

DIVISION 2. - MEETINGS

Sec. 2-26. - Public meetings.

- (a) All meetings of the city commission or of the committee or the whole thereof shall be public and shall comply with Florida Statutes Section 286.011, commonly referred to as the "government in the sunshine" law.
- (b) All discussions between the chief executive officer of the public employer or his representative and the legislative body of the public employer relative to collective bargaining shall be exempt from the provisions of Florida Statutes section 286.011 in accordance with Florida Statutes section 447.605.

(Code 1960, §§ 2-4, 2-5)

Charter reference— Meetings of city commission and committees thereof to be public, § 24.

Sec. 2-27. - Regular meetings; date and place.

The city commission shall meet regularly not less than twice each month. All meetings of the commission, whether regular or special, shall be held in the City Hall Commission Chambers, 100 North U.S. #1, unless a majority of the commission directs that a meeting be held at some other specified date, place, and time.

(Code 1920, §§ 2-1, 2-3; Ord. No. I-175, § 2, 8-18-86; Ord. No. J-15, § 1, 2-18-92; Ord. No. K-443, § 1, 9-18-06; Ord. No. 18-001, § 1, 2-5-18)

State Law reference— Legal time, F.S. § 1.02.

Sec. 2-28. - Special meetings.

The mayor-commissioner, or any three (3) members of the commission, or the city manager and any two (2) members of the commission, may call special meetings of the city commission, upon at least six (6) hours' written notice to each member, served personally, or left at his usual place of residence or business.

(Code 1960, § 2-2)

Charter reference— Special meetings, how called, § 24.

Sec. 2-29. - Procedure—Generally.

- (a) *Order of business.* Promptly at the hour set on the day of each meeting, the members of the commission, city manager, city clerk and city attorney shall take their regular stations in the commission chambers, and the business of the commission shall be taken up for consideration and disposition in substantially the following order:

- (1) Meeting called to order.
 - (2) Roll call.
 - (3) Approval of minutes.
 - (4) Comments from the public, relating to agenda items which do not require public hearings.
 - (5) Additions or deletions to agenda and approval of agenda.
 - (6) Miscellaneous reports.
 - (7) Consent agenda.
 - (8) Items requiring public hearings.
 - (9) New business, matters of public interest.
 - (10) Comments from the public.
 - (11) Comments of city manager and city attorney.
 - (12) Comments of commissioners.
 - (13) Adjourn.
- (b) *Robert's Rules.* In all matters coming before the commission, the parliamentary conduct thereof shall be governed by Robert's Rules of Order, as revised, except as otherwise provided by state law, the charter or ordinances of the city.
- (c) *Request for placement on agenda.* Any person desiring to appear before the city commission on a matter set for public hearing may appear and speak for a reasonable length of time as determined by the commission. As to any subject which is either not set for public hearing or does not otherwise appear on the agenda, persons desiring to place an item on the agenda may make written request to the city manager no later than 5:00 p.m. fifteen (15) days preceding the regular city commission meeting. Such request must state the subject matter of the individual's appearance and should include any background materials pertinent to the issue. The city manager shall review the request to determine if the item might be handled administratively; or, determine whether the subject matter is an item of city business. If so, the city manager shall submit the item for placement on the agenda to the city clerk no later than 5:00 p.m. ten (10) days preceding the regular city commission meeting and shall direct appropriate staff to be prepared to answer any questions the commission may have. The mayor may impose a time limitation of five (5) minutes, or allow such additional time he or she determines necessary and appropriate for such person to make presentation. Such person shall state his or her name, address, and the subject on which he or she wishes to speak.
- (d) *Agenda.* All reports, communications, ordinances, resolutions, contracts, documents or other materials to be submitted to the commission shall, no later than 12:00 noon on Wednesday prior to each meeting, be delivered to the city clerk, who shall arrange a list of such matters and furnish each member thereof with a copy of the same prior to the regular meeting, and as far in advance of the meeting as time for preparation will permit.
- (e) *Writing; debate.* Ordinances and resolutions shall be reduced to writing before the same are

read by the city clerk; however, amendments thereto may be made orally. The presiding officer shall require a motion and a second before allowing general debate thereon.

