

TOWN OF GARFIELD

COUNCIL POLICIES

&

PROCEDURES

Passed by Resolution No. on: **2026-05 on 2/11/2026**

Rev. 3/25/2026

TOWN COUNCIL POLICIES & PROCEDURES

- Article I. Authority..... 5
 - Authority of Council to determine rules..... 5
 - Procedural policies..... 5
- Article II. General Rules..... 6
 - Meetings to be public..... 6
 - Quorum..... 6
 - Meeting cancellation..... 6
 - Right of floor..... 6
 - Parliamentary procedure..... 6
 - Attendance of media at council meetings..... 6
 - Public notice..... 7
- Article III. Types of Council Meetings..... 7
 - Regular council meetings..... 7
 - Special meetings..... 7
 - Council meetings in the event of a disaster or emergency..... 8
 - Continued and adjourned sessions..... 8
 - Executive sessions..... 9
 - Public hearings..... 10
 - Quasi-judicial public hearings..... 10
 - Closed record hearings..... 10
- Article IV. Council Meeting Attendance..... 10
 - Council members..... 10
 - Town clerk or designee..... 10
 - Administration/department directors..... 10
 - Town attorney..... 11
 - Parliamentarian..... 11
- Article V. Chair and Duties..... 11
 - Chair..... 11
 - Call to order..... 11

Preservation of order.....	11
Points of order.....	11
Questions to be stated.....	12
Official timekeeper	12
Mayor – Powers.....	12
Article VI. Council Agenda	12
Submitting agenda issues.....	12
Directory statements.....	12
Setting council agendas.....	12
Setting council agendas for special joint meetings.....	13
Agenda documentation requirements.....	13
Town clerk or designee duties.....	13
Agenda modification.....	13
Continued agenda items.....	14
Mayor and councilmember announcements and reports; new business and new initiatives....	14
Public agenda packet.....	14
Meeting information – City website.....	14
Agenda order of business.....	14
Article VII. Minutes of Council Meetings.....	15
Journal of proceedings.....	15
Reading of minutes.....	15
Details of regular and special meeting minutes.....	16
Dissent.....	16
Recording of council meetings.....	16
Article VIII. Mayor Pro-Tem.....	16
Appointment.....	16
Duties of mayor pro-tem.....	17
Article IX. Rules of Decorum.....	17
Council members.....	17
Chair.....	17
Town staff.....	18
Article X. Code of Conduct.....	18
Council members.....	18
Motions generally.....	18

Article XI. Voting	18
Requirements.	18
Tie breaker.	18
Roll call voting.....	18
Votes on motions.	19
Failure to vote on a motion.	19
Explanation of vote by councilmember.	19
Consensus votes.	19
Reconsideration.....	19
Table motions.....	20
Article XII. Public Comments	20
Public comments.....	20
Conduct and decorum when addressing council.....	20
Written communication.	21
Public hearing procedures.....	21
Public hearing process	22
Quasi-judicial public hearings.	23
Comments in violation of the appearance of fairness doctrine.....	23
Article XIII. Ordinances and Resolutions.....	23
Defined.....	23
Introduction of ordinances and resolutions at council meetings.....	24
Legal review.....	24
Two readings required of ordinances.....	24
Numbering ordinances and resolutions.....	25
Effective date of ordinances and resolutions.	25
Publication of ordinances.....	25
Article XIV. Public Concerns and Suggestions	25
Correspondence.....	25
Requests from residents for council representative contact information.....	25
Article XV. Council or Mayoral Vacancies.....	26
Vacancy in council seat or mayor’s position.	26
Notice.....	26
Application and interview procedure.....	26
Selection of new councilmember or mayor.	26

Article XVI. Council’s Request for Information from Staff.....	26
Defined.....	26
Article XVII. Council Relations with Town Staff.....	27
Policy guidelines.....	27
Article XIII. Suspension and Amendment of These Rules.....	27
Suspension of these rules.	27
Amendment of council policies.	27
Severability.	27

Article I. Authority

Authority of Council to determine rules.

The Garfield Town Council, in accordance with state statute RCW 35.27.280 shall determine its own rules and order of business and may establish rules for the conduct of council meetings and the maintenance of order. The council hereby establishes the following rules and procedures. They shall be in effect upon adoption by the council and until such time as they are amended or new procedures adopted in the manner provided.

Procedural policies.

Action taken that is not in compliance with these rules, but which is otherwise lawful, shall not be invalidated or be deemed a violation of law. These procedural policies are designed to assist the

council and council members in performing their duties and not to provide additional substantive rights or duties above and beyond that otherwise already established by state law. Failure of the council to follow any of these rules shall be deemed a council decision to waive such rule, and no notice of such waiver need be provided prior to such waiver.

Article II. General Rules

Meetings to be public.

All official meetings of the council shall be open to the public with the exception of closed sessions, and executive sessions for certain limited topics as defined in Chapter 42.30 RCW. All minutes of meetings shall be available on either the Town's website or the Washington State Digital Archives Website.

Quorum.

A majority of the current council members shall be in attendance to constitute a quorum for transaction of business. If a quorum is not present, those in attendance shall be named and shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regularly scheduled meeting. When all council members are absent from a regular meeting or special meeting, the city clerk or designee may adjourn the meeting with notice. When adjourned to a later time, the city clerk or designee shall post a notice immediately on city's website and other processes as the city determines.

Meeting cancellation.

Individual council meetings may be canceled with the concurrence of the mayor and mayor pro-tem following the procedure of Article III, Types of Council Meetings, stated below, providing for 24 hours' advance notice.

Right of floor.

Any councilmember desiring to speak shall be recognized by the chair and shall confine their remarks to the subject under consideration or to be considered. No member shall speak until so recognized. All council members desiring to speak on a subject shall have the opportunity to do so before a councilmember may seek to speak again. At the discretion of the chair, council members may be recognized to speak again should there be pertinent new information to provide on the subject. No member shall address the presiding officer or demand the floor while a vote is being taken.

