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Recorded - Benton County, AR
Brenda DeShields, Circuit Clerk

No. 01-22

**A RESOLUTION SETTING FORTH THE MEETING RULES OF THE TOWN COUNCIL
FOR THE TOWN OF AVOCA, ARKANSAS.**

WHEREAS, the Town Council is charged with setting the rules for its proceedings, and the Town Council finds the following rules should be followed in order to promote efficient, consistent and fair Town Council meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF AVOCA, ARKANSAS.

1. Town Council — Members and Duties. There shall be five (5) aldermen, with respective positions designated as #1, #2, etc. Candidates for the position of Alderman shall reside within the corporate limits of Avoca at the time they file as candidates for council members, and while holding that office. The election of alderman shall be at large. Members of the Town Council shall have all powers and duties as set forth in state law.

2. Regular Meetings. All regular meetings of the Town Council shall be held at 222 North Old Wire Road on the second Tuesday of each month at 6:30 PM. Should the regular meeting be changed for any reason, a new date will be designated by agreement of the Council Members. Change of date to be posted and media contacted per Freedom of Information Act.

3. Special Meetings. The Mayor shall have the power to call a special meeting of the Town Council. He shall fix the time of the meeting and issue, or cause to be issued, a notice to be filed with the Recorder-Treasurer requesting that notification be made to each Council Member and the press and be posted. The objective for which such meeting shall be called shall be stated in general terms in the notice of such meeting.

Whenever three (3) Council Members agree that in their judgment it shall be for the best interest of the Town to have a special meeting of the Council, such special meeting may be held. The members must file with the Recorder-Treasurer the objective or specific purpose of the meeting, date and time and request that notice be made to each council member and Mayor and the press. Notice of meeting must be posted. Only the Council Member(s) who requested the special meeting, or the Mayor, if he or she requested the special meeting, may cancel the special meeting.

At any special meeting, no other business shall be transacted beyond that for which the meeting was called. All such meetings shall be open to the public, press and media that have requested notice must be given at least two (2) hours advance notification.

4. Executive Sessions. Executive sessions shall only be convened by the Town Council when one is permitted according to state law, and specifically the state Freedom of Information Act which shall be strictly observed at all times.
5. Work Sessions and Committee Meetings. All work sessions and committee meetings of the Town Council shall be open to the public, and shall be subject to notification as required by law, and as provided herein.
6. Duty of Council Members to Attend. It shall be the duty of each Council Member to attend all council meetings.
7. Penalty for absence. Any Council Member who fails to attend a council meeting shall forfeit any stipend or payment provided for the attendance of such meeting.
8. Quorum. A quorum of the Town Council of the Town of Avoca shall be constituted in accordance with applicable state law.
9. Presiding Officer. As set forth in state law, the Mayor shall preside at a meeting of the Town Council and shall have a vote as provided in state law. In the absence of the Mayor, the Recorder-Treasurer shall serve as the presiding officer of the Town Council meeting.
10. Meeting journal. The Recorder-Treasurer shall, in accordance with state law, keep a journal/minutes of the proceedings of all regular and special meetings of the Town Council, which shall be open for inspection and examination as set forth in state law.
11. Order of Business: Regular session of the Town Council shall proceed under the following pattern which shall be written in the form of an agenda distributed to Council Members prior to the meeting.
 1. Call to Order
 2. Pledge of Allegiance
 3. Moment of Silence
 4. Public Forum (Agenda Item); 3 minutes
 5. Roll Call
 6. Declaration of Quorum
 7. Consent of Agenda
 8. Consent of Minutes
 9. Consent of Financial Statement
 10. Staff Report

11. Committee Reports; Planning Commission, Zoning & Code Enforcement,
 - a. Streets, Park, Personnel, etc.
12. Old Business
13. New Business
14. Mayor Good for the Town
15. Town Council Members Personal Privilege (Any Matter): 3 minutes
16. Public Forum (Non-Agenda Item)
17. Announcements
18. Adjournment

12. Rules of Procedures. The Council Meeting shall be conducted by Roberts Rules of Order and/or the Arkansas Municipal League, to the current published issue. Who May Address the Council? Members of the public may address the Town Council at work sessions, concerning topic of session; individuals wishing to speak during the 'public comments' of a meeting of the Town Council must let the Recorder-Treasurer know prior to the commencement of the meeting. Each speaker will be limited to three (3) minutes. The three-minute speaking time may be changed by the Mayor, depending on the number of speakers. This section shall not be applied to conflict with any law or regulations pertaining to public hearings required by state law.

13. Procedures for Motions. The procedures for motions to be followed by Roberts Rules of Order and/or the Arkansas Municipal League, to the current published issue.

14. Ordinances and Resolutions to be Reduced to Writing. No ordinance or resolution, before the Town Council, shall be acted upon until it shall have been reduced to writing.

15. Procedures for Filing Ordinances and Resolutions.

- a. An original ordinance or resolution must be filed with the Recorder/Treasurer for consideration by the Town Council.
- b. Each ordinance or resolution must be sponsored by the Mayor or a Council Member.
- c. The Town Council shall not pass or consider at a regular meeting any resolution, ordinance, petition, contract, lease, appointment or any other matter, other than communications affecting the general public, that is not filed with the Recorder/Treasurer prior to the meeting.

16. Agenda. The Town Council meeting agenda shall be prepared by the Recorder/Treasurer, and shall be delivered, mailed, or sent via electronic mail such that they are received, in hand or via electronic mail, by Council Members no later than the Thursday before the meeting.

Severability of Parts of Resolution: It is hereby declared to be the intention of the Avoca Town Council that each part of this resolution is severable, and if any phrase, clause or sentence of this Resolution shall be declared unconstitutional by the valid judgment or decrees of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences of the Resolution.

PASSED AND APPROVED THIS 11th day of January, 2022.



Approved:


Robert Whitehorn, Mayor

Attest:


Nanette Barnes, Recorder-Treasurer

User Name: CLAUDIA
CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
L202203076 1/13/2022 9:42:13 AM
Brenda DeShields, Circuit Clerk
BENTON CO, AR FEE \$30.00