

**CITY OF SULTAN  
SULTAN WASHINGTON  
RESOLUTION 24-01**

**A RESOLUTION OF THE CITY OF SULTAN ADOPTING RULES OF  
PROCEDURES FOR COUNCIL MEETINGS.**

WHEREAS the City Council of the City of Sultan has determined that it is in the best interests of the City of Sultan to provide guidelines and procedures for conducting Council meetings; and

WHEREAS the City Council has determined that the procedures should be consistent with current practice; and

WHEREAS the City Council wants to provide for orderly meetings and to provide for efficient and effect conduct of city business; and

WHEREAS Under Resolution 25-11, the City Council previously amended the procedures at the October 24, 2015, meeting; and


WHEREAS the City Council has determined additional updates are needed to match state requirements and necessary procedure changes; and


NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

**Section 1. Council Rules of Procedure.** The City Council hereby approves and adopts the "Council Rules of Procedure" attached hereto as Exhibit A and incorporated herein by reference.

**Section 2. Effective Date.** This resolution shall take effect and be in force immediately upon its passage.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 22<sup>ND</sup> DAY OF FEBRUARY 2024.

DocuSigned by:  
  
76379EAD00464E6...  
Russell Wiita, Mayor

ATTEST:  
DocuSigned by:  
  
85FC34C401FC42E...  
Tami Pevey, City Clerk

# CITY OF SULTAN

# COUNCIL

# MEETING

# PROCEDURES

**Revised February 2024 (Resolution 24-01)**  
**Revised October 2015 (Resolution 15-11)**  
**Revised October 2010 (Resolution 10-18)**  
**Revised March 2008 (Resolution 08-11)**  
**Adopted April 12, 2007 (Resolution 07-05)**



## CITY OF SULTAN -COUNCIL MEETING PROCEDURES

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## CITY OF SULTAN COUNCIL PROCEDURES

### **1. GENERAL RULES**

- 1.1 Meetings to be Public:** All official meetings, minutes, and records of the Council shall be open to the public with the exception of executive sessions, closed sessions and except as provided by law (as defined in RCW Chapter 42.30).
- 1.2 Quorum:** At all Council Meetings, a majority of the Council (four members) shall be in attendance to constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regular meeting.
- 1.3 Attendance, Excused Absences:** RCW 35A.12.060 provides that a Councilmember shall forfeit his/her office by failing to attend three (3) consecutive regular meetings of the Council without being excused by the Council. Members of the Council may be excused by complying with this section. The member shall contact the Chair prior to the meeting and state the reason for their inability to attend the meeting. If the member is unable to contact the Chair, the member shall contact the City Clerk, who shall convey the message to the Chair. The Chair shall inform the Council of the member's absence, state the reason for such absence and inquire if there is a motion to excuse the member. Upon passage of such motion by a majority of members present, the absent member shall be considered excused, and the Clerk will make an appropriate notation in the minutes. If the motion is not passed the Clerk will note in the minutes that the absence is unexcused. A motion to excuse a Councilmember may be made retroactively at the next meeting.

**Leaves of Absence:** The City Council may by motion grant leaves of absence to its members for such term as may commend itself at the discretion of the Council.

**Remote Attendance:** In no event shall the majority of the Council approve a Council member's remote attendance unless necessary equipment is available. Necessary equipment shall mean any telephone or other device equipped with a speaker function capable of broadcasting the Council member's voice clearly and sufficiently enough to be heard by those in attendance at the meeting. The device must allow the Council member to pose and answer questions. To ensure necessary equipment is available, a Council member seeking to attend a meeting remotely must contact the City Clerk (by phone or email) by noon (12:00 p.m.) on the day of the meeting.

Council members appearing remotely will participate and vote during the meeting as if they were physically present at the meeting. The Council member's vote must be audibly provided so that any participant may hear their vote. The Mayor or presiding officer will confirm the vote.

Councilmembers appearing remotely shall comply with all state and local rules, regulations, and procedures as if they were physically present at the meeting.