Parliamentary procedure.

Robert's Rules of Order, 12th Edition, shall govern the proceedings of all regular council meetings; however, any informal procedures or policies set by the council shall supersede that text. All council members will familiarize themselves with the parliamentary rules in the above edition for efficiency of procedures at all council meetings.

Attendance of media at council meetings.

All official meetings of the council shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

Public notice.

The city shall comply with the provisions of RCW 35.27.270. The city shall establish a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meetings. Such procedure may include, without limitation, publication of a notice in the official

newspaper, posting of upcoming council meeting agendas on the city's website, lobby, or such other processes as the city determines will satisfy the intent of this requirement and applicable legal notice requirements.

Article III. Types of Council Meetings

Regular council meetings.

The council shall meet on the second and fourth Wednesday of each month at 7:00 p.m. The meeting shall adjourn no later than 8:30 p.m. To continue past this time of adjournment, the council majority must concur. When a council meeting falls on a holiday, the council may determine an alternate day for the meeting or cancel the meeting. The council may reschedule regular meetings to a different date or time by motion. The location of the meeting

s shall be the council chambers at Town Hall and noted on the agendas unless specified otherwise by a majority vote of the council. All regular and special meetings shall be public.

If possible, only two or three major topics (defined as issues of high interest, controversial or those which would take an extraordinary amount of town council meeting time) will be scheduled per meeting.

Special meetings.

The mayor or any three members of the council may call special meetings as stipulated in RCW 36.27.270. The town clerk or designee shall prepare a notice of the special meeting stating the time, place and business to be transacted. The town clerk shall attempt to notify each member of the council and the mayor, either by telephone, email, or otherwise, of the special meeting. If the town clerk does not receive a response from a council member, the town clerk shall make an effort to notify that council member using an alternative method of contact (i.e., if notices were originally emailed, the clerk will then telephone the non-responding council member(s)). The town clerk, or designee, shall provide notice of the special meeting at least 24 hours in advance by posting a written notice on the town website and displaying the notice at the agency's principal location (and the meeting site if the special meeting is not held at the agency's principal location); and delivering a notice to each local newspaper of general circulation and to each local radio and/or television station which has filed with the clerk a written request to be notified of special meetings. The council may amend the agenda for any special meeting. The council shall not make final disposition on any matter not mentioned in the notice.

The council may schedule special joint meetings with the councils of the county, other cities or with members of any of the boards, commissions or agencies.

Council meetings in the event of a disaster or emergency.

- A. Special emergency meetings may be called by the mayor or a majority of the council in less than 24 hours to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage as provided in RCW 42.30.080. In addition, in accordance with RCW 42.30.070, in the case of an emergency, if expedited action is needed to meet the emergency, the mayor or designee may provide for a meeting site other than the regular meeting site, for a remote meeting without a physical location, or for a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency, and the notice requirements of chapter 42.30 RCW shall be suspended during such emergency.
- B. If local, state, or federal authorities proclaim a disaster or emergency, including but not limited to an epidemic or pandemic, that interferes with the safe and normal conduct of council meetings, the mayor or designee, in consultation with the mayor pro-tem, shall have the authority to take any or all of the following actions:
1. Remove nonessential items from council agendas or postpone such items for consideration at a later date.
 2. Place emergency items on the council agenda without providing the required or customary notice.
 3. Arrange the council chamber to allow for safe conduct of council meetings and change meeting locations to allow for same.
 4. Arrange for council members to participate in meetings via telephone or web-based video conferencing, and for council meetings to be broadcast or live-streamed for simultaneous public viewing. If warranted by the disaster or emergency, any number of council members may participate remotely, even when remote participation is not necessary to establish a quorum. If required by the Open Public Meetings Act, the mayor or designee shall establish a location on city property for the public and media to watch or listen live to remote council meetings.
 5. Provide a means for the public to submit comments at regular meetings, consistent with OPMA requirements.
 6. Cancel regular or special meetings on less than 24 hours' notice.
 7. Direct the town clerk to make agendas available to the public only online and not in paper copy.
- C. Actions taken under subsection B of this section shall be deemed to automatically suspend and supersede any provisions of this chapter that are to the contrary.

Continued and adjourned sessions.

Any session of the council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.

Executive sessions.

Executive sessions may be held in accordance with the provisions of the Washington State Open Public Meetings Act (RCW 42.30.110). The only parties allowed to participate in a council executive session shall be the council, mayor, town attorney, authorized staff members and/or consultants necessary to do the business at hand and authorized by the town council.

The council may hold an executive session during regular or special meetings. Before convening an executive session, the chair shall publicly announce the purpose for excluding the public from the meeting and shall state the time when the executive session will be concluded. The statutory reference(s) supporting the executive session shall be noted on the meeting agenda. If the council wishes to adjourn at the close of a meeting from the executive session, that fact will be announced along with the estimated time for the executive session. Should the executive session require more time, the chair shall make a public announcement that the session is being extended, along with another estimated time for the executive session to conclude.

Council members shall keep confidential all written materials and verbal information provided to them during executive sessions, to ensure that the town's position is not compromised. This duty also applies when attending an executive session remotely and includes ensuring other individuals are not able to hear the executive session proceedings. Confidentiality also includes information provided to council members outside of executive sessions when the information is marked confidential or is considered to be exempt from disclosure under the Public Disclosure Act, including all privileged communications with the town attorney's office, Chapter 42.56 RCW; RCW 5.60.060; RCW 42.23.070(4).

If the council, after executive session, has provided direction or consensus to town staff on proposed terms and conditions for any confidential or privileged issue, all contact with any other party shall be made by the designated town staff representative handling the issue. Prior to discussing the information with anyone other than fellow council members, town attorney, mayor, or town staff designated by the mayor, council members should review such potential discussion with the town attorney. Any councilmember having any contact or discussion with any person other than those listed above on any such confidential or privileged issue shall make full disclosure to the mayor, council, and the town attorney in a timely manner.

Likewise, the provisions of the "Open Public Meetings Act" shall not be applicable to any conference, discussion or deliberation between the legislative body and its town attorney concerning settlements, avoidance of, or

contemplated litigation, settlement offers and like matters, all of which shall be subject to the statutory and common law attorney-client privilege.

No final action shall be taken during any executive session, except as allowed by RCW 42.30.110.

At the conclusion of the executive session, if appropriate, the public council meeting shall reconvene, and the council may take final action, or the minutes will reflect that no final action was taken.

Public hearings.

Public hearings shall be held on issues as defined in the Town of Garfield Ordinances, as required by State law, and on any other issue the council may deem necessary for the public's benefit. If there is more than one item scheduled for a public hearing, the chair shall hold separate public hearings on each issue by announcing and opening the public hearing, taking the public's testimony and closing the hearing for each issue to eliminate any confusion by the council or the public. Procedure for public hearings will comply with the provisions contained in the Town Ordinances.

Quasi-judicial public hearings.

Quasi-judicial public hearings will comply with the procedures set forth in the town's ordinances.

Closed record hearings.

The council may hold closed record hearings, when required to do so in compliance with the town ordinances, to ensure that the findings of the hearing examiner are supported by the facts on record and to ensure that proper application of ordinances was adhered to in accordance with the findings of the hearing examiner.

Article IV. Council Meeting Attendance

Council Members.

All council members will attend all regular meetings, special, and emergency meetings of the council.

RCW 3527.140 provides that a councilmember shall forfeit his/her office by failing to attend three consecutive regular meetings of the council without being excused by the council. Members of the council may be so excused by complying with this section. The member shall contact the mayor, mayor pro-tem or town clerk prior to the meeting and state the reasons for the councilmember's inability to attend the meeting. If the notice is provided to the mayor pro-tem or town clerk, they shall advise the chair of this information prior to the meeting. The council, by motion, may excuse the absence and the clerk will make appropriate notation in the minutes. If a council member fails to contact any of the above to advise of their absence, excluding emergency situations, the council, by motion, may vote to not approve the absence and the clerk will note the minutes accordingly.

Town clerk or designee.

The town clerk or designee shall attend all regular meetings, special, and emergency meetings of the council unless excused by the council or mayor. If the town clerk and the designee are absent from any council meeting, the chair or person designated by the chair shall appoint a clerk pro tempore for that meeting only.

Administration/department directors.

The chair shall ensure that all regular meetings, special, and emergency meetings of the council are appropriately staffed. While the authority for requiring department heads to attend council meetings rests with the mayor, the council is free to refuse to take action on particular agenda items where necessary department directors are not present.

Town attorney.

The town attorney or designee shall attend regular and special meetings as requested by the mayor or the person so designated by the chair, in advance, or by a council majority at a meeting. Such attendance may be virtual with advance notice to the clerk. Attendance is not required for joint meetings with other legislative bodies, or for budget meetings, unless attendance is specifically requested in advance by the mayor pro-tem or mayor. Any member of the council may, at any time, during a meeting of the council at which the town attorney is present, call upon the town attorney for an oral opinion and a majority of the council may request a written opinion to decide any questions of law and may call upon any other town official present for a report or recommendation as to any matter before the council. Before providing advice, the town attorney may request to provide the advice in executive session if the matter meets the requirements for an executive session or closed session under the OPMA, Ch. 42.30 RCW.

Parliamentarian.

The town attorney, or in the town attorney's absence, the town clerk shall act as the council's parliamentarian and shall advise the chair as to correct rules of procedure or questions of specific rule application.

Article V. Chair and Duties

Chair.

The mayor, if present, shall preside as chair at all meetings of the council. In the absence of the mayor, the mayor pro-tem shall preside. In the absence of both the mayor and the mayor pro-tem, the town clerk or designee will call the meeting to order, note the absence of both mayor and mayor pro-tem and ask the council to elect a chair. When the mayor pro-tem or a councilmember presides over a council meeting, it shall not abridge their right to vote upon all questions coming before the council.

Call to order.

The meetings of the council shall be called to order by the mayor, or in the absence of the mayor, by the mayor pro-tem. In the absence of both the mayor and the mayor pro-tem, the meeting shall be called to order by the town clerk or designee for the election of a temporary chair by the majority of the council.

Preservation of order.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion.

Points of order.

The chair shall determine all points of order, subject to the right of any member to appeal to the council. If any appeal is taken, the question shall be, "Shall the decision of the chairman be sustained?" A point of order may be raised if the council rules of procedure appear to have been broken. This may interrupt a speaker if the breach of the rules warrants it. The point is resolved before business continues. This is not a motion but is instead a request to the chair for decision. Valid reasons for a point of order include, but are not limited to: the speaker has not been granted the floor; the mayor mistakenly skipped an item on the agenda; a motion or second has been made

erroneously; a person has spoken longer than authorized; a speaker is using inappropriate language; a speaker is not speaking to the matter under consideration.

Questions to be stated.

The chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken if requested by a member of the council or the chair.

Official timekeeper.

The chair, or person designated by the chair, shall be the official timekeeper at all regular and special council meetings.

Mayor – Powers.

The mayor shall have such powers as provided by law and may not make or second motions, but may participate in debate to the extent that such debate does not interfere with chairing the meeting. If the mayor wishes to participate vigorously in the debate of an issue, the mayor shall turn the chairing of that portion of the meeting to the mayor pro-tem, or to another councilmember if the mayor pro-tem is absent.

Article VI. Council Agenda

Submitting agenda issues.