(Code 1960, § 2-5; Ord. No. K-443, §§ 2—4, 9-18-06; Ord. No. L-05, § 1, 3-3-08; Ord. No. L-283, §§ 1, 2, 11-5-12; Ord. No. L-292, § 1, 7-15-13; Ord. No. 14-006, § 1, 3-3-14; Ord. No. 15-005, § 1, 3-2-15; Ord. No. 16-001, § 1, 2-16-16; Ord. No. 17-025, § 1, 9-18-17)

State Law reference— Procedure for adoption of ordinances and resolutions, F.S. § 166.041.

Sec. 2-30. - Same—Special meetings.

Rules at special meetings of the commission shall be the same as for regular meetings except that no minutes of any meeting shall be finally approved except at a regular meeting.

(Code 1960, § 2-9.1)

Sec. 2-31. - Withdrawal of resolutions and motions.

Withdrawal of any resolution, motion or amendment by the member offering it shall be permitted at any time.

(Code 1960, § 2-6)

Sec. 2-32. - Voting.

- (a) Voting on all motions, resolutions and amendments except adjournment shall be by "yeas" and "nays" upon call of the roll of members in alphabetical order of surnames, except that the name of the mayor-commissioner may be called last. The record of the vote shall be recorded.
- (b) Any member may orally state the reason for his vote and may insert in the record his reason in writing in not to exceed twenty-five (25) words.

(Code 1960, § 2-7)

Charter reference— Quorum, voting by commission, § 25.

Sec. 2-33. - Minutes—Contents.

The city clerk shall keep and enter on the minutes of the meeting a record of all resolutions, motions and amendments passed, together with the vote of each member thereon. A brief statement of the substance or character of those not passed with the vote thereon will suffice.

(Code 1960, § 2-8)

Sec. 2-34. - Same—Attestation.

All minutes after approval and recording shall be attested by the signatures of the mayor-commissioner, or of the mayor pro tem who presided at the meeting, and the city clerk.

(Code 1960, § 2-9)

Sec. 2-35. - Addressing the commission generally.

- (a) *Limited participation.* The city manager, city clerk, and the city attorney shall have the right to take part in discussion but may not vote.
- (b) *Written communications by others.* Any person may address the commission concerning items on the agenda by submitting written communications. Such communications shall be received by the presiding officer and entered into the record of the meeting by the city clerk.
- (c) *Oral communication by others.* After first securing permission from the presiding officer, any person may address the commission orally on specific matters, at the appropriate times as designated by the order of business provided in code subsection 2-29(a).
 - (1) *Manner of addressing the commission; time limit.* Each person recognized by the presiding officer and granted leave to address the commission shall: (i) step up to the microphone; (ii) shall provide the city clerk with his name and address for the record; and (iii) unless further time is granted by majority vote of the commission, shall limit his address to three (3) minutes. All remarks shall be addressed to the commission as a body and not to any individual member thereof. No person, other than the commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the commission, without the permission of the presiding officer. No question shall be asked by a commission member. No person from the audience shall address the commission.
 - (2) *Decorum generally:*
 - a. *By commission members.* While the commission is in session, the members must preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the commission, or disturb any member while speaking or refuse to obey the orders of the commission or its presiding officer, except as otherwise provided in this article.
 - b. *By all persons.* Any person making personal, impertinent, slanderous, obscene, profane, inflammatory, irrelevant or immaterial remarks, or who shall become boisterous while in the commission chambers, or shall incite violence or fighting, whether or not addressing the commission, shall be declared by the presiding officer to be out of order. Any person who refuses to obey an order of the presiding officer in relation to preserving order and decorum shall be banned from further

attendance at the meeting in question, unless permission to remain is granted by a majority vote of the commission. No heckling or verbal outbursts in support or opposition to a speaker or his remarks shall be permitted.

- (3) *Enforcement of decorum.* The chief of police, or such member of the police department as he may designate, shall be sergeant-at-arms of the commission meetings. The sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the commission meeting.

(Ord. No. 14-006, § 2, 3-3-14; Ord. No. 15-005, § 2, 3-2-15.)

Secs. 2-36—2-45. - Reserved.