- 1.4 **Journal of Proceedings**: A journal of all proceedings of the Council shall be kept by the City Clerk and shall constitute the official record of the Council.
- 1.5 **Recording Meetings**: The City Clerk's office records and makes available online all Council meetings except for those portions of the meeting conducted in executive or closed session.
- 1.6 **Right of Floor**: Any member desiring to speak shall be recognized by the Chair and shall confine his/her remarks to one subject under consideration or to be considered.
- 1.7 **Rules of Order**: Robert's Rules of Order Newly Revised shall be the guideline procedures for the proceedings of the Council. If there is a conflict, these rules shall apply.
- 1.8 **Arrangement of the Council**: The Mayor shall be seated in the center of the council table with the Council in order of position number shall fill the other seven seats at the Council table.
- 1.9 **Oath of Office**: Prior to taking a seat on the council, the elected or appointed council member must take the oath of office as required under RCW 35A.12.040.

## **2. TYPES OF MEETINGS**

- 2.1 Regular Council Meetings:** The Council shall meet on such days as set by ordinance beginning at 7 PM and ending at 10 PM. SMC 2.04.010 (A) states:

The regular meeting of the city council of the city of Sultan shall be held in the Sultan Council Chambers as follows:

- 1) January through October: on the second and fourth Thursday of each month beginning at the hour of 7:00 p.m.
- 2) November through December: on the first and third Thursday of each month beginning at the hour of 7:00 p.m.

Whenever the regular meeting date of the Sultan city council falls on a legal holiday, the regular meeting of said city council will be held at the same hour and place on the next succeeding day. However, the Council may reschedule regular meetings to a different date or time by motion. The location of the meetings shall be the Community Center meeting room at 319 Main Street, unless specified otherwise by a majority vote of the Council. All regular and special meetings shall be public.

- 2.2 Special Meetings:** Special meetings may be called by the Mayor or any four (4) members of the Council. The City Clerk shall prepare a notice for the special meeting stating the time, place, and business to be transacted. The City Clerk shall attempt to notify each member of the Council, either by telephone or otherwise, of the special meeting. The City Clerk shall give at least 24 hours' notice of the special meeting 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. No subjects other than those specified in the notice shall be considered. The Council may not make final disposition on any matter not mentioned in the notice.

- 2.3 Emergency Meetings:** Emergency meetings may be called in less than 24 hours and without notice requirements for special and regular meetings, to deal with emergencies involving damage to persons or property, or when there is a likelihood that adherence to the notice requirements would be impractical and may increase the likelihood or injury or damage. Emergency Meetings will be at a time and place as Council directs and can include a remote meeting without a physical location.

**Meetings while under Declaration of Emergency.** After the declaration of an emergency by a local, state, or federal government, Council may direct that all its meetings be held remotely without a physical location; or at a physical location where physical attendance by some or all members of the public is limited due to the declared emergency.

- 2.4 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.

- 2.5 Study Sessions and Workshops:** The Council may meet informally in study sessions and workshops (open to the public), at the call of the Mayor or of any four or more members of the Council, to review forthcoming programs of the city, receive progress

reports on current programs or projects, receive other similar information from city department heads or conduct procedures workshops, provided that all discussions and conclusions thereon shall be informal and do not constitute official actions of the Council. Study sessions and workshops held by the Council are "special meetings" of the Council, and the notice required by RCW 42.30.080 must be provided.

- 2.6 Executive Sessions:** Executive Sessions or closed meetings may be held in accordance with the provisions of the Washington State Open Meetings Act (Chapter 42.30 RCW). The purposes for which an Executive Session or Closed Session may be held are identified in RCW 42.30.110 and RCW 42.30.140.

Before convening the executive session, the Chair shall publicly announce the purpose for excluding the public from the meeting place and the anticipated time when the executive session will be concluded. Should the session require more time, a public announcement shall be made that the Session is being extended. If the Council wishes to adjourn at the close of a meeting from executive session, that fact will be announced along with the estimated time for the executive session.

- 2.7 Attendance of Media at Council Meetings:** All official meetings of the Council and its committees 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.

