

ORDINANCE NO. 2263

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AMENDING CHAPTER 110 OF THE MUNICIPAL CODE OF THE CITY OF DARDENNE PRAIRIE BY ENACTING A NEW SECTION 110.195; AND PROVIDING FOR THE PROCEDURAL RULES FOR MEETINGS OF THE BOARD OF ALDERMEN

WHEREAS, pursuant to Section 79.150, RSMo., “The board of aldermen may prescribe and enforce such rules as it may find necessary for the expeditious transaction of its business;” and

WHEREAS, the Board of Aldermen finds and determines that it is necessary for the expeditious transaction of its business to adopt procedural rules for the conduct of meetings of the Board of Aldermen.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AS FOLLOWS:

SECTION 1. That Chapter 110 of the Municipal Code of the City of Dardenne Prairie shall be and is hereby amended enacting a new Section 110.195, to read as follows:

Section 110.195 RULES OF PROCEDURE

- A. *Order of Business.* The Board of Aldermen, at its regular meetings, shall proceed to transact the business before them in the following order:
1. Call to Order.
 2. Pledge of Allegiance.
 3. Roll Call.
 4. Consent Agenda
 5. Items Removed From the Consent Agenda
 6. Public Comment.
 7. Public Hearing.
 8. New Business.
 9. Old Business.
 10. Officer and Staff Communications
 11. Adjournment.
- B. *Robert's Rules of Order.* Except as otherwise set forth in this Code, the Board of Aldermen shall conduct its meetings in accordance with Henry M. Robert III, et al., Robert's Rules of Order Newly Revised (12th Ed., PublicAffairs 2020) or any subsequent edition thereof and in accordance with the provisions of Chapter 610, RSMo.

1. *Motion to Reconsider.* Upon the declaration of a vote by the presiding officer on any question subject to reconsideration pursuant to this Section, any member who voted with the prevailing side may move for a reconsideration of the matter at the same or the next succeeding regular meeting of the Board of Aldermen, provided that said question must be expressly placed upon the agenda for said succeeding regular meeting consistent with the Requirements of Chapter 610, RSMo.

Notwithstanding any other provision of this Section to the contrary, the following matters may not be reconsidered:

- a. A resolution or ordinance authorizing or relating to any contract that has been fully executed;
 - b. A bill that has been duly passed by the Board of Aldermen and signed by the Mayor pursuant to Section 79.140, RSMo;
 - c. An affirmative vote whose provisions have been partly carried out;
 - d. Any vote that has caused something to be done that it is impossible to undo; and
 - e. A vote on a matter in which the intervening rights of a third-party have vested.
2. *Introduction of Bills.* Any bill, resolution or other matter shall be placed on the agenda for a meeting of the Board of Aldermen at the request of the Mayor or any two (2) members of the Board of Aldermen, subject to, the following:
 - a. Any such request shall be submitted on forms prepared by the City Administrator which contain, the following:
 - i. the proposed date of the meeting(s) of the Board of Aldermen at which the bill, resolution or other matter will be considered;
 - ii. a general description of the nature of the matter to be considered sufficient to enable drafting by City Staff, or exact verbiage if available;
 - iii. a summary explanation of the bill, resolution or other matter to be considered, including any supporting materials;
 - iv. the budget impact, if any;
 - v. the name of the person or persons requesting such action; and
 - vi. acknowledgment of timely receipt of the form by the City Administrator.
 - b. Such forms shall be submitted no later than 5:00 p.m. on the Wednesday immediately preceding any Work Session of the Board of Aldermen at which said bill, resolution or other items are to be discussed.
 - c. Upon timely receipt of the form required herein, the bill, resolution or other matter shall be placed on the agenda for the next Work Session of the Board of Aldermen at which time the Board of Aldermen may vote to direct its inclusion on a Regular or Special

Meeting of the Board of Aldermen, on a subsequent date, for consideration or take such other action as the Board of Aldermen shall deem appropriate.

