

**Town of Walnut**  
**Procedural Ordinance of 2014**

Be it ordained by the Mayor and Board of Aldermen, the adoption of rules of procedure for conducting the business of the Town of Walnut.

**Sec. 1-1 Meetings - Regular**

(a.) Time. The Board shall hold its regular meeting on the first Tuesday of each month beginning at 6:00pm. If the day fixed for any regular meeting of the Board falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the date and time set forth by the Board no later than the immediately preceding regular meeting, duly entered into the minutes of such meeting, and posted in accordance with the Open Meetings Act.

(b.) Place. Regular meetings of the Board shall be held in the Board chambers, Town Hall; provided that the Board may adjourn any meeting to such other place as it may deem necessary, desirable or convenient for the holding of its session; provided further that if such meeting is adjourned to some other venue, notice of the location of the meeting shall be affixed to the door of the Board chambers.

**Sec. 1-2 Meetings - Recessed**

Any regular meeting of the Board may be recessed by appropriate Board action to reconvene on a day and time fixed by order of the Board and duly entered into the minutes of the meeting which is recessed.

**Sec. 1-3 Meetings - Special**

The mayor or any two Board members may call a special meeting of the Board whenever the business or interest of the Town requires it. To call the special meeting, a summons containing

the time and place must be delivered to and acknowledged by each Board member and/or mayor at least three hours before the time of the meeting. Further, a notice must be posted at Town Hall within one hour after the special meeting is called.

#### Sec. 1-4 Open to the Public

All meetings of the Board shall be open to the public except on those occasions when the Board may choose to enter into executive session for the reasons established by the Mississippi Code of 1972, as amended, and in the manner prescribed thereby. MCA 1972, 25-41-1 et seq.

#### Sec. 1-5 Agenda

(a.) All items of business or other matters to be officially considered for action of the Board shall be submitted to the town clerk no later than noon of the Friday prior to each regular Board meeting, whereupon the town clerk shall immediately arrange a list of such business items or matters according to the order of business as set forth in Sec 1-10 of this procedural ordinance and furnish each member of the Board, the mayor, and the town attorney with a copy of the same at least 24 hours prior to the Board meeting, and as far in advance of the meeting as time for preparation will permit. A copy of such agenda will also be made available for public view. Any member of the Board may, however, bring before the Board any urgent or emergent matter, not on such agenda, subject to the approval of the mayor and a voting majority of Board members to hear and/or be acted upon.

(b.) Items placed on the agenda under the provisions of this article shall contain or be accompanied by sufficient information to adequately prepare interested parties as to the matter to be put before the Board. Ambiguous, confusing, or otherwise inadequate language shall not be permitted to appear on an agenda. The intent of this subsection is to allow for the proper preparation of the mayor, Board, and public toward an informed and educated discussion and decision at the time of the meeting and shall not be otherwise construed.

#### Sec. 1-6 Presiding Officer

The presiding officer of the meetings of the Board shall be the mayor, or, in his absence, the mayor pro tempore. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Board. He shall state every question coming before the Board, announce the decision of the Board on all subjects, and decide all questions of order, subject to an appeal to the Board, in which event, a majority vote of the Board shall govern and conclusively determine such question of order. Such appeal shall be immediately presented and voted upon by the Board.

#### Sec. 1-7 Calling of Meetings to Order

The mayor, or in his absence, the mayor pro tempore, shall take the chair precisely at the hour appointed for the Board meeting, and shall immediately call the meeting to order. In the absence of the mayor and mayor pro tempore, the town clerk or assistant town clerk shall call the meeting to order, whereupon a temporary chairman shall be elected by the members of the Board present. Upon the arrival of the mayor or mayor pro tempore, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Board.

#### Sec. 1-8 Roll Call

Before proceeding with the business of the Board, the town clerk or assistant town clerk shall take roll of the members. The names of those present shall be entered into the minutes. The clerk will announce those present and absent during the roll call order of business if requested to do so by the presiding officer or by action of the Board.

#### Sec. 1-9 Quorum

A majority of all the members elected to the Board of Aldermen shall constitute a quorum at any regular or special meeting of the Board. No official business may be transacted by the Board in the absence of a quorum, at any time after the meeting has been called to order.