**3. CHAIR COUNCIL AND DUTIES**

- 3.1 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 Mayor Pro Tem, the Council shall elect a Chair.
- 3.2 Council:** The Council consists of seven Council members, who are residents within the city limits of Sultan and have been elected or appointed.
- 3.3 Call to Order:** The meetings of the Council shall be called to order by the Mayor or, in his/her absence, 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 City Clerk for the election of a temporary Chair.
- 3.4 Lack of a Quorum:** Before the meeting is called to order, it is the duty of the Chair to determine if there is a quorum present. In the absence of a quorum, any business transacted is null and void, except that within this paragraph. If a quorum is not present, the Chair shall wait a reasonable amount of time to determine if a quorum will be present. If it appears that a quorum will not be present, or if a reasonable time expires and there is no quorum, the Chair shall call the meeting to order, announce the absence of a quorum, then entertain a non-debatable motion to adjourn, a motion to adjourn to a specific time and place other than a regularly scheduled meeting or a recess. During the recess, measures shall be taken to contact members of the Council to seek their attendance.
- 3.5 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.
- 3.6 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 Chair be sustained?"
- 3.7 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 upon all questions.
- 3.8 Mayor – Powers:** The Mayor 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 over chairing of that portion of the meeting to the Mayor Pro Tem, or to another councilmember if the Mayor Pro Tem is absent. The Mayor's voting rights, and veto power are as specified in RCW 35A.12.100.

#### **4. ORDER OF BUSINESS AND AGENDA**

**4.1 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 order:

- (1) Call to Order
- (2) Pledge of Allegiance
- (3) Changes/Additions to the agenda
- (4) Presentations
- (5) Public Hearings
- (6) Comments from the Public
- (7) Mayor, City Administrator, and Councilmembers comments
- (8) Department Head/Council Committee/Commission Reports
- (9) Consent Agenda
- (10) Action Items
- (11) Discussion Items
- (12) Executive sessions (may be held at any time during the meeting)
- (13) Adjournment

The Consent Agenda may contain items which are of a routine and non-controversial in nature which may include, but are not limited to, the following: meeting minutes, payroll, claims, budget amendments, and any item previously approved by Council with a unanimous vote and which is being submitted to Council for final approval. No discussion shall take place regarding any item on the consent agenda beyond asking questions for simple clarification. Any item on the Consent Agenda may be removed and considered separately as an agenda item at the request of any Councilmember or any person attending a Council meeting.

**4.2 Council Agenda:** Upon the direction by the City Administrator, the City Clerk shall prepare the agenda for each Council meeting. Subject to the Council's right to amend the agenda, no legislative item shall be voted upon which is not on the Council agenda, except in emergency situations (defined as situations which would jeopardize the public's health, safety, or welfare).

**4.3 Mayor and Councilmember Comments and Concerns:** The agenda shall provide a time when the Mayor and Councilmembers ("Comments from Councilmembers") may bring before the Council any business that he/she feels should be deliberated upon by the Council. There shall be no lectures, speeches or grandstanding.

## **5. CONSENSUS AND MOTIONS**

- 5.1 Motions:** No motion shall be entertained or debated until duly seconded and announced by the Chair. The motion shall be recorded and, if desired by any Councilmember, it shall be read by the Clerk before it is debated and, by the consent of the Council, may be withdrawn at any time before action is taken on the motion.
- 5.2 Votes on Motions:** Each member present shall vote on all questions put to the Council except on matters in which they have been disqualified for a conflict of interest or under the appearance of fairness doctrine. Such member shall disqualify themselves prior to any discussion of the matter and shall leave the Council Chambers. 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 on which it 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 first shall have reviewed all materials and listened to all recordings of the proceedings in which the member did not participate.
- 5.3 Tie Vote:** When a vote is tied, the Mayor shall take a roll call, calling each individual Council member by name to record his/her vote. To the extent allowed by state law, in the event of a tie vote, the Mayor shall vote and break the tie.
- 5.4 Failure to Vote on a Motion:** Any Councilmember present who fails to vote without a valid disqualification shall be declared to have voted in the affirmative on the question.
- 5.5 Motions to Reconsider:** A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding regular meeting. No motion to reconsider an adopted quasi-judicial written decision shall be entertained after the close of the meeting at which the written findings were adopted.

