officer. When ruled out of order, the individual may be removed from

the meeting at the discretion of the Presiding Officer and/or Chairperson and the security personnel on duty. If the individual is not removed, the Presiding Officer and/or Chairperson shall determine if the speaker's remaining time may be used or revoked.

2. The use of intemperate, abusive and defamatory language is strictly forbidden and any member of the public who uses obscene, threatening or harassing language, slander, threats of violence, personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, or religious group, gender, sexual orientation or disability status or who otherwise becomes disorderly while at a public meeting may be removed from the meeting at the discretion of the Presiding Officer and/or the Chairperson and the security personnel on duty.
3. While the Council is in session, the members of Council must contribute to the preservation of order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking.