

RULES AND PROCEDURES FOR GENEVA CITY COUNCIL

1. RULES OF ORDER

Except as otherwise provided by these rules, the City Charter, the Municipal Code, or applicable provisions of state law, the procedures of the City Council shall be guided by the latest revised edition of Roberts Rules of Order, however, Robert's Rules of Order are not formally adopted.

2. AGENDA

The City Clerk shall prepare the Agenda under the direction of the City Manager as follows:

- (a) The City Manager shall consult with the Mayor in the preparation of the agenda.
- (b) The Agenda and all available supporting documents shall be delivered to Council members on the Friday preceding the Wednesday City Council meeting to which it pertains or as soon thereafter as possible.
- (c) Any Councilor or the City Manager may direct that any matter within the City Council's jurisdiction be placed upon the Agenda. Council members must submit agenda items no later than six days before the next scheduled council meeting.
- (d) Subject to the provisions of the NYS Open Meetings Law, the City Manager, Mayor, and City Council Members may offer items to be placed on the agenda at any time, including during a meeting if a case can be made that emergency consideration is warranted. Any amendment to the meeting agenda must be approved by a majority vote. Items offered during a meeting that fail to receive the required support to be added to the agenda will be automatically placed on the agenda of the next scheduled meeting.
- (e) The removal or reordering of agenda items must be approved by majority vote prior to the commencement of the meeting's regular business.

3. POWERS AND DUTIES OF PRESIDING OFFICER

- (a) Participation. The Mayor or his designee shall serve as Presiding Official at each regularly scheduled meeting. In the event that the Mayor is not in attendance and has not designated an alternate, the most senior Councilor in attendance shall serve as the Presiding Official. Presiding Official may move, second, and debate from the chair, subject only to such limitations of debate as are imposed upon Council Members by these rules, and shall not be deprived of any of the rights or privileges of a Councilor by reason of his or her acting as the Presiding Official.

(b) Duties. The Presiding Official shall (1) preserve order at all meetings of the City Council; (2) state (or cause to be stated) each question coming before the City Council; (3) announce the decisions of the City Council on all subjects; (4) decide all questions of order subject to the right to appeal rulings on questions of order to the entire City Council; and (5) encourage all persons present at the meeting to confirm their conduct in a civil manner.

4. RULES OF DEBATE

(a) Getting the Floor. A Councilmember desiring to speak shall gain recognition by the Presiding Official.

(b) Interruptions. A Councilor who has the floor shall not be interrupted when speaking unless he or she is called to order by the Presiding Official, a point of order or a personal privilege is raised by another Councilor or the speaker chooses to yield to a question by another council member. If a Councilor is called to order, he or she shall cease speaking until the question of order is determined.

(c) Points of Order. The Presiding Official shall determine all points of order subject to the right of any councilor to appeal to the City Council. The Presiding Official's decision may be overruled by two-thirds vote of the council members then present.

(d) Privilege of Final Comment. The Council member moving the introduction or adoption of an ordinance, resolution, or motion, shall have the privilege of speaking last on the matter after all other council members have been given an opportunity to speak. Privilege of final comment will be limited to one minute.

(e) Motion to Reconsider Legislative Actions. A motion to reconsider any legislative action taken by the city council may be made only by one of the council members on the prevailing side, or a councilor who was absent at the time the action was taken, and may be seconded by any council member. Such motion to reconsider a vote may be made during the same meeting the original vote was taken, but not later than three months after the initial vote. Such motion shall be debatable. A motion by a non-prevailing councilor or a request by a member of the public for reconsideration may be made only if one year has passed since the action was taken or the offering party provides substantial new information for consideration. Whether the new information presented is substantial shall be determined by the presiding official, subject to appeal to the entire city council. When a motion for reconsideration has been once decided, it is not in order for the same presenter to repeat the motion. If a public hearing was required on the matter being reconsidered, whether or not a new public hearing must be scheduled shall be incorporated as part of the motion for reconsideration offered. Motions to reconsider legislative actions shall require a majority vote of council.

(f) Calling the Question. A question may be called by majority vote of those present. However, neither the moving party nor the party seconding any motion may call for the question, each councilor shall be afforded one opportunity to speak on each item before the question is called, and a question may not be called to interrupt or cut off a particular speaker. The motion to call the question is not debatable. If the motion is successful, a vote on the matter under discussion

immediately follows, however, the presiding official may allow, at his or her discretion, a one- minute comment by each councilor who wishes to speak in opposition. If the motion to call the question fails, discussion on the original matter resumes.

(g) Limitation of Discussion. Council members shall limit their remarks during an active motion to the subject under discussion. No councilor shall be allowed to speak more than once upon any particular subject until every other councilor desiring to do so has spoken. Prior to beginning deliberation, the council may, by a two-thirds vote of those present, limit the amount of time that each councilor may spend stating his or her views on a particular agenda item. Once this time limit clause is invoked, all second comments by any council member shall be limited to two minutes or less.

5. PUBLIC COMMENT

(a) Manner of Addressing the City Council. After being recognized by the presiding official, each member of the public addressing the city council shall go to the podium, state his or her name and whom he or she is representing, if he or she represents an organization or other person. Each member of the public is encouraged, but not required, to also state his or her address, neighborhood, or city of residence. All remarks shall be addressed to the city council as a whole and not to any individual member thereof. After a public hearing has been closed, no member of the public shall address the city council on the matter under consideration, unless specifically requested to do so by the presiding official. Council may request additional input from the public on a particular matter subject to a majority vote. Members of the public shall refrain from asking any questions directly to the council except through the presiding official. The presiding official may use his or her own discretion in determining if a question is allowable.

(b) Time Limits. Members of the public who address council under public comment shall be limited to three minutes. Public officials addressing council shall not be limited to the three-minute rule. Any member of the public who may require more than the allotted three minutes, must seek an exemption to the three-minute rule before offering comments. Only the presiding official may grant that exemption.

6. ENTITLEMENT TO VOTE AND FAILURE TO VOTE

Every councilor present is entitled to vote unless disqualified by reason of a conflict of interest. A councilor who abstains from voting is not eligible to bring a future motion for reconsideration on that matter.

7. DISQUALIFICATION FOR CONFLICT OF INTEREST

Any councilor who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the presiding official state the nature of such disqualification. Any

councilor who wishes to abstain for other reasons, where an express conflict of interest does not exist, shall not be allowed to participate in any debate on the matter.

8. AMENDMENTS TO COUNCIL RULES OF PROCEDURE

Procedure for Amending Rules. Any member of the city council may request that the city council meeting rules of procedure be amended by submitting such request in writing to the city manager together with the specific change being recommended. The city manager shall submit the request to the city council at the council's next regularly scheduled meeting by placement of the request on the agenda. A super majority vote of the council shall be necessary to approve any amendment to the rules of procedure. Upon approval, the city clerk shall revise the rules of procedure and provide a copy of the revised rules to each member of council and to the city manager not later than the next regularly scheduled meeting of the council after approval of the amendment.

9. FAILURE TO OBSERVE RULES OF PROCEDURE.

These rules of order and procedures govern the conduct of city council meetings. These rules are intended to expedite the transaction of the business of the city council in an orderly fashion and are deemed to be procedural only. Failure to strictly observe these rules shall not affect the jurisdiction of the city council or invalidate any action taken at the meeting that otherwise conforms to law.

Robert's Rules of Order. On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in Robert's Rules of Order Newly Revised shall be advisory, but not formally adopted by this body. The city attorney shall act as parliamentarian.

10. PRESENTATION OF OFFICIAL POSITION.

On occasion, members may wish to transmit correspondence on an issue upon which the council has yet to take a position, about an issue for which the council has no position, or on which the council has adopted a position contrary to an individual member's stated position. In these circumstances, members should clearly indicate that they are not speaking for the city council as a whole, but for themselves as one member of council. Staff support, in the form of advice, counsel, or public statements cannot be utilized for personal or political purposes.

11. REMOTE PARTICIPATION IN MEETINGS

Reference Local Law 4-2022 Authorizing the use of video-conferencing by public bodies of the city of Geneva pursuant to New York State public officers law Section 1003-A

12. USE OF ELECTRONIC EQUIPMENT DURING CITY COUNCIL MEETINGS

Restricted use of electronic devices with the exception of the computer assigned to each Councilor, Mayor & City Manager at City Council meetings shall be required by those members. Use of non-city issued devices shall be prohibited during meetings unless a specific need is requested with 48hrs prior notice ahead of meeting and approved by the presider.

13. INTRODUCTION AND SPONSERSHIP OF RESOLUTIONS

(A) Sponsorship Requirement

1. Any Councilor proposing a resolution for consideration by the Geneva City Council shall serve as the Primary Sponsor.
2. No resolution shall be placed on the agenda for any Regular Meeting of the City Council unless it has been co-sponsored by at least one (1) additional Councilor.
3. The names of the Primary Sponsor and Co-Sponsor(s) shall be listed on the resolution at the time it is submitted for review.

(B) Submission and Review Period

1. All proposed resolutions shall be submitted in writing to the City Clerk for distribution to the City Manager, Mayor, and City Council.
2. Upon submission, a proposed resolution shall undergo a mandatory thirty (30) day review and consideration period prior to being eligible for placement on the agenda of a Regular Meeting.
3. During this review period, the City Manager, Mayor, and Council may request clarifying information, staff analysis, legal review, or fiscal impact assessment as appropriate.

(C) Placement on Agenda

1. After the 30-day review period has concluded—and provided the resolution has at least one Co-Sponsor—the City Clerk shall place the resolution on the agenda of the next Regular Meeting.
2. Resolutions that do not meet both requirements (sponsorship + 30-day review period) shall not be placed on the agenda.

(D) Exceptions for Administrative or Emergency Matters

1. The requirements of Sections A–C may be waived only for resolutions relating to administrative matters or emergency issues.
2. For a resolution to qualify for such an exception:
 - a. The City Manager must identify and certify in writing that the issue constitutes an administrative necessity or an emergency; and
 - b. The Mayor must concur with this determination.
3. When both conditions are met, the resolution may be placed on the agenda of a Regular or Special Meeting without the 30-day review period and without a Co-Sponsor, at the discretion of the Mayor and City Manager.