## **6. PUBLIC HEARING PROCEDURES**

**6.1 Speaker Sign-In:** Prior to the start of a public hearing the Chair may require that all persons wishing to be heard sign in with the Clerk, giving their name 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. The Chair, subject to the concurrence of a majority of the Council, may establish time limits and otherwise control presentations. (Suggested time limit is three minutes per speaker. Council has the option to change the time limit and regardless of time limit set, the same time limit shall be applied to all speakers..) The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, etc.).

**6.2 Conflict of Interest/Appearance of Fairness:** Prior to the start of a public hearing the Chair will ask if any Councilmember has a conflict of interest or Appearance of Fairness Doctrine concern which could prohibit the Councilmember from participating in the public hearing process. A Councilmember who refuses to step down after a challenge and the advice of the City Attorney, a ruling by the Mayor or Chair and/or a request by the majority of the remaining members of the Council to step down is subject to censure. The Councilmember who has stepped down shall not participate in the Council decision nor vote on the matter. The Councilmember shall leave the Council Chambers while the matter is under consideration, provided, however, that nothing herein shall be interpreted to prohibit a Councilmember from stepping down in order to participate in a hearing in which the Councilmember has a direct financial or other personal interest.

**6.3 The Public Hearing Process:** The Chair introduces the agenda item, opens the public hearing, and may announce the following Rules of Order:

- (1) Any individuals making comments shall first give their name and city of residence. This is required because an official recorded transcript of the public hearing is being made.
- (2) When in person, comments shall be made from the podium or a designated location. Anyone making "out of order" comments shall be subject to removal from the meeting. If you are disabled and require accommodation, please advise the Clerk.
- (3) There will be no demonstrations during or at the conclusion of anyone's presentation.
- (4) 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.
- (5) The typical order of the hearing shall be as follows:
  - The Chair calls upon city staff to describe the matter under consideration.
  - The Chair will open the floor to public testimony for all individuals who wish to speak regarding the matter under consideration. The Chair inquires if the council have additional comments and questions; (note that we follow Roberts Rules regarding all speakers before considering if speakers will be allowed additional time to speak.)
  - The Chair continues the public hearing to a specific time or closes the public hearing.

## **7. DUTIES AND PRIVILEGES OF CITIZENS**

**7.1 Meeting Participation:** Members of the public are welcome at all Council meetings and are encouraged to attend and participate before the deliberations of the Council. Recognition of a speaker by the Chair is a prerequisite and necessary for an orderly and effective meeting, be the speaker a , Councilmember or staff member. Further, it will be expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the specific subject under consideration. Anyone making out-of-order comments or acting in an unruly manner shall be subject to removal from the meeting Subject to these rules and procedures. Members of the public may provide comments during the “Comments from the Public” portion of the meeting or during “Public Hearings” if they wish to provide comments on matters on the Public Hearing calendar.

**7.2 Providing Comments and Bringing Business Before the Council:** During the “Comments from the Public” portion of the meeting, members of the public may address any item they wish to share with the Mayor and Council. Members of the public may address items on the agenda or items not on the agenda. Members of the public may request that Council consider issues not on the agenda at a future meeting. Following such comments, if action has been requested, the Mayor may place the matter on a future agenda or Councilmembers may indicate their desire to place an item on a future agenda during the “Councilmember Comments” portion of the agenda.

**7.3 Manner of Addressing the Council:** Any member of the public wishing to provide comments during the “Comments from the Public” portion of the meeting shall first obtain recognition by the Chair and begin their comments by stating their name and city of residence. If attending the meeting in-person, commenters shall approach the podium or a designated place to provide their comments. If attending the meeting virtually, speakers will be called upon by the Chair and unmute themselves to provide comments. Comments shall be limited to three (3) minutes per speaker or other limitations as the Chair or Council may deem necessary.

Councilmembers and members of the public shall not engage in debate or back-and-forth discussion during “Comments from the Public”. “Comments from the Public” are intended to be an opportunity for residents to share their concerns or input with the Mayor and Council. If follow-up is requested during public comment, such follow-up shall be provided during the appropriate time on the agenda or after the meeting.

**7.4 Out of Order Comments:** Any person who is engaging in conduct that disturbs, disrupts, or impedes the business of the City Council, or whose comments have been ruled out of order by the presiding officer, shall immediately cease and refrain from further improper comments or inappropriate conduct. The refusal of an individual to desist from inappropriate remarks or conduct after being ruled out of order by the presiding officer may subject the individual to removal from the council chambers, or expulsion from the remote meeting, and the person may be barred from further audience before the City Council during that meeting by the presiding officer or other remedies imposed as provided in RCW 42.30.050 now or hereinafter amended.

**7.5 Written Communications:** Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the city’s business or over which the Council had control at any time. The written communication may be submitted by direct mail or by addressing the communication to the City Clerk who will distribute copies to the Councilmembers, Mayor, City

Administrator, and appropriate management staff members. The communication will be entered into the record without the necessity for reading and a copy will be kept in accordance with the City's Records Retention Schedule.

- 7.6 Comments in Violation of the Appearance of Fairness Doctrine:** The Chair may rule out of order any comment made with respect to quasi-judicial matters pending before the Council or its Boards or Commissions. Such comments should be made only at the hearing on a specific 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.

**8. FILLING COUNCIL VACANCIES AND SELECTING MAYOR PRO TEM**

**8.1 Notice of Vacancy:** If a Council vacancy occurs, the Council will follow the procedures outlined in RCW 42.12.070. In order to fill the vacancy with the most qualified person available until an election is held, the Council will widely distribute and publish a notice of the vacancy and the procedure and deadline for applying for the position.

**8.2 Application procedure:** The Council will create an application form which contains relevant information that will answer set questions posed by the Council. The application form will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Councilmember.

**Interview Process:** All candidates who submit an application by the deadline will be interviewed by the Council during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing the names; in order to make the interviews fair, applicants will be asked to remain outside the Community Center Meeting Room or placed in a virtual waiting room if attending virtually while other applicants are being interviewed. Applicants will be asked to answer questions posed by Councilmembers during the interview process. The Councilmembers will ask the same set of questions of each candidate. In addition, Councilmembers will have the ability to ask follow up questions based on the response of the candidate to the questions. Since this is not a campaign, comments and responses about other applicants will not be allowed.

**8.3 Selection of Councilmember:** The Council may recess into executive session to discuss the qualifications of all candidates. Nomination, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.

**8.4 Selecting Mayor Pro Tem:** The Council shall appoint a Mayor Pro Tem to conduct the business of presiding over meetings of the Council and any other regularly conducted business of the Mayor in the Mayor's absence. While the member is functioning as Mayor Pro Tem, the member retains their right and responsibility to make and vote on motions before the Council. The appointment of the Mayor Pro Tem shall take place annually at the first regular meeting of the Council each year and the term shall be for one year.

**9. CREATION OF COMMITTEES, BOARDS AND COMMISSIONS**

- 9.1 Citizen Committees, Boards and Commissions:** The Council may create committees, boards, and commissions to assist in the conduct of the operation of city government with such duties as the Council may specify not inconsistent with the Sultan Municipal Code.
- 9.2 Membership and Selection:** Membership and selection of members shall be as provided by the Council if not specified otherwise in the SMC. Any committee, board, or commission so created shall cease upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the Mayor except as otherwise specified in the SMC.
- 9.3 Removal of Members of Boards and Commissions:** The Council may remove any member of any board or commission which it has created by a vote of at least a majority of the Council.

**10. SUSPENSION AND AMENDMENT OF THESE RULES**

**10.1 Suspension of These Rules:** Any provision of these rules not governed by the SMC may be temporarily suspended by a vote of a majority of the Council.

**10.2 Amendment of These Rules:** These rules may be amended, or new rules adopted by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have introduced into the record at a prior Council meeting.