#### Sec. 1-10 Order of Business

All meetings of the Board shall be open to the public. Promptly at the hour set by the law on the day of each regular meeting, the members of the Board, the town clerk, and the town attorney shall take their regular stations in the Board chambers and the business of the Board shall be taken up for consideration and disposition in the following order:

- (1) Call to order
- (2) Roll call and establishment of quorum
- (3) Invocation
- (4) Approval of agenda
- (5) Approval of minutes of previous meeting(s)
- (6) Public comment
- (7) Reports of standing and special committees
- (8) Reports from Department Heads
- (9) Personnel Comment/Concerns/Grievances
- (10) Unfinished or business carried forth from a previous meeting
- (11) New business
- (12) Issues with claims docket or payment of expenses
- (13) Miscellaneous announcements and summary comments
- (14) Adjournment

#### Sec. 1-11 Minutes

A copy of the minutes of the previous regular and any intervening meeting of the Board duly recorded and prepared according to the Mississippi Statutes shall be made available to all Board members at the Town Hall at least two hours prior to the meeting at which they are to be approved.

#### Sec. 1-12 Approval of Minutes

The approval of the minutes of the previous Board meeting and any appropriate intervening special meetings may be accomplished by general consent as printed and distributed to the

Board, unless their reading is requested by a member of the Board. Corrections to the printed minutes will be requested and considered at the time of their approval on the Board meeting agenda.

#### Sec. 1-13 Record of Voting

All actions of the Board requiring a vote shall be recorded in the minutes by individual Board members as either "For", "Opposed", or "Abstained". Members introducing and seconding motions shall also be recorded. While abstentions are recorded by name, the number of those abstaining is always counted on the "prevailing" side of the numerical vote count when calculating percentages needed for a majority, 2/3's majority, or unanimous tally. The preferred method of voting shall be a show of hands.

#### Sec. 1-14 Rules of Debate

(a.) Board members may debate and vote as allowed by Mississippi statutes. The mayor pro tempore or other such Board member as may be presiding under the provisions of Sec. 1-6 of this ordinance may move, second, and debate from the chair, subject only to such limitations of debate as are imposed by these rules on all members, and shall not be deprived of any of the rights and privileges of a Board member by reason of his acting as the presiding officer, except as provided by Mississippi statutes.

(b.) Every member desiring to speak shall confine himself to the question under debate, avoiding all personalities and indecorous language.

(c.) A member shall not be interrupted when speaking, unless it is to call him to order as otherwise provided in this article. If a member, while speaking, is called to order, he shall cease speaking until the question of order is determined, and, if in order, he shall be permitted to proceed. The mayor or presiding officer will enforce such procedure as necessary to maintain order in discussion.

(d.) Limitation on debate

(1.) Debate, discussion, or address of any matter by an individual Board member or citizen will be limited to 5 minutes per occasion of officially obtaining the floor. Limited extensions of time may be granted to the person who has the floor by the presiding officer upon request. Changes in the time limit of debate may be adopted by proper motion, second and vote of the Board at any time.

(2.) No member shall speak more than once on any subject under discussion until all other members of the Board have had the opportunity to speak.

(e.) A Board member may request through the mayor or presiding officer that an abstract of his statement on any subject under consideration by the Board be entered in the minutes. Any Board member shall likewise have the right to have the reason for his dissent or protest against any action of the Board entered into the minutes.

(f.) Procedure for introduction and passage of ordinances, resolutions, and other matters

(1.) Ordinances, resolutions, and other matters or subjects requiring action by the Board may be introduced and sponsored by any member of the Board and by no other person. The mayor may present ordinances, resolutions, and other matters to the Board and any Board member may assume sponsorship thereof by introducing same and moving its adoption.

(2.) Each ordinance, resolution, or other matters or subjects requiring action by the Board shall be introduced in the form of a motion, duly seconded and discussed prior to voting on the measure. No debate shall occur on items lacking a second. Discussion may precede and follow formal introduction of motions if deemed necessary by the presiding officer.

(g.) Motion to reconsider. A motion to reconsider any action taken by the Board may be made only during the meeting such action was taken or during the next subsequent recessed or adjourned meeting. Such motion must be made by a Board member who voted on the prevailing side.