The city council desires adequate time to review and research all issues coming before it for consideration and/or action. Therefore, all communications, ordinances, resolutions, contract documents or other matters for council consideration at the forthcoming council meeting shall be delivered to the city clerk or designee by 5:00 p.m. on Monday prior to the Wednesday council meeting and shall follow the agenda guidelines established by the town clerk. The timeline may be altered to accommodate holidays or other closures of town offices. Subject to the council's right to amend the agenda, no legislative item which is not on the council agenda shall be voted upon, except in emergency situations (defined as situations which would jeopardize the public's health, safety or welfare), or where otherwise deemed important by a majority of the council.

Directory statements.

Statements in these policies under Article VI Council Agenda, Article XIV Public Comments, or any other section which require preliminary consideration of ordinances or other council agenda items by council, are directory statements only for the convenience of the council and not mandatory procedural or substantive requirements for lawful, final council action.

Setting council agendas.

The mayor, mayor pro-tem, and the town clerk (or designee) shall review all items/issues submitted by the deadline set by the council. Council sets its own agendas for all council meetings.

Legally required and advertised public hearings shall have a higher priority over other scheduled agenda items that have been scheduled by convenience rather than for statutory or other legal reasons.

Setting council agendas for special joint meetings.

In consultation with the mayor pro-tem, council members, and the chair of the affected board or commission, the mayor shall set the agenda for all special joint meetings. The town clerk or designee shall provide board or commission members with a final copy of the agenda at the same time as it is provided to members of the town council.

Agenda documentation requirements.

Before the council takes final action, the council requires all backup documentation for the issues being considered. To that end, all additional information requested by council members will be provided to the council by staff in their advance agenda packets.

An original ordinance or resolution must be provided when amending or repealing an ordinance or resolution. An original must also be provided when updating all contracts or agreements.

If the council is asked to approve an issue with a monetary value, a copy of the section of the budget, including remaining balance of budget appropriations pertaining to the issue must also be provided.

On all issues presented to the council for review or action, if any of the documentation provided by the staff references any sections of Garfield Ordinances, RCWs, MRSC or AWC documents, the documents referenced shall also be provided to the council in their advance packets for council meetings.

Originals of all proposed ordinances, resolutions, contracts or agreements shall be required and turned into the town clerk or designee by the established deadline prior to being scheduled for a council meeting agenda.

Town clerk or designee duties.

The town clerk or designee shall distribute copies of the proposed agenda, with all the required documentation to each member of the council, the mayor and the town and other councils, boards or commissioners when applicable, by noon on Friday preceding the meeting. Agenda packets shall be distributed to the councilmember's town email address, except in the case of emergency meetings (see Article III Types of Council Meetings, Emergency council meetings).

The town clerk shall be responsible for providing each new councilmember with online references to the current copies of the Garfield Ordinances, council policies and procedures, any policies and town comprehensive plans and copies of Chapter 35.27 RCW, or paper copies, if available, as requested by the councilmember.

The town clerk shall assist council members with putting together materials for council meeting packets when a council member wants to provide documents to the council either as a report or as a new business item or initiative.

Agenda modification.

The necessity of the agenda modifications shall be explained to the council. If the requests receive a majority vote of the council, by motion, the agenda modification shall be approved.

Continued agenda items.

Agenda items that are continued from one meeting to another will have preference on the agenda to the extent possible.

Mayor and councilmember announcements and reports; new business and new initiatives.

The agenda shall provide a time (announcements and reports) for the mayor or any council member to provide reports or information to the council related to town business, community or governmental actions, events, meetings or notices. In addition, there shall be time on the agenda for the chair and the council members to bring before the council any business or new initiatives that he/she feels should be deliberated upon by the council. These matters need not be specifically listed on the agenda, but formal action on such matters shall be deferred until a subsequent council meeting when the matter is placed onto the council agenda with information for council consideration, except that immediate action may be taken upon a vote of a majority of all members of the council and after providing public comments on said action item(s).

Public agenda packet.

The town shall establish a procedure to notify the public of upcoming hearings and the preliminary agenda for forthcoming meetings. The town shall follow this procedure which shall include posting of upcoming council meeting agendas and public hearings on the city's website, or such other processes as the city determines will satisfy legal requirements and provide notice to the public.

The town clerk or designee shall have a procedure available for the public to view the complete packet of proposed ordinances, resolutions and contracts being considered by the council available on a table within or outside of the council chambers prior to the start of the meeting. These are public documents and anyone requesting a copy of any item being considered on the council agenda shall be supplied with such upon their request to the city clerk or designee and payment of copies as established by town ordinance and during normal business hours.

Meeting information – City website.

The town clerk or designee shall be responsible for updating the council agenda on the town's website, which normally be updated by 5:00 p.m. Tuesday

preceding the council meetings.

Agenda order of business.

The order of business for all regular meetings shall be transacted as follows unless the council, by a majority vote of the members present, suspends the rules and changes the order:

A. Call to Order. The mayor or, if absent, the mayor pro-tem calls to order.

1. Pledge of Allegiance. The mayor or, if absent, the mayor pro-tem, and at times invited guests, will lead the pledge of allegiance.

2. Roll Call. The town clerk or designee shall make note of the roll.

3. Consent agenda.
 - Routine financials
 - Council meeting minutes
- B. Public Comments, Public Hearings and Correspondence.
 1. Public hearings.
 2. Public comments from audience.
 3. Correspondence. Any correspondence received by a town official that said official wants reported at the meeting that is pertinent to an item on the agenda shall be submitted to the town clerk or designee in advance of the meeting. The town clerk or designee will report that some correspondence has been received from (note the author) and state the subject matter of the correspondence. No action or discussion is to be taken during the correspondence segment of the council meeting. The chair may refer said correspondence to the member of the administration for consideration.
- C. Unfinished business.
- D. New business.
- E. Announcements and Reports.
 1. Council
 2. Clerk/Treasurer
 3. Mayor
- F. Mayor and Council New Business and new Initiatives.
- G. Approval of Vouchers and Claims.
- H. Executive/closed sessions.
- I. Adjournment.

Article VII. Minutes of Council Meetings

Journal of proceedings.

