

RULES OF CITY COUNCIL

(Adopted September 23, 2025)

I. INTRODUCTION

101. **Purpose.** The purpose of these Rules of City Council (“Rules”) is to facilitate the timely, efficient, and orderly conduct of public meetings and of decision-making. They are designed and adopted for the benefit and convenience of the City Council of Hopewell, Virginia (“Council”).
102. **Rules Do Not Create Substantive Rights in Others.** These Rules do not create substantive rights in third parties or participants in matters before Council.
103. **Compliance with these Rules.** These Rules that are parliamentary in nature are procedural, and not jurisdictional, and the failure of Council to strictly comply with them does not invalidate any action of Council. The Rules that implement the requirements of state law are jurisdictional only to the extent that Virginia law makes them so.

II. OFFICERS AND PRIVILEGES

201. **Presiding Officer.** The presiding officer is the Mayor or, in the Mayor's absence, the Vice-Mayor (Charter IV.5). If the Mayor and Vice-Mayor are absent, the Councilors present elect a presiding officer *pro tem*.
202. **Attendance.** Councilors must notify the City Clerk at least 12 hours in advance if they will be absent from a meeting, unless they cannot do so. The City Clerk will promptly notify all Councilors if quorum is unlikely. If quorum is unlikely, the Mayor, the Vice-Mayor in the Mayor's unavailability, or the City Clerk if both are unavailable, may cancel the meeting.
203. **Seating.** Councilors are seated on the dais as follows. Mayor at center; Vice-Mayor to the Mayor's immediate left; other Councilors in increasing numerical order by ward, starting at the left of the Mayor. The City Attorney and City Manager are seated to the Mayor's far left, and the City Clerk is seated to the Mayor's far right.

III. STAFF

301. **City Clerk.** The City Clerk acts as the administrative officer at all meetings, is the custodian of all the public records of Council, and keeps the official minutes of all meetings. The City Clerk publishes all public notices in a newspaper of general circulation and on the City website, in accordance with law. In the City Clerk's absence, a City Clerk *pro tem* will be appointed during the meeting until the City Clerk arrives.

The City Clerk is responsible for the security, provisioning, and upkeep of the Council Chamber. Meetings of Council take priority over other uses of the Council Chamber, followed by the boards, commissions, or other public bodies of the City. Non-City organizations may use Council Chamber for other gatherings at the discretion of the City Clerk, in consultation with the Mayor.

Non-City organizations must submit an application to the City Clerk at least 15 business days before the proposed gathering on the form provided by the City Clerk, which will include the rules for use of Council Chambers as determined by the City Clerk. Applications must include a security deposit. Such deposit will be determined from year-to-year by the City Clerk and be uniform for all applications. No-shows and failure to cancel in a timely manner may result in the denial of future use of Council Chambers.

Gatherings at which disorderly, obscene, or illegal conduct occurs, regardless of the gathering's purpose; fund raising; and gatherings of for-profit businesses or organizations are prohibited.

Councilors file their Statements of Economic Interest with the City Clerk, and may request the City Clerk's assistance in preparing them. The City Clerk will provide written confirmation of receipt. Councilors must provide the City Clerk with their phone numbers and physical and mailing addresses within 5 business days of any change.

302. **City Attorney.** Where these rules are silent, *Robert's Rules of Order* prevails (Charter IV.4). The City Attorney serves as parliamentarian. The City Attorney's interpretation of these Rules, when requested by the presiding officer, is final and binding subject only to a 2/3 vote of all Councilors present.

The City Attorney must provide an orientation to these Rules to all new Councilors within 2 months of their taking office.

IV. THE AGENDA

401. **Time.** No meeting, except in case of an emergency called by the Governor or the City Manager, may begin earlier than 5:00 p.m.

402. **Regular Meetings.** Regular meetings are held in the Council Chamber at least once each month (Charter IV.6), and on such days as established at Council's annual meeting (Va. Code § 15.2-1416). Regular meetings proceed in the following order:

- Call to order and roll call
- Call for amendments to the agenda, or to proceed in a different order than laid out here
- Closed meeting, if needed
- Welcome to the public
- Report of the City Manager
- Actions resulting from the closed meeting
- Work session, if needed
- Prayer and pledge of allegiance
- Consent agenda, which may include approval of meeting minutes, information for Council review, personnel reports, financial report, approving acceptance of grants, voting upon ordinances and resolutions on a second reading, and any resolution that is expected to be uncontroversial. All proposed ordinances and resolutions that have reached a second reading, if no Councilor voiced opposition at the first reading, are placed upon the consent agenda by default. Any Councilor may move an item on the consent agenda to regular business by notifying the City Clerk.