(E) Interpretation and Enforcement

1. The City Clerk shall be responsible for administering this rule, ensuring compliance prior to agenda publication.
2. Any dispute regarding applicability or interpretation of this rule shall be resolved by the Mayor as the presiding officer, subject to appeal by a majority vote of the City Council.

8/13/13

Amended 05/04/2016

Amended 08/01/2018

Amended 9/4/2024

Amended 1/7/2026

LOCAL LAW 4-2022

LOCAL LAW 4-2022 AUTHORIZING THE USE OF VIDEO-CONFERENCING BY PUBLIC BODIES OF THE CITY OF GENEVA PURSUANT TO NEW YORK STATE PUBLIC OFFICERS LAW SECTION 103-A

BE IT ENACTED, by the City Council of the City of Geneva as follows:

SECTION ONE. Purpose. The purpose of this Local Law is to authorize the use of Video Conferencing by members of public bodies of the City of Geneva, in accordance with a, Video Conferencing by Public Bodies and the videoconferencing policies adopted by the Geneva City Council set forth below.

SECTION TWO. Authorization for the Use of Video Conferencing. The City Council hereby authorizes the use of Video Conferencing for all public bodies in the City of Geneva, including itself and its committees and subcommittees, and all boards of the City of Geneva, subject to the written procedures set forth below which may be amended by resolution.

SECTION THREE. Upon the effective date of this local law, the City Council and all City Public Bodies shall follow the written procedures governing the use of video conferencing for the City of Geneva set forth below.

SECTION FOUR. These written procedures shall govern the use of Video Conferencing for all public bodies of the City of Geneva including, but not limited to, the City Council of the City of Geneva, the Planning Board of the City of Geneva, the Zoning Board of Appeals of the City of Geneva, and all City committees and subcommittees, (each being hereafter referred to as a "Public Body"):

- A. A quorum of the members of the Public Body must be physically present in the same physical location or locations, where members of the public may attend, to fulfill any quorum requirements to which said Public Body is subject.
- B. These procedures shall be conspicuously posted on the City's website.
- C. Members of a Public Body must be physically present at the meeting, unless such member is unable to be physically present at such meeting location due to extraordinary circumstances, including

disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

- D. Extraordinary circumstances must be certified by email or other written means to the City Clerk by the member of the City Council in accordance with the City's videoconferencing policies and procedures and not less than 72 hours prior to any meeting.
- E. The City Clerk will notify the presider of the request. The request must be approved by the presider based on the requirements stated in subsection C above. Emergency requests within the 72 hour requirement may be considered depending on the circumstances.
- F. Except in the case of executive sessions conducted pursuant to Public Officers Law Section 105, members of the Public Body must be able to be heard, seen and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. Members will be required to be physically present for Executive Sessions.
- G. The minutes of any meetings involving Video Conferencing shall include which, if any, member participated using videoconferencing technologies.
 - 1. Such minutes must be made available to the public pursuant to Public Officers Law § 106.
 - 2. Any meeting that uses videoconferencing must be recorded and such recordings must be posted to or linked on the City website within five business days after the meeting. The recordings must remain available for a minimum of five years thereafter and recordings must be transcribed upon request.
 - 3. A transcript of recordings will be provided upon request, subject to availability.
- H. If Video Conferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that Video Conferencing will be used, where the required documents and records will be posted or available, where members of the public can view and/or participate in such meeting via videoconference and identify the physical location(s) where members of the City Council will be physically present at the meeting and where members of the public can attend the meeting in person.
- I. If Video Conferencing is used to conduct a meeting, members of the public shall be allowed to view the video broadcast of any meeting using videoconferencing simultaneously when the meeting is conducted. Additionally, at meetings where public comment or participation is authorized by the City Council, members of the public shall be allowed to participate in the proceedings using videoconference technologies in real time and with the same opportunities for public participation or testimony as in-person participation or testimony.
- J. The City Council/Board of Trustees body may conduct meetings entirely by videoconference, with no in-person requirement, provided that:
 - 1. A state of emergency is declared by the Governor of the State of New York pursuant to Executive Law § 28, or

2. A local state of emergency is declared by the City Manager pursuant to Executive Law § 24, and the City Council determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.

3. Whenever the City Council invokes the emergency exception as defined in this section and takes action at such meeting without allowing members of the public to be physically present, the City Council must acknowledge the previous meeting(s) and summarize any action(s) taken thereat at the next immediate meeting where the public is allowed to attend. The City Council must produce minutes of such emergency meetings pursuant to the requirements of Public Officers Law § 106.

K. Open meetings of any Public Body that are broadcast or that use Video Conferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines.

SECTION FIVE. Severability. If any portion of this Local Law shall be deemed by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the remainder of this Local Law shall remain in full force and effect to the extent practicable.

SECTION SIX. This Local Law shall be effective immediately upon its filing with the New York State Secretary of State.