A journal of all proceedings of the council shall be kept by the town clerk or designee and shall be uploaded and saved on the Washington State Digital Archives Website constituting the official record of the council.

Reading of minutes.

Unless a reading of the minutes is requested by a majority plus one of the council, such minutes may be approved without reading; provided, that the town clerk or designee has provided each member with a printed copy of the minutes as stipulated in these provisions, or made them available on the town's website for those members no longer requesting a printed agenda packet.

Details of regular and special meeting minutes.

Official minutes shall contain the date, time, place and nature of the meeting, the names of the council members present (excused and unexcused), mayor, town attorney and staff present; all motions, except those withdrawn, and the names of their maker and who made the second; an objective abstract of all business discussed, actions taken and the results or votes of such actions in the order of business established in these policies.

Ordinances, resolutions, contracts and agreements, budgets and budget amendments shall contain clear subject descriptions and shall state the total monetary amounts, when applicable, in the minutes for easier reference.

For efficient use of city resources, it is expected that there will not be verbatim accounts of council proceedings prepared in most situations but instead a summary will be prepared. However, if an issue is of such importance that a majority plus one of the council members feel a verbatim account of a portion of the meeting and/or a particular councilmember's statements are appropriate, a verbatim account may be requested and prepared by the town clerk or designee.

Dissent.

Any member of the town council shall have the right to state the reasons for his/her dissent from, or protest against, any action of the council entered into the minutes.

Recording of council meetings.

All regular and special meetings, unless otherwise determined by the town council, shall be audio recorded and official minutes shall be prepared by the town clerk or designee. However, if the town council holds a quasi-judicial hearing or making a decision as a quasi-judicial body, that portion of the meeting shall be audio recorded by the Town without exception.

Titles in minutes.

Titles of individuals reflected in the minutes may be abbreviated as follows:

Mayor:	Mayor
Mayor Pro-tem:	Mayor Pro-tem
Council member:	CM
Town Clerk:	Clerk
Deputy Clerk:	Dep. Clerk
Town Attorney:	Town Atty.
Mister:	Mr.
Missus or Miss:	Ms.

Article VIII. Mayor Pro-Tem

Appointment.

In accordance with **RCW 35.27.160**, the selection of a mayor pro-tem will occur **semi-annually**, by majority vote of the council. The mayor pro-tem will serve in the absence or temporary disability of the mayor.

The semi-annual election shall occur during the first meeting of the council in January and July of each year. Council members shall make nominations for the appointment of mayor pro-tem. The

nominator is permitted to give reasons for supporting the nominee. Nominations do not require a second, but the person nominated should accept or decline the nomination prior to the vote. Council members nominated for this appointment are not required to abstain from voting.

Duties of mayor pro-tem.

In the absence of the mayor, the mayor pro-tem presides at meetings of the council, administers oaths and signs instruments. When the mayor pro-tem presides over a council meeting, he or she shall retain his or her councilmanic vote. In addition, the mayor pro-tem shall assign the location of where council members shall sit in council chambers during council meetings for the year ahead.

Article IX. Rules of Decorum

Council members.

While the council is in session, all members must preserve order, decency and decorum at all times, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the council.

No member shall use impertinent, degrading, or slanderous language as to any other member of the council, the mayor, town staff, or member of the public while discussing or debating the business of the council. Debate must be fundamentally impersonal. All discussion is addressed to the presiding officer and must never be directed to any individual. Meetings must discuss measures, not people. A motion – its nature and consequences – may be attacked vigorously, but it is never permissible to attack the motives, character, or personality of the presiding officer or another councilmember either directly or by innuendo or by implication.

It is the duty of the presiding officer instantly to stop any member who engages in personal attacks or discusses the motives of the presiding officer or another councilmember or is discourteous in word or manner. If the presiding officer fails to interrupt, any member may make a point of order and call the attention of the presiding officer to the speaker's misconduct.

Arguments and opinions should be stated as concisely as possible. Discussions by members of the council shall relate to the subject matter at hand and shall be relevant and pertinent thereto so as to provide for the expeditious disposition and resolution of the business before the legislative body.

Anyone who uses improper language or acts in a disorderly manner should be called to order promptly by the presiding officer. When a point of order is raised concerning a speaker's conduct, the speaker must be silent until the point of order is decided by the presiding officer.

A member who fails or refuses to speak in an orderly and courteous manner may be denied the right to the floor and, if necessary, may be ejected from the meeting by order of the presiding officer or by vote of the council.

Chair.

The chair shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives and confine members in debate to the question under discussion. The chair may discourage any town staff or members of the public addressing the council from making personal, impertinent or slanderous remarks or from becoming boisterous (talking in a voice or making

noises which are louder than normal conversation or which disrupt the meeting) while addressing the council, or by conversation to delay, impede or interrupt the proceedings or the peace of the council, or disrupts any member while speaking, or refuse to obey the orders of the council or the chair. All remarks shall be addressed to the council as a whole and any person(s) violating these provisions or who become threatening or disruptive while addressing the council may be requested to leave the meeting by the chair. Any person in violation of these provisions and who refuses to comply with the lawful orders of the chair shall be guilty of disorderly conduct.

The chair shall preserve order at all times during council meetings. Any councilmember may move to require the chair to enforce the rules and the affirmative vote of a majority of the council shall require the chair to do so.

Town staff.

Members of the town staff shall observe the same rules of order and decorum that are applicable to members of the town council.

Article X. Code of Conduct

Council members.

In all dealings, council members shall be governed, to the extent applicable, by Chapter 42.20 RCW relating to misconduct of public officers, by Chapter 42.23 RCW relating to the code of ethics for municipal officers, and by Chapter 42.36 RCW relating to the appearance of fairness doctrine, and by this document and all other statutes or ordinances governing the conduct of town officers.

Motions generally.

All ordinances, resolutions, and other matters requiring council approval shall be in the form of an affirmative motion. All motions shall require a second in order to proceed to a vote. If no one seconds the motion, the motion dies.