- Communications from the public
- Regular business, including presentations (10 minute limit for each), public hearings, and any ordinance or resolution on first reading
- Other Business, including reports of boards, commissions, and constitutional officers; reports of the City Attorney and City Clerk; and Councilor requests. No Councilor may have more than two requests on a regular meeting agenda.
- Adjournment

403. Special Meetings. Special meetings may be called by the City Manager or any Councilor. The agenda items to be discussed or considered must accompany the request. (Charter IV.6).

Notice, reasonable under the circumstances, must be given to the public. Except in case of an emergency called by the Governor or the City Manager, no special meeting may be called with less than 3 days' notice, in which case the special meeting must be limited to agenda items necessary or incidental to responding to the emergency.

The City Clerk promptly issues public notice and an agenda, showing the time and place, with an electronic copy to each Councilor. During special meetings, no items may be added to the agenda unless all members are present and unanimously consent.

404. Setting the Agenda. All items to be placed on a regular meeting's agenda must be submitted to the City Clerk before 5:00 p.m. 8 days before the meeting (that is, on Monday for the following Tuesday, and so forth). If that date is a holiday, then the agenda item is due to the Clerk on the working day prior to that date. The Clerk will notify the Mayor and Vice-Mayor. Councilors need not provide a CAF or similar administrative record to have an item placed on the agenda. The City Clerk submits a proposed agenda to the City Manager, City Attorney, Mayor, and Vice-Mayor for review no later than 10:00 a.m. 6 days before the regular meeting (typically, a Wednesday). If they provide comments or request changes, they must do so no later than 5:00 p.m. on that day. The Clerk publishes the agenda by 12:00 p.m. 5 days before a regular meeting (typically, a Thursday). Necessary materials must be submitted to the City Clerk before that time.

405. Amending the Agenda. Once an agenda is published, an item can only be removed by the Councilor who requested the item. Once a meeting has begun, an item can only be removed or added by a 2/3 vote of present members.

V. CONDUCT OF THE MEETING

501. Roll Call; Quorum. The presiding officer calls Council to order promptly at the meeting time. The City Clerk then calls the roll, and enters in the meeting minutes the names of the Councilors present and absent. In the absence of a quorum, the City Clerk attempts to procure the attendance of absent Councilors. A quorum exists when a majority of all Councilors is present (Charter IV.4).

502. Closed Meetings. Whenever a closed meeting is contemplated, the City Attorney will be advised of the proposed purpose. The City Attorney will advise the presiding officer on the legality of a closed meeting.

503. **Discussion Limitation.** Councilors may ask questions during presentations, but may not opine on or argue the merits of the agenda item during the presentation.

When a main motion (the motion calling for action on an agenda item) is made, the presiding officer will call for discussion. During the discussion of an agenda item, a Councilor may speak no more than twice and for no longer than 2 minutes each time. Because of this limitation, Council does not entertain motions to close the debate or to call the question. No Councilor may speak for a second time until every other Councilor has had an opportunity to speak. Each Councilor may speak only once for no longer than 2 minutes on a motion to substitute or amend a main motion.

Procedural matters, such as a motion to add an item to the agenda, to go into closed session or to certify closed session, points of order, points of privilege, or requests for information do not contain a discussion period. All points of order, points of privilege, and requests for information are directed to the presiding officer, who will direct questions or requests, as appropriate, to staff, to other Councilors, or to others. Requests for information made to any person presenting from the lectern may be made directly.

During discussion, a Councilor may express dissent from or protest against any motion, but must do so in a manner consistent with the Rules of Conduct.

504. **Motions.** All motions, except those to adopt ordinances making appropriations, authorizing the contracting of indebtedness, or relating to the issuance of bonds or other evidences of debt, are confined to one subject (Charter IV.8). A Councilor may make no more than one motion to substitute or amend a main motion.

505. **Waiving the Rules.** Rules 503, 504, 601, 602, 1201, and 1202, as well as Robert's Rules, may be waived for a single agenda item by a 2/3 vote of all Councilors present. Any deviation from these Rules, as they apply to the conduct of meetings, that is not objected to during the meeting is waived, but does not create a precedent for future, similar deviations.