(h.) Suspension of the Rules. A motion to suspend the procedural rules of the Board may be introduced when it is desired to temporarily suspend the operation of some standing rule in order to take emergency action, or action which is determined to enhance the efficient dispensation of business before the Board. Such motion would require a second and majority vote to pass.

#### Sec. 1-15 Citizens addressing the Board

(a.) The mayor or presiding officer of the Board shall provide opportunity during Board meetings for discussion by interested persons or their authorized representatives on any matter before the Board prior to final passage, provided that the preference shall be given to any person, who, at least 4 business days prior to the Board meeting, shall have requested opportunity for discussion by written notice directed to the Town clerk.

(b.) Any person may direct a written communication to the Board on any matter concerning the Town's business by directing the communication to the Board through the Town clerk. Any such written communication shall be placed on the agenda of the next regular Board meeting under the order of business where the item or subject is addressed or under public comment.

(c.) After a motion is made by a member of the Board, no person except a member of the Board shall address the Board without having submitted the above described written request and properly obtained the floor through the presiding officer.

(d.) The presiding officer of the Board shall, from time to time, make such rules as he may deem necessary to fulfill and carry out the intent of the provisions of this section, however, if in conflict, the final authority rests with the voting majority of the Board.

#### Sec. 1-16 Manner of Addressing the Board - Time Limit

Each person addressing the Board shall stand if able, request to be recognized, and if granted, shall give his/her name and address of residence for the records. Unless further time is granted by the Board, each person shall limit their address to 5 minutes. All remarks shall be addressed to the Board as a body and not to any individual member thereof. No person, other than the Board and the person having the floor shall be permitted to enter into any discussion or ask a question of a Board member either directly or through a member of the Board, without the permission of the mayor or presiding officer.

#### Sec. 1-17 Decorum, Generally

(a.) By Board members. While the Board is in session, the members shall preserve decorum and order, and no member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Board, nor disturb any member while speaking, nor refuse to obey the orders of the Board or its presiding officer, except as otherwise provided in this article.

(b.) By other persons. No person shall make personal, impertinent, profane, or slanderous remarks, nor otherwise disturb the order and decorum of any Board meetings. The sergeant-at-arms, at the direction of the presiding officer, shall remove any person violating the provisions of this subsection.

#### Sec. 1-18 Decorum, Preservation - Sergeant-At-Arms

The chief of police or such member of the police department as he may designate shall be sergeant-at-arms of the Board meetings. He shall carry out all orders and instructions given by the mayor or presiding officer for the purpose of maintaining order and decorum at the Board meetings.

Sec. 1-19 Special Committees

All special committees shall be appointed by the mayor unless otherwise directed by the Board.

Sec. 1-20 Standing Committees

The Board shall have such standing committees as it may establish.

Sec. 1-21 Committee Meetings

Meetings of all committees may be held at such time and place as the committee shall determine for its convenience. The committee, at its discretion, may determine who, besides its members may be present.

Sec. 1-22 Reports of Committees

All committees of the Board shall make their reports in writing when so directed by the Board. All reports shall be filed with the Town clerk, discussed during regular Board meetings if desired by motion of the Board, and entered on the minutes of the Board.

Sec. 1-23 Motion to Adjourn

A motion to adjourn shall always be in order and shall be decided without debate.

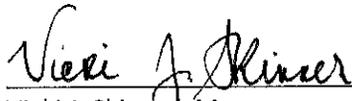
---

This ordinance shall be effective thirty (30) days from and after its passage. Ordained, adopted and approved by the Mayor and Board of Aldermen of the Town of Walnut, Tippah County, Mississippi at its Regular meeting held on the 4<sup>th</sup> day of March 2014.

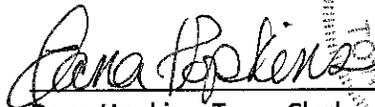
Motion was made by Alderman James and seconded by Alderman Nabors to adopt the foregoing Ordinance, having first been reduced to writing, was put to a vote and unanimously passed with the following recorded votes:

Alderman James	AYE
Alderman Nabors	AYE
Alderman Pulliam	AYE
Alderman Winter	AYE
Alderman Wyse	AYE

Whereupon, the Mayor declared the Ordinance carried and the Ordinance adopted and approved on this the 4<sup>th</sup> day of March, 2014.

  
Vicki J. Skinner, Mayor

ATTEST:

  
Dana Hopkins, Town Clerk