Article XI. Voting

Requirements.

A council member must be present at a council meeting or virtually to vote on any issue, contract, ordinance or resolution or any other order of business of the council. No member shall be allowed to vote by proxy.

Tie breaker.

The mayor may cast a vote in the case of a tie vote of the council in matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money per RCW 35.27.280.

Roll call voting.

The chair, any council member, or the city clerk or designee may request a verbal roll call vote.

Votes on motions.

The council requires a majority vote of those council members present and voting, for passage of any action issue; provided that the passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council, as required by law. Each council-member present may vote on all questions before the council, except on matters in which he or she has been disqualified, or the councilmember has a legal conflict of interest or an appearance of fairness issue under Washington law. Such members shall disqualify him or herself prior to any discussion of the matter, shall temporarily leave the meeting until the agenda item is completed, and shall not attempt to influence the votes of the other council members. When disqualification of a member or members results or would result in the inability of the council at a subsequent meeting to act on a matter which is required by law to take action, any member who was absent or who had been disqualified under the appearance of fairness doctrine may subsequently participate provided such member shall first have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.

Failure to vote on a motion.

Any councilmember present who fails to state his or her vote without a valid disqualification shall be declared to have voted in the affirmative on the question, except that an abstaining councilmember still creates a quorum.

In situations where a councilmember may need to abstain from voting because of a possible violation of the appearance of fairness doctrine, RCW 42.36.090 provides that the challenged councilmember can still participate in the event that abstention would cause a lack of a quorum or result in a failure to obtain a majority vote as required by law if he or she publicly discloses the basis for disqualification prior to rendering a decision.

Explanation of vote by councilmember.

Any member of the council desiring to explain his or her vote may do so by requesting the floor from the chair and shall be allowed the opportunity to do so for the public and the official record. The question shall not be called for by any councilmember until each councilmember has had an opportunity to address or state their concerns.

Consensus votes.

When a formal motion is not required on a council action or opinion, a consensus voice vote may be taken. The chair will state the action or opinion, and each councilmember may vote by saying "aye" or "nay."

Reconsideration.

Any action of the council shall be subject to a motion to reconsider with certain exceptions. The following shall not be subject to reconsideration:

1. Any action that was previously reconsidered,
2. Motions to adjourn,
3. Motions to suspend the rules,
4. An affirmative vote to table or to take from the table,
5. A vote electing to office a person who is present and does not decline, or

6. Approval of a contract if, following the original council approval, the contract has already been signed and delivered to the other contracting party.

Other than the above exceptions, any decision may be reconsidered if a motion to reconsider is timely brought. A motion to reconsider may only be made by a member of the prevailing side on the original action. A motion to reconsider may only be made at the same meeting as the initial vote is taken, or at the next succeeding regular council meeting. Debate on a motion to reconsider is limited to the reason for reconsidering the motion and should not be used to repeat discussion regarding the main motion.

Table motions.

If a council member wishes to make a motion to table an issue, they may state their intentions to do so and inquire whether any council members wish to make statements or provide information prior to the motion being made and seconded.

Article XII. Public Comment

Public comment.

The public is encouraged to attend and participate at all council meetings. Any individual who will have difficulty attending a meeting or who desire to comment virtually will be provided an opportunity to provide oral comment at the meeting remotely either by giving prior notice to the town clerk or designee before 5:00pm the night of the Council Meeting or during the public commenting section of the agenda. Under agenda item "public comments," members of the public may address the mayor and the council regarding any matter relating to city business or over which the town has authority, for up to three minutes per speaker, unless granted further time by the chair or a majority of the council members present. Following such comments, if action is required or has been requested, the chair shall refer the matter to staff for review or investigation and report at a future meeting. Sign-up is not required for this portion of the council meeting. Each member of the public will be allowed to speak only once during the public comment portion in each council meeting.

Conduct and decorum when addressing council.

Any person addressing the council shall comply with the following rules of conduct and decorum:

- A. When recognized by the chair, each in-person attendee addressing the council (remote attendees when recognized) shall give their name and address in an audible tone of voice for the record, and shall limit their remarks to the time specified, unless granted further time by the chair or requested by a majority of the council members present. All remarks shall be addressed to the council as a body and not to any member thereof. This time is set aside for public comments on city business and not to allow individual conversations between citizens and council members/chairperson. No questions shall be asked of a council member, except through the chair.
- B. Out of respect for the efficient use of council meeting time, councilmember nor the chair will generally respond to citizen comments unless the matter is city business, and that person wants to respond during the council meeting rather than some other time. With the permission of the chair, a council member may ask for a point of personal privilege to respond, however, that

- should be used sparingly so as not to detract from doing the business of the council. No councilmember nor the chair should respond at a meeting to individual or personal matters unless that councilmember or the chair believes the matter is city business that should or may be addressed by the full council at a council meeting, and that councilmember or the chair wants to make a response at a council meeting rather than some other time.
- C. No person, other than the chair, council members, and the person having the floor, shall be permitted to enter into any discussions, either directly or through the members of the council, unless recognized by the chair.
 - D. All speakers providing public comments are expected to deliver their comments in a courteous and efficient manner. Any person in the audience who is unruly or disruptive while addressing the council may be requested to leave the meeting or may be barred from further audience before the council during that council meeting by the chair.
 - E. In the event of disruption of the council meeting, the chair may declare a recess until such time as order has been restored. If order cannot be restored, the chair may order chambers cleared before the meeting resumes.
 - F. When public complaints or suggestions are brought before a council meeting, other than for items already on an agenda, the chair shall first determine whether the issue is in the purview of the executive branch or the legislative branch and then:
 - 1. If within the legislative authority, the council may determine whether to recommend changes to an ordinance or resolution of the town. If so determined, the council may refer the matter to administration or the council of the whole for study and recommendation.
 - 2. If within the executive authority, the mayor should then refer the complaint to the appropriate staff member for his/her review if said complaint has not been so reviewed. The town council may direct the mayor brief or report to the council when his/her response is made.

