



37 F. Public Notification and Participation

38 The City will, if necessary, go further than legally required in order to inform citizens of the  
39 items to be considered by the City Council. The means used will include publication in a  
40 local newspaper, Legistar via the internet, special notice to citizens who have shown a direct  
41 interest in matters to be considered, and copies of the agenda will be placed at the  
42 entrance to the City Council meetings.

43 Members of the audience will be offered an opportunity to speak on all questions before  
44 the City Council. Individuals shall provide his or her name and address immediately after  
45 being recognized by the presiding officer. Repetitive comments should be avoided; this  
46 applies to comments made previously either to the City Council or to the Planning  
47 Commission when those Planning Commission minutes have been provided to the Council  
48 members. All remarks shall be addressed to the City Council as a whole and not to any  
49 particular member of the City Council. No person other than the City Council members and  
50 the person having the floor shall be permitted to enter into any discussions without  
51 permission of the Presiding Officer. No questions shall be asked a City Council member or  
52 city employee except through the Presiding officer. All members of the public are requested  
53 to accord the utmost courtesy to members of the City Council, to other members of the  
54 public appearing before the City Council, and to City staff, and are asked to refrain at all  
55 times from rude or derogatory remarks, reflections as to integrity, abusive comments, and  
56 statements as to motives and personalities.

57 G. Smoking Prohibited

58 There will be no smoking allowed in the City Council chambers or in any committee meeting  
59 room.

60 H. Cell Phones and Pagers

61 With the exception of on-duty emergency services personnel, cell phones and pagers must  
62 be turned off or put in silent mode and not used within the Council chambers or committee  
63 meeting rooms during meetings.

64 **2.20.02 DUTIES AND PRIVILEGES OF ALDERMEN AND OTHER**  
65 **CITY OFFICIALS AT CITY COUNCIL MEETINGS**  
66

67 A. Seating

68 Members shall occupy the respective seats in the Council Chambers assigned by position  
69 number. The Presiding Officer (Mayor, President Pro Tempore, or designee) shall be seated  
70 in the center of the Council members table. Seated to either side of the Presiding Officer  
71 shall be the City Clerk and the City Attorney or, in their absence, their designees. Aldermen  
72 shall be seated according to their ward beginning on the Presiding Officer's far left with  
73 Ward 1, Pos. 1; Ward 1, Pos. 2; Ward 2, Pos. 1; Ward 2, Pos. 2; Ward 3, Pos. 1; Ward 3, Pos.

74 2; then beginning on the Presiding Officer's far right with Ward 4, Pos. 1: Ward 4, Pos. 2;  
75 Ward 5 Pos. 1; Ward 5, Pos. 2; Ward 6, Pos. 1 and Ward 6, Pos. 2.

76 (B) Conduct

77 During City Council meetings, Aldermen shall preserve order and decorum and shall neither  
78 by conversation nor by otherwise delay or interrupt the proceedings. Neither shall they  
79 refuse to obey the orders of the Presiding Officer or the rules of the City Council.

80 Every member of the City Council desiring to speak shall address the chair and, upon  
81 recognition by the Presiding Officer, shall confine herself or himself to the questions under  
82 debate and shall avoid all personalities and indecorous language. A City Council member,  
83 once recognized, shall not be interrupted while speaking unless called to order by the  
84 Presiding Officer, or unless a point of order is raised by another member or unless the  
85 member chooses to yield to questions from another member.

86 If a member is called to order while he/she is speaking, he/she shall cease speaking  
87 immediately until the question of order is determined. If ruled to be not in order, he/she  
88 shall remain silent or shall alter his/her remarks so as to comply with the rules of the City  
89 Council.

90 Aldermen and other elected city officials shall accord the utmost courtesy to each other, to  
91 city employees, and to members of the public appearing before the City Council, and shall  
92 refrain at all times from rude or derogatory remarks, reflections as to integrity, abusive  
93 comments and statements as to motives and personalities. City Council members shall  
94 confine their questions as to the particular matters before the City Council and in debate  
95 shall confine their remarks to the issues before the City Council. To keep or restore order  
96 and dignity to a Council meeting, the City Council, by a majority vote, reserves the right to  
97 remove from a Council meeting any individual who repeatedly violates this rule for conduct.

98 B. Personal Interest

99 No Alderman or other elected city official with a direct or indirect financial or personal  
100 interest in any item before the City Council shall participate in the discussion of or voting on  
101 such matter.

102 C. Voting

103 Every member present when a question is put to a vote shall vote either "Yea" or "Nay",  
104 except that a member may abstain from voting: (a) if he or she has not participated in the  
105 preceding discussion of the question and (b) if that member briefly states the reason for the  
106 abstention. The Aldermen will vote at City Council meetings in the order of their position  
107 number, with a different position voting first, as determined by the City Clerk, on each vote  
108 taken.

109

110 D. Roll Call

111 Upon every vote, a voice vote of the affirmative and negative votes shall be called and be  
112 recorded on every motion, resolution, and ordinance. The Presiding Officer or any Alderman  
113 may call for a roll call vote. A roll call vote shall be taken when enacting an emergency  
114 clause, repealing an initiated measure, or when otherwise required by law.

115 E. Presiding Officer

116 The Mayor shall be ex-officio president of the City Council and shall preside at its meetings.

117 The Mayor shall have a vote when his or her vote is needed to pass any ordinance, bylaw,  
118 resolution, order, or motion. Per (A.C.A. 14-43-501)

119 F. President Pro Tempore

120 The City Council shall annually, at the time of organizing, in public session, elect one of its  
121 members as President Pro Tempore. Any Alderman may nominate any other member of the  
122 City Council for this position, and no second of a nomination is required. Each Alderman  
123 shall vote by naming his or her choice by voice vote if there is more than one nominee for  
124 the position. A majority vote of the City Council shall be required for election. In the  
125 absence of the Mayor, the Presiding Officer duties shall be performed by the President Pro  
126 Tempore; in the absence of the President Pro Tempore, those duties shall be performed by  
127 a designated Alderman. Designation shall be by majority vote of the Council present at any  
128 meeting where a clear designation of Presiding Officer has not been made.

129 G. Privileges of the President Pro Tempore

130 The President Pro Tempore or designee acting as the Presiding Officer may move, second,  
131 and debate from the chair and shall not be deprived of the rights and privileges of being a  
132 member of the City Council by reason of her or his acting as the Presiding Officer.

133

134 **2.20.03 FREEDOM OF INFORMATION PROCEDURE**

135

136 All meetings of the City Council shall be public meetings. Notice of the time, place and date  
137 of all special meetings shall be given to representatives of the newspapers and radio  
138 stations located in Craighead County which have requested to be notified at least two hours  
139 before the special meeting takes place. Any news media located elsewhere that regularly  
140 covers the meetings of the Council and which have requested notification shall also be  
141 notified at least two hours before the meeting takes place.

142 **2.20.04 PROCEDURES AND PARLIAMENTARY RULES**

143

144 A. Order of Business

145 The City Council’s agenda order shall be coordinated by the City Clerk. All items for  
146 discussion or action at the regular Council meeting shall be organized under the following  
147 headings:

- 148 1. Call to order by the Mayor
- 149 2. Pledge of Allegiance and Invocation
- 150 3. Roll Call by the City Clerk
- 151 4. Special Presentations
- 152 5. Consent Agenda
- 153 6. Unfinished Business
- 154 7. New Business
- 155 8. Mayor’s Report
- 156 9. City Council Reports
- 157 10. Public Comment
- 158 11. Adjournment

161 The Mayor shall delegate collection, initial organization, and distribution of the final draft to the  
162 City Clerk; however, the Mayor shall maintain responsibility for and control of the agenda. At  
163 the regular meeting of the Council, the City Council, by majority vote, may rearrange the order  
164 of the agenda.

166 B. Agenda Items and Public Comment

167 The deadline for agenda items shall be at the City Clerk’s office on or before 10:00 a.m. on  
168 Thursday immediately preceding each regular City Council meeting, except when the regular  
169 meeting time has changed due to holidays or rescheduling of the meeting. In such cases the  
170 dead line for agenda items will be adjusted to accommodate the meeting. All items for  
171 discussion or action at the regular City Council meeting shall be included in an Agenda provided  
172 by the City Clerk to the Aldermen, the Mayor, and the City Attorney via Legistar by 4:00 p.m. on  
173 Thursday, or by delivery by 12:00 noon on Friday, immediately preceding the regular Council  
174 meeting.

175 The City Clerk shall place the items on the Tentative Agenda in the order that each item is  
176 received in the Clerk’s office. Before 12:00 noon on the day of the Council meeting, if requested  
177 by the Mayor or any three (3) Aldermen, the Mayor and the City Clerk may change the final  
178 arrangement of the meeting agenda.

179 Any ordinance or resolution which was not included on the Final Agenda may only be brought  
180 before the City Council after approval by unanimous vote of any city council committee with

181 four or more council members. The City Council, by majority vote, at the regular Council  
182 meeting, must then suspend the rules and bring the item to the floor for consideration.

183 The City Council shall provide fifteen (15) minutes during each regular Council meeting for  
184 public comment on non-agenda business. Each individual is required to limit his or her  
185 comments to five (5) minutes. The City Council reserves the right to suspend the rules for extra  
186 time, if necessary.

187 C. Precedence of Motions

188 The City Council shall follow the precedence and classification of motions as given in the most  
189 recent edition of the Arkansas Municipal League’s “Procedural Rules for Municipal Officials” or  
190 successive publications. In the event the Handbook does not cover the matter, the most recent  
191 edition of “Robert’s Rules of Order” shall apply. On questions of appeal, a majority of those  
192 present is required to overturn a ruling of the chair.

193 1. **Motions to be Stated by the Chair/Withdrawal**

194 When a motion is made and seconded, it shall be stated by the Presiding Officer  
195 before debate. After being stated by the Presiding Officer, a motion may not be  
196 withdrawn by the mover without the consent of the member seconding it and  
197 approval of the City Council.

198 2. **Reconsideration**

199 After the decision of any question, any member of the majority may request a  
200 reconsideration of any action at the same or the next succeeding meeting; provided,  
201 however, that a resolution authorizing or relating to any contract may be  
202 reconsidered at any time before final execution thereof. A motion to reconsider  
203 requires a simple majority for passage. After a motion for reconsideration has once  
204 been acted on, no other motion for reconsideration thereof shall be made without  
205 unanimous consent.

206  
207 3. **Readings**

208 All ordinances shall be read aloud at three different meetings unless the City Council  
209 votes to dispense the rules by a 2/3 majority.

210  
211 **2.20.05 ABSENCE FROM COUNCIL MEETINGS**

212 Any Council member shall be entitled to be absent from two (2) regularly scheduled Council  
213 meetings per year with pay beginning January 1 of each calendar year for the following reasons:

- 214  
215 (A) Sickness or illness of the Council member who is confined to his or her bed or a  
216 hospital and is under the care of a medical doctor.

- 217 (B) Death of an immediate member of a Council member's family. Immediate family  
218 is defined as to include: Husband, wife, father, son, daughter, brother, sister,  
219 mother-in-law, father-in-law, grandmother and/or grandfather.
- 220 (C) Absence due to being on other official city business which requires said Council  
221 member's presence on the same night that the City of Jonesboro has scheduled  
222 its regular session. (Sec. 2-2.1, 1962 Code, Ord. No. 1459, Sec.1, 8-4-75)
- 223 (D) Absence due to other work related obligations.

224

225 **2.20.06 APPEALS TO COUNCIL**

226 Appeals to the City Council of decisions of commissions and boards shall be in writing signed by  
227 the party appealing, dated and filed with the Clerk within thirty (30) days following the decision  
228 of the board and/or commission. The appeal shall set forth the objection to the decision  
229 rendered by said commission and/or board. Decisions shall be considered final if no appeal is  
230 perfected within the thirty (30) day period.

231

232 **2.20.07 HEARINGS**

233 Appeals shall be heard by the City Council meeting in official session. The City Council may call  
234 a special meeting to hear said appeal.

235

236 **2.20.08 NOTICE**

237 The City Council shall notify the party appealing by certified mail, return receipt requested, of  
238 the date of hearing. The notice shall contain the following statements:

239 (A) The appealing party shall be entitled to counsel at the hearing;

240

241 (B)The appealing party shall be able to discuss their proposal with the Council;

242

243 (C)The appealing party may introduce any information they might have concerning the  
244 matter;

245 (D) The rules of evidence and the rules of procedure established for the judicial system  
246 of the State of Arkansas shall not be applicable at said hearing;

247 (E) The appealing party shall be entitled, upon request, to a written statement from the  
248 City Council which shall state the facts and reasons for denying the appealing party's  
249 appeal if same is denied.

250

251 **2.20.09 ACTION**

252 The City Council shall either approve or reject the appealed decision by a majority vote. Failure  
253 to act on the appeal within sixty (60) days after same is filed will be deemed approval of the  
254 decision of the board and/or commission. Decision not approved by the City Council may be  
255 resubmitted through proper channels not less than six (6) months following the Council's action  
256 or sooner if there is a material change in circumstances or conditions. (Ord. No. 1634, Secs. 1-4,  
257 3-6-78)

258

259 **2.20.10 BRING ORDINANCES BEFORE COUNCIL**

260 (A) Once an item is brought before the City Council, there shall exist a three month  
261 time limit within which to obtain a ruling by the City Council. Failure to meet the  
262 deadline will result in the item not being brought before the Council again for a one year  
263 period, and starting the procedural process over.

264 (B) Once an item has been tabled or pulled three times, the item may not be brought  
265 before the Council again for a one year period, and must start the procedural process  
266 over.

267 (C) Once the Metropolitan Area Planning Commission has granted approval, there shall  
268 exist a six (6) month time limit for bringing the matter before the Council.

269

270 **2.20.11 Publication Reimbursement Cost**

271

272 A) The publication cost shall be set by the Finance Department at a flat rate to cover  
273 costs for the publication of ordinances and notices. These rates may fluctuate based on  
274 current publication pricing.



275 B) The publication cost shall be collected by the City Collector prior to an an item being  
276 placed on the agenda. Failure to pay the publication cost shall result in the item not  
277 being placed on the agenda.

278 C) Should an ordinance be denied by the City Council, the publication cost shall be  
279 reimbursed by the Finance Department. Reimbursement shall not include Public  
280 Hearing or Appeal Hearing notices, since these must be published prior to an ordinance  
281 being adopted.

282 **2.20.12 INTERNAL BOARDS, COMMITTEES, COMMISSIONS, AND**  
283 **APPOINTMENTS**

284 (A) Membership

285 The only standing internal committee of the City Council shall be the Nominating  
286 and Rules Committee. The Nominating and Rules Committee shall be made up of  
287 Aldermen from wards 1, 2, and 3 on odd number years and Aldermen from wards 4,  
288 5, and 6 on even number years. The Nominating and Rules Committee shall  
289 determine the number of City Council committees, their function, and membership  
290 of such committees. Any Alderman who desires to serve on any particular  
291 committee shall so inform the Nominating and Rules Committee. The Nominating  
292 and Rules Committee shall, at its discretion, attempt to assign Aldermen who have  
293 expressed a preference for any particular committee to the committee. The  
294 members of each committee shall designate the member who is to serve as  
295 chairperson of each committee. In the case of a tie for committee chairperson, the  
296 Nominating and Rules Committee shall appoint the chairperson from those  
297 nominated by the committee. Any Alderman dissatisfied with committee  
298 assignments can appeal to the whole City Council.

299 Ad hoc committees to study special problems and projects of the city may be  
300 created by a majority vote of the City Council. The Mayor and the Nominating and  
301 Rules Committee shall recommend to the City Council appointees for ad hoc  
302 committees. The City Council, by majority vote, shall appoint members to ad hoc  
303 committees.

304 (B) Meetings

305 All Aldermen, representatives of the news media who have requested notification,  
306 and all other persons who have requested notification of committee meetings shall  
307 be notified of City Council committee meetings by the City Clerk's office.

308 Committee meetings shall be held when possible at times that allow all members of  
309 the committee to attend. In order for a committee to make an official  
310 recommendation to the City Council, a majority of the committee must agree on  
311 that recommendation. Aldermen who are not members of a particular City Council

312 committee may participate in the meeting of that committee except for voting on  
313 committee recommendations. Minutes of meetings involving the city council shall  
314 be the responsibility of the City Clerk or his/her designee. The minutes shall reflect  
315 recommendations of the committee to the full council.

316 (C) Quorum

317 A majority of the committee shall be necessary to constitute a quorum to do  
318 business. The concurring vote of a majority of those attending a meeting, providing a  
319 quorum is present, shall represent the acts of the committee.

320 (D) Voting

321 Every member present when a question is put to a vote shall vote either “Yea” of  
322 “Nay”, except that a member may abstain from voting if he or she has not  
323 participated in the preceding discussion of the question and that member briefly  
324 states the reason for the abstention. Pursuant to “Robert’s Rules of Order”, in the  
325 absence of a recommendation by the “Procedural Rules for Municipal Officials” the  
326 chair of the committee will not vote unless his/her vote is necessary to break a tie.

327 (E) City Council Representation on Other Governmental Groups

328 When it is necessary to appoint an Alderman to an external board, commission, or  
329 committee, selection of that Alderman shall be made by the Mayor and a majority  
330 vote of the City Council shall be required for confirmation of the Mayor’s  
331 appointment.

332

333 **2.20.13 MAYOR RELATIONSHIP**

334

335 (A) Defining Authority

336 In exercising its management responsibilities, the City Council reserves its authority to  
337 approve policy which represents broad statements of its intentions, approves plans and  
338 programs, and delegate authority of administration to the Mayor, except those rights  
339 that are by law conferred upon or reserved to the City Council. The City Council  
340 delegates the authority of the Mayor to hire capable personnel within an approved  
341 wage and salary policy, to plan and establish schedules and to train, supervise and  
342 terminate employees. Per A.C.A. 14-42-110, the City Council reserves the authority to  
343 review the hiring or removal of a department head and may overturn the hiring or  
344 removal of a department head by the Mayor upon two-thirds majority of the total  
345 membership of the City Council.

346 (B) Definition of Responsibilities

347 The Mayor has the principal responsibility for directing the operations of the city  
348 government and for advising and assisting the City Council in its deliberations. In  
349 connection with the latter responsibility, the City Council expects and requests the  
350 Mayor to furnish it with whatever data, information, and material it may need to  
351 properly carry out its functions in an informed manner.

352 The Mayor also has the principal responsibility to ensure that the city's administrative  
353 officers and department heads understand and obey all local, state, and federal laws  
354 pertaining to the city's operations, and when a violation of any law is discovered, that  
355 immediate disclosure is made to the City Council and proper and adequate disciplinary  
356 measures are taken against the responsible employee or employees.

357 The City Council also expects the Mayor to abide by the city's Code of Ethics, the City  
358 Council also expects the Mayor to require the city's administrative officers and  
359 department heads to abide by the city's Code of Ethics.

360 (C) City Council/Mayor Cooperation

361 Efficient management of the city can exist only through mutual understanding and  
362 complete cooperation between the City Council and the Mayor. The Mayor's  
363 performance cannot be of the best unless he or she is given the latitude to exercise  
364 independent judgment in executing policies of the City Council. The City Council  
365 acknowledges that obligation and gives the Mayor the latitude of judgment and  
366 discretion, and expects faithful performance in carrying out the policies of the City  
367 Council.

368 It shall be understood that administrative authority for the management of the city rests  
369 with the Mayor. Members of the City Council should refrain, as individuals, from giving  
370 specific direction or instruction to city personnel pertaining to the discharge of assigned  
371 duties, however, open communication between aldermen and city employees is  
372 encouraged and expected to guarantee sound decisions based upon the free flow of  
373 information.

374 **2.20.14 CODE OF ETHICS**

375 (A) General

376 Aldermen, other elected city officials and the city's administrative officers and  
377 department heads occupy positions of public trust. All business transactions of such  
378 officials dealing in any manner with public funds, either directly or indirectly must be  
379 subject to the scrutiny of public opinion both to the legality and to the propriety of such  
380 transactions.

381 (B) Conflict of Interest

382 Alderman, other elected officials and the city's administrative officers and department  
383 heads shall refrain from making use of special knowledge or information gained by

384 virtue of their elected office or position before it is made available to the general public;  
385 shall refrain from making or influencing decisions involving business associates,  
386 customers, clients, competitors, and immediate family members and shall comply with  
387 all lawful actions, directives and orders of duly constituted municipal officers as such  
388 may be issued in the normal and lawful discharge of the duties of these municipal  
389 officers. Nothing herein, however, shall serve to deny any of the above-mentioned of  
390 their legal rights and privileges available to all Jonesboro citizens.

391 (C) Responsibility to All Citizens

392 Aldermen, other elected officials and the city's administrative officers and department  
393 heads shall conduct themselves so as to bring credit upon the city as a whole and so as  
394 to set an example of good ethical conduct for all citizens of the community. Aldermen,  
395 other elected officials and the city's administrative officers and department heads shall  
396 bear in mind at all times their responsibility to all Jonesboro citizens, shall refrain from  
397 actions benefiting special interest groups at the expense of the city as a whole, and shall  
398 do everything in their power to ensure equal and impartial law enforcement throughout  
399 the city without respect to race, creed, color, sex, or the economic or social position of  
400 individual citizens.

401 (D) Responsibility to Disclose

402 In an effort to allow the public full knowledge of financial and personal interests,  
403 Aldermen and other elected city officials are expected to file an annual statement of  
404 financial interest as required in Ark. Code Ann. 21-8-701. Aldermen, other elected  
405 officials and the city's administrative officers and department heads are also expected  
406 to disclose all real estate holdings within the city limits of Jonesboro and any business or  
407 financial interest which could affect or be affected by decisions of the City council, other  
408 elected city officials or the city's administrative officers or department heads. This  
409 language shall be interpreted to include real estate holdings and business or financial  
410 interests held by the individual, his/her spouse, children, parents or siblings or beneficial  
411 interests in a partnership, corporation or any other legal entity.

412 Aldermen, other elected officials and the city's administrative officers and department  
413 heads shall also disclose any familial relationships with any other city official or  
414 employee which could affect or be affected by decisions of the City Council, the Mayor,  
415 a city administrative officer or department head.

416 The financial and familial disclosures should be made in writing and filed with the City  
417 Clerk before February 1<sup>st</sup> of each year; any changes in disclosure information during the  
418 year must be filed with the City Clerk's office within 30 days of such change.

419 No non-elected city officials and employees are required to include his or her home  
420 address on disclosure documents. per Act 213 of 2003 (A.C.A 25-19-105)

421

422 **2.20.15 CITIZEN COMMITTEES**

423 (A) Authorization by the City Council

424 The City Council may authorize citizen advisory boards, committees, and commissions to  
425 assist the City Council in discharging its responsibilities more effectively. Authorization  
426 will be made by a majority vote of the City Council

427 (B) Selection Guidelines

428 The Mayor shall have the responsibility of coordinating the selection process of members  
429 for the citizen advisory groups prior to the final City Council approval. The objectives of the  
430 selection process shall be as follows:

- 431 • To provide a broad cross-section of qualified individuals for service on the  
432 appointed bodies
- 433 • To provide an opportunity for participation in city affairs by interested citizens,  
434 and
- 435 • To provide a means for involvement of all City Council members in the selection  
436 process.

437 The City Council will act officially on all appointments in public session.

438 (C) Vacancy Policy for Boards and Commissions

439 In cases in which this ordinance is not in conflict with state or federal law, any city board  
440 or commission position which term has expired for a period longer than 60 days shall be  
441 declared vacant.

442