

### Summary of Changes to Council Rules of Procedure

R2011-75	Revised Rules of Procedure	Change
2.3 Requesting Attendance		Eliminated
2.7 Village Manager		Eliminated (but referenced throughout)
2.8 Village Attorney		Eliminated (but referenced throughout)
2.9 Village Clerk		Eliminated (but referenced throughout)
2.11 Meeting Curfew	II. Meetings (e) Curfew	Revised to reference Code of Ordinances (still 11 p.m.)
2.12 Record of Meetings	II. Meetings (f) Minutes	Previously provided that Clerk may make audio or visual recording of the meeting but to appeal, appellant must create a verbatim record of the proceeding. Now simply provides that minutes will be kept by the Clerk in accordance with Code of Ordinances
3.1 Regular Meeting	II. Meetings (b) Categories of Meetings (1) Regular Meetings	Meetings shall be held on the second Tuesday of the month no earlier than 6:00 p.m., unless otherwise specified. Board and Committee meetings will be set by Council Resolution
3.2 Agenda Review	II. Meetings (b) Categories of Meetings (2) Agenda Review	Village Manager shall have the authority to set the time for Agenda Review
3.4 Workshop Meetings	II. Meetings (b) Categories of Meetings (3) Workshops	Removes specific time and date for Workshops and states they will be scheduled as-needed. Clarifies purpose of Workshop meeting is to discuss items of special importance or complexity that require longer than usual presentations and Council questions.

4.1 Presiding Officer	VI. Rules of Debate, Motions (a) Presiding Officer	Clarifies Presiding Officer for Board and Committee meetings (Chair, Vice Chair, most senior member).
4.2 Call to Order	VI. Rules of Debate, Motions (a) Presiding Officer	Presiding Officer calls the meeting to order incorporated into Presiding Officer provision.
	VI. Rules of Debate, Motions (b) Right of Participation	NEW. Every member of Council has a right to speak and debate on an issue.
4.3 Preservation of Order	VI. Rules of Debate, Motions (c) Preservation of Order	Language reframed to encourage on topic discussion. Removed references to personal attacks and impugning of members or motives which raises free speech concerns.
4.5 Voting	VII. Voting (a) Voting (b) Voting Conflict (c) Vote Change (d) Tie Vote	New separate section created on voting. Voting language is not changed but added new provisions concerning voting conflict, vote change, and tie vote.
5.1 Order of Business	III. Order of Business for Meetings (a) Order of Business	Revised to put invocation before pledge and presentations before consent.
5.2 Agenda	III. Order of Business for Meetings (b) Agenda	Simplified language and revised to be consistent with present practice.
5.3 Agenda Approval	III. Order of Business for Meetings (c) Agenda Approval	
5.5 Consent Agenda	III. Order of Business for Meetings (d) Consent Agenda	
5.6 Agenda Items Presentation and Action	III. Order of Business for Meetings (e) Presentation of Agenda Items	

5.4 Presentation by Members of Council		Eliminated (but still permitted during Attorney/Manager/Council Reports consistent with present practice).
5.7 Public Participation and 7. Public Forum	V. Public Participation and Comment (a) Importance of Citizen Input (b) Procedure for Citizen Input on Individual Agenda Items (c) Public Comment (d) Public Comment Extended Participation (e) Meeting Decorum (f) Signs, Placards, Banners	Combined section 5.7 Public Participation and all of section 7 into a single section titled “Public Participation and Comment.”  Emphasizes that comments on non-agenda items must pertain to Wellington Business (defined in the introductory section of the Rules of Procedure as “the business and operations of Wellington that fall within the constitutional, statutory, and/or regulatory scope and authority of the Council”).  Still provides for three minutes with the ability to request an extended presentation in advance of a meeting.  Gives Council discretion as to whether to read comment cards into the record (though they will become part of the record regardless).  Reframes rules of decorum in a way that comports with constitutional standards.  Adds new provision regarding signs, placards, and banners, which cannot be mounted on sticks, poles, or posts and cannot otherwise disrupt meetings or interfere with the visual rights of others.  NOTE the following sections from the existing procedures were eliminated:

		<p>7.1 Speaking Privilege  7.5 Personal and Slanderous Remarks  7.6 Reading of Protests  7.7 Referral of Citizen’s Complaints  7.8 Written Communications  7.9 Challenges to Staff and Advisory Body Recommendations</p>
<p>5.8 Quasi-Judicial Proceedings</p>	<p>IV. Quasi-Judicial Proceedings  (a) General Procedural Requirements  (b) Nature of Quasi-Judicial Proceedings  (c) Parties to the Proceedings  (d) Interested Party  (e) Due Process Shall be Afforded  (f) Decisions Shall be Based on Competent Substantial Evidence  (g) Ex Parte Communications Shall be Disclosed  (h) Legislative (Non-Quasi-Judicial) Items  (i) Order of Presentation and Time Limits  (j) Agents/Representatives of Interested Parties  (k) Agents/Representatives of Members of the Public</p>	<p>Significantly elaborated upon this section to describe basic elements of a quasi-judicial proceeding in greater detail (competent substantial evidence, due process, ex parte disclosures, etc.).</p> <p>Distinguishes between legislative and quasi-judicial items and provides for combining of both if the Applicant agrees.</p> <p>Clarifies that the only parties to the quasi-judicial proceeding are the Applicant and Wellington.</p> <p>Interested Parties will be given additional time to make a presentation but do not have the same due process rights as the Applicant. Interested Parties receive 10 minutes of presentation regardless of the number of parties represented. Under no circumstances should an Interested Party receive more time than the Applicant.</p> <p>Clarifies the order of the presentation and applicable time limits. The Applicant will present before Staff to eliminate the appearance that Staff is advocating for a particular application.</p>

		<p>If a hearing is continued to a subsequent day, it picks up where it left off and remains subject to the same time limits (unless the Applicant materially changes the application or Council votes to allow for additional time).</p> <p>Interested Parties may be represented by an agent but that agent must be a land development professional (attorney, planner, architect, etc.). No additional time is given to an agent who represents more than one Interested Party.</p> <p>Members of the public may also be represented by an agent but that agent is limited to 3 minutes regardless of the number of individuals represented.</p> <p>A person cannot participate in the hearing as both an Interested Party and a member of the public.</p>
<p>6.1 Requests for Ordinances, Resolutions or Opinions</p>		<p>Eliminated (but still permitted during Attorney/Manager/Council Reports consistent with present practice).</p>
	<p>ADDED</p> <p>VI. Rules of Debate, Motions</p> <ul style="list-style-type: none"> <li>(e) Motion to Reconsider</li> <li>(f) Motion to Postpone or Continue</li> <li>(g) Motion to Close Debate/Call the Question</li> </ul>	<p>Motion to reconsider is already provided for in the LDR but this section elaborates upon circumstances under which such a motion could be made. The other motions are already part of our general practice and Robert's Rules but are specifically added here.</p>