Written communication.

All material presented at council meetings, except confidential material not subject to disclosure under law, shall also be presented to the town clerk or designee. A copy of any written communications submitted to the council at council meetings under public comments or in reference to an agenda item shall also be provided to the town clerk or designee who shall note in the minutes that said communication was received and include the subject of the communication and the person or group submitting it and will provide copies to each councilmember.

Examples of confidential information include attorney-client privileged communications, records with personal information or other information that is exempt from disclosure under the public records act.

Public hearing procedures.

- A. **Speaker Sign-In.** Prior to the start of a public hearing, all persons wishing to be heard are requested to sign in with the town clerk or designee, giving their name and address and whether they wish to speak as a proponent, opponent or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony.

Each speaker shall be given three minutes. If there are numerous items for public hearings on any council agenda, there will be a separate public hearing on each item. The chair may change the order of speakers so that testimony is heard in the most logical groupings. Public hearing testimony sign-up forms shall be available on the table inside the council chambers prior to the meeting until five minutes prior to the meeting starting for use by those wishing to address the council.

- B. Conflict of Interest and Appearance of Fairness. Prior to the start of a public hearing, any council member who has a conflict of interest or appearance of fairness doctrine concern, needs to step down and give the reason for recusing themselves from participation in the public hearing process. Another council member may ask a council member to step down from the public hearing process if they believe there is a conflict of interest or appearance of fairness doctrine concern. A council member who refuses to step down after challenge, upon the advice of the town attorney and after a ruling by the majority of the remaining members of the council that the member in question should step down, is subject to censure. A council member who has stepped down shall not participate in the council decision nor vote on the matter. The council member shall leave the council chambers while the matter is under consideration.

Public hearing process.

The town clerk or designee, with the concurrence of the mayor and mayor pro-tem, shall set public hearing dates to receive public testimony on all issues required by law or as the council may direct.

Discussions by council of public testimony shall normally be scheduled for the next regularly scheduled meeting. Final action by the council on all public hearings shall normally be scheduled for the next regularly scheduled council meeting; except where no public testimony was provided, the council may choose to take final action immediately following the public hearing.

On the day of the public hearing, the town clerk or designee will print a list of item(s) on the public hearing agenda for the public to have during the public hearing, along with the following notice:

1. All comments by proponents, opponents or other members of the public shall be made from the podium; any individuals making comments shall state their name and address for the official record of the transcript of the public hearing.
2. No comments from members of the public who are physically present shall be made from any other location. Comments that are not on the public hearing topic are out of order. Anyone making "out-of-order" comments shall be subject to removal from the meeting. If you have any special needs or require accommodation, please advise the nearest staff member.
3. These rules are intended to promote an orderly system of holding a public hearing, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his/her right of free speech.

The chair calls upon staff to present a brief staff report on the matter under consideration.

The chair calls upon proponents, opponents and all other individuals who have signed in to speak regarding the matter under consideration. After everyone that has signed in to speak has had their opportunity to do so, the chair shall ask if there is anyone else wishing to speak on this matter.

The chair inquires as to whether any council member has questions for the proponents, opponents, speakers or staff. If any council member has questions, the appropriate individual will be recalled to the podium (or otherwise addressed if participating remotely).

The chair continues the public hearing to a specific date and time or closes the public hearing. The council may choose to keep the public record open to a date and time set by the council to receive written testimony if they so desire.

Quasi-judicial public hearings.

Quasi-judicial hearings occur when the council sits as a “judge” or deliberating body on a specific matter. This may include items such as a rezone or other land use approval. When sitting as a quasi-judicial body, different rules govern how council members work and how these decisions must be made. For example, the appearance of fairness doctrine applies to quasi-judicial hearings, but not to legislative hearings. Council’s decision on a quasi-judicial matter must be based on and supported by the “record” in that matter. The “record” consists of all testimony or comment presented at the hearing and all documents or exhibits that have been submitted in connection with the matter being considered. All documents, including maps, drawings, and staff reports, should be admitted as numbered exhibits during the public hearing. All quasi-judicial hearings shall be recorded. Quasi-judicial hearings will be conducted in conformance to procedures outlined in other ordinances, such as the hearing examiner ordinance. Deliberations on a quasi-judicial matter can occur following the public hearing or at some other time. Deliberations and eventual decision shall fall within any applicable statutory timelines. Comments from the audience are not permitted during open meeting deliberations as these would provide information that is outside the “record”.

Comments in violation of the appearance of fairness doctrine.

The chair may rule out of order any comment made with respect to a quasi-judicial matter pending before the council or its boards or agency or commissions. Such comments should be made only at the hearing on a subject matter. If a hearing has been set, persons whose comments are ruled out of order will be notified of the time and place when they can appear at the public hearing on the matter and present their comments.

Article XIII. Ordinances and Resolutions

Defined.

- A. Ordinances. Ordinances are legislative acts or local laws, prescribing general, uniform, and permanent rules of conduct, relating to the corporate affairs of the town. Ordinances are the most permanent and binding form of council action and may be amended or repealed only by adoption of a subsequent ordinance.
- B. Resolutions. A resolution is an act of the council that is less solemn or formal than an ordinance, and in general is an expression of the opinion or mind of the council concerning some particular item of business or matter of administration coming within its official cognizance. Resolutions generally deal with matters of a special or temporary character. A resolution may be amended or repealed by adoption of a subsequent motion resolution or ordinance.

When required, ordinances, resolutions and contract documents shall be reviewed by the town attorney and approved as to form and legality, prior to submitting to the city clerk or designee for inclusion on a council agenda.

All contracts and agreements which are to be approved by the council shall be submitted to the council for consideration as an exhibit to a resolution to ensure tracking ability.

All additional issues pertaining to the city's yearly budget shall be submitted as exhibits to the main budget ordinance (i.e., salary scale, etc.).