- d. Notwithstanding any provision herein to the contrary, the procedures provided herein shall not apply to any bill, resolution or other matter that:
 - i. was previously considered by the City's Planning and Zoning Commission;
 - ii. involves the acquisition by the City of any right-of-way or easement interests in real property, the cost of which are contained within the authority granted the Mayor, City Administrator, or any other person authorized under the budget or other ordinances of the City;
 - iii. involves any budgeted items unless the same is in excess of the authority granted to the Mayor, City Administrator or other person authorized by existing ordinances;
 - iv. is an escrow agreement, escrow release, annexation agreement or PUD agreement;
 - v. is a communication from the Mayor to the Board of Aldermen, a mayoral proclamation, a mayoral appointment, or a mayoral certificate of recognition;
 - vi. are minutes of any meeting of the Board of Aldermen, or any notice of public hearing required by ordinance or law;
 - vii. is a report or acknowledgment required by law;
 - viii. is an action required pursuant to a previously approved contract, resolution or memorandum of understanding;
 - ix. is an approval of a license or permit;
 - x. is an administrative action the procedures for which are required by ordinance or law; or
 - xi. is a closed meeting item.
- e. Notwithstanding any provision herein to the contrary, subject to the requirements Chapter 610, RSMo., the Mayor or any three (3) members of the Board of Aldermen may consent to the addition of any item to the agenda of any Work Session, Regular or Special Meeting of the Board of Aldermen in the case of an emergency. An "emergency" for the purposes of this paragraph refers to unforeseen circumstances that, if not addressed immediately by the Board of Aldermen, will likely result in injury or damage to persons or property, substantial financial loss to the City or if the effectiveness of the proposed action will be significantly diminished if delayed to future meetings. The purpose of the declaration of emergency shall be set forth in the form submitted, and any action taken by the Board in reliance upon that declaration shall be deemed consent and concurrence of the Board of the existence of such emergency.

C. *Public Comment.* The general public shall be afforded an opportunity to address the Board of Aldermen during the portion of the order of business set aside for public comment. Any person desiring to address the Board of Aldermen shall first, before the announced conclusion of public comments, fill out a public comment speaker card containing the name of the speaker and the topic of his or her comments and submit it to the City Clerk. When called by the City Clerk, the person wishing to speak shall approach the designated microphone and provide their name and address in an audible tone. Each speaker shall be allowed three (3) minutes to speak. The Mayor will be responsible for enforcing time limits. All remarks shall be addressed to the Board of Aldermen as a body and not to any individual member thereof. No person, other than the person having the floor, shall be permitted to speak during the time allowed.

1. If a member of the public asks a direct question of a member of the Board of Aldermen or the Mayor, time will be set aside on the agenda for the Mayor or any member of the Board of Aldermen to respond to such a question with brief response as facilitated by the Mayor as chair of the meeting.

D. *Public Hearing.* At each public hearing required by law or ordinance, the applicant or petitioner for the matter set for public hearing shall be given, collectively, fifteen minutes to present their request to the Board of Aldermen. The Mayor and Board of Aldermen may ask questions of the applicant or petitioner. If such questions are asked of the applicant, petitioner, the Mayor, or the Board of Aldermen, may, in their sole discretion, extend the time for the applicant or petitioner to make their presentation to the Board of Aldermen. For purposes of this subsection, the terms "applicant or petitioner" shall include the applicant or petitioners employees, agents and representatives. All other speakers shall be subject to the same rules and procedures as set forth in subsection C of this Section.

E. *Decorum.* In addition to the rules, regulations and procedures established by Robert's Rules of Order, the Board of Aldermen shall abide by the following with regard to maintaining order at public meetings:

1. In the event any member of the public becomes belligerent, intimidating or threatening or otherwise seeks to or does disrupt the orderly process of the meeting in a manner obviously hostile to the announced purpose of the meeting to any member of the governmental entity or to any member of the general public, the presiding officer shall have the authority and discretion to warn the offending member of the public to refrain from the abusive or offensive behavior.
2. If the offending member of the public refuses to abate the offensive behavior, the presiding officer may request that the member leave the meeting. In the event that the member refuses to do so, the presiding officer may order his or her removal by any attending Police Officer who shall proceed to escort the offending member from the meeting premises.
3. If in the presiding officer's judgment removal of the offending member is required and no Police Officer is in attendance to effect such removal, the presiding officer

may suspend the meeting to request the attendance of a Police Officer and the removal of the offending member or the Board may adjourn the meeting as may be appropriate.

4. All authority, discretion and actions of the Chair stated in Subsection(E)(2), (3) and (4) above shall also apply to a majority vote of the members at the meeting.

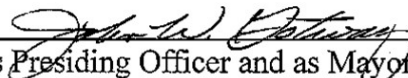
F. Noncompliance with the provisions of this Section shall not invalidate any action by the Board of Aldermen, irrespective of whether the rules of procedure provided for in this Section were suspended, waived or tacitly ignored.

SECTION 2. Savings Clause: Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

SECTION 3. Severability Clause: If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 4. Effective Date: This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of Dardenne Prairie, Missouri.


Read two (2) times, passed, and approved this 19th day of July, 2023.


As Presiding Officer and as Mayor

Attest:

Kim Clark
City Clerk

Approved this 19th day of July, 2023.



Mayor

Attest:

Kim Clark
City Clerk