All ordinances and resolutions shall be submitted in the town clerk approved standard template format.

No ordinance or resolution shall contain more than one subject and shall be fully and clearly expressed in its title.

All ordinances and resolutions may be passed by the council by having only the title and summary statement read aloud by the town clerk or deputy town clerk or designee at a council meeting, if it is the second reading of the ordinance or resolution, without the full reading of the ordinance or resolution; however, a councilmember may request a full reading at which time the chair shall ask the town clerk or designee to read the ordinance or resolution.

Introduction of ordinances and resolutions at council meetings.

Ordinances, resolutions and other matters or subjects requiring action by the council shall include a clear description of the subject matter in the titles shown on all agendas and minutes of the council.

Legal review.

All documents needing legal review by the town attorney must also be reviewed and approved by the mayor of the town prior to final submittal to the town clerk.

Two readings required of ordinances.

Ordinances before the town council for consideration and passage shall be reviewed at two meetings of the council prior to passage.

- A. Introduction and First Reading of Ordinance. Discussion and debate by the town council at a regular meeting may be held at this time. Council members shall decide whether to amend the ordinance, direct staff to further review the ordinance, forward the ordinance to an advisory board, or approve placing the ordinance on the agenda of the forthcoming regular council meeting for enactment as an enforceable town law.

Nothing contained in this policy shall prohibit the city council from enacting any ordinance, other than a franchise, after a single reading by majority vote.

- B. Action Items. The council may delay taking action on any issues if sufficient documentation and information has not been provided by the mayor and the staff in advance in council packets to allow the council due deliberation.

Numbering ordinances and resolutions.

Prior to submitting to council, a number shall be assigned to every ordinance or resolution by the town clerk or designee and a current numeric and alphabetical journal log of all ordinances and resolutions shall be kept by the city clerk for easy cross-reference. Copies of the journals shall be provided upon request to council members.

Effective date of ordinances and resolutions.

- A. Under state law ordinances shall not take effect until five days after the date of its publication. However, the council may take action to make the ordinance effectively immediately by passing the ordinance by a vote of a majority plus one of the whole membership of the council provided that the ordinance designates the action as a public emergency necessary for the protection of public health, public safety, public property, public welfare, or public peace. When passed as an emergency by a majority plus one of the whole membership of the council, such ordinance may become effective upon adoption. Emergency passage is not allowed for any ordinance that levies taxes, grants, renews or extends a franchise, or authorizes the borrowing of money.
- B. Resolutions. A resolution may be put to its final passage on the same day it is introduced and may be effective the same day. The title of each resolution shall, in most cases, be read by the town clerk or designee prior to its passage; provided, should a councilmember request that the entire resolution or certain of its sections be read aloud, such requests shall be granted by the chair.

Publication of ordinances.

Ordinances and/or their summaries shall be published in the town's official newspaper as legal publication in the first possible publication following enactment. Ordinances will also be posted on the city website.

Article XIV. Public Concerns and Suggestions

Correspondence.

All correspondence received by the council shall be answered in a timely manner by town staff. All correspondence or phone calls from residents received by town staff regarding policy or legislative issues shall indicate the date received and which department they were referred to for follow-up and response. Copies of the information shall be provided to all council members.

The town clerk or designee is authorized to open and examine all mail or other written communications addressed to the town council. No mail shall be opened which is addressed to the personal attention of any one member of the council.

Requests from residents for council representative contact information.

The council expects the mayor to manage requests for public information about council members and to have the staff provide public contact information for council members upon request.

Article XV. Council or Mayoral Vacancies

Vacancy in council seat or mayor's position.

If a vacancy occurs, the council will follow the procedures outlined in RCW 35.27.140 and RCW 42.12. If the council fails to appoint a qualified person to fill a vacancy within 90 days of the occurrence of the vacancy, the authority of the governing body shall cease, and the Whitman County Commissioners shall appoint a qualified person to fill the vacancy. In order to fill the vacancy with the most qualified person available until an election is held, the council will direct the town clerk to distribute and publish a notice of the vacancy and deadline for applying for the position.

Notice.

The notice of the vacancy shall be widely distributed and published on the town website, at the Town Hall, and such other places or by such other means as to reasonably provide information to the public, including the procedure and deadline for applying for the position. The deadline for applications included in the notice shall not be less than 14 days from the date the notice is first distributed.

Application and interview procedure.

At the council meeting following the deadline for the close of the application period, the council may interview all or some of the candidates who submitted an application by the deadline for the advertised council vacancy. Such interviews shall be open to the public. Applicants will be asked to remain outside the council chambers while other applicants are being interviewed. Applicants will be asked to answer questions submitted to them in advance of the interview and questions posed by each councilmember during the interview process. The council members will ask the same questions of each candidate. Each candidate will be allowed two minutes for closing comments.

Selection of new councilmember or mayor.

The council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy shall be conducted during an open public meeting, in accordance with RCW 42.30.060(2).

Article XVI. Council's Request for Information from Staff

Defined.

The council shall make all requests for information to the mayor or in the case of town legislative records to the town clerk or designee. Information shall be provided in a timely manner to enable council members to perform their duties and responsibilities more effectively. If the information requested cannot be provided by the mayor or staff in a timely manner, they shall be advised why and when to expect the requested information. Information of a general council nature will be dispersed to the full council.

Article XVII. Council Relations with Town Staff

Policy guidelines.

There will be mutual respect from both town staff and council members of their respective roles and responsibilities.

Town staff shall acknowledge the council as policy makers and council members shall acknowledge staff as administering the council's policies.

Article XIII. Suspension and Amendment of These Rules

Suspension of these rules.

Any provision of these rules not governed by state law or by the town ordinance may be temporarily suspended by a vote of a majority of the council.

Amendment of council policies.

These rules and policies may be amended, or new policies adopted by a majority vote of all members of the council. The council may review its policies and procedures yearly.

Severability.

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter.