VI. PUBLIC COMMENT

601. **Length of Public Comment.** Public comment occurs at regular meetings, and is limited to 3 minutes per speaker and 30 minutes total. Speakers may contact the City Clerk in advance of, or sign up in person before the Welcome to the Public.

602. **Manner of Public Comment.** Each person addressing Council approaches the lectern and gives their name and, if a Hopewell resident, ward number. No person may address Council more than once per meeting. Speakers address Council as a body, rather than individual Councilors or staff. Questions are asked of Councilors and staff through the presiding officer. Public comment is limited to agenda items that Council has acted upon, is scheduled to act upon, or has the authority to act upon, but cannot address items that are on the agenda for public hearing; those must be made during the public hearing. Remote public comment will only be allowed for medical reasons. Written comments from a person who is not present for medical reasons will not be read by Councilors or staff, but the person may send another in their place to read a written comment.

VII. WORK SESSIONS AND COMMITTEES

701. **Work Sessions.** Meetings may include a Work Session. Work Sessions give Council adequate time to discuss and consider business affecting the City, but do not require and are not suitable for agenda items requiring a public hearing. Agenda items that are typically discussed during a work session include the annual budget before it is ready for consideration, discussion of service level changes, and other matters that are not sufficiently developed to be ready for public comment, and for which no vote is requested.
702. **Committees.** Council may create committees by resolution. Committees may either be standing (that is, continuing in effect) or *ad hoc* (that is, only meeting as needed or until a given event occurs). The resolution will state the committee's purpose, powers, duties, membership, and, for *ad hoc* committees, the event upon which they terminate. When a vacancy occurs on a committee, Council appoints new members by resolution.

VIII. SAFETY AND DECORUM

801. **Safety.** No person may threaten the safety of any other at a meeting, or interfere with the duties of any officer or employee. The presiding officer may recess a meeting for a time if it appears that safety cannot be ensured.
802. **Sound and Signs.** No person who has not been recognized by the presiding officer may speak, clap, or make any other noise – whether in support of or opposition to an agenda item, or otherwise – except for a proclamation or recognition. Members of the public are encouraged to raise their hands or use other non-disruptive means to indicate support or opposition to an agenda item. Signs are permitted, so long as they are not attached to a stick or pole and do not obstruct the view of any person attending the meeting.
803. **Decorum.** Statements about any Councilor, official, or employee must be limited to their official acts. Inciting disorderly conduct is not permitted.
804. **Addressing Participants.** Councilors and others are addressed or referred to as Mr., Ms., Madam, or by title. For example, "Madam Mayor," "Vice-Mayor Jones," "Councilor Smith," "Mr. Williams," or "the City Manager."
805. **Enforcement.** Law enforcement present are responsible for enforcing Rules 801, 802, and 803, including in the absence of direction from the presiding officer. Violations of this Article may be reprimanded by the presiding officer. A person who, following a reprimand, continues to violate this Article will be removed from the meeting by law enforcement without further discussion.

IX. RULES OF CONDUCT

901. **Standards.** Those who hold public office have been given a public trust. The stewardship of such office demands the highest levels of ethical and moral conduct. To that end, each member of Council must represent the public interest and work with other Councilors and staff to

improve the City's quality of life. Hopewell's residents are entitled to have fair, ethical, and accountable government. Such a government requires that Councilors:

- comply with both the letter and the spirit of the laws and policies affecting operations of the government;
- be independent, impartial, and fair in their judgment and actions;
- use their public office for the public good, not personal gain;
- conduct their deliberations and processes openly – unless exempted by law – and always in an atmosphere of respect and civility;
- make no private promise to direct the duties of an employee or agency of City government; and
- act in a manner that meets the expectations of their constituents and enhances public confidence in their local government by adhering to and supporting these Rules, and by committing to serve the public interest, with fairness and with integrity.

902. Acting in the Public Interest. Councilors must act in the public good, rather than for any private or personal interest, and treat all persons and transactions fairly.

Councilors must not commit resources not available to the general public, such as City employee time, equipment, supplies, and facilities, for any person's private gain. The Office of the City Attorney must review and approve any proposed Ward Fund payment by a Councilor, and the City Clerk must approve any other payment by a Councilor, prior to payment. Failure to comply with this requirement will, upon a vote of Council, subject that Councilor to personal liability for that payment, in addition to being a violation of these Rules.

Councilors must not, for pay or other remuneration, appear before or lobby on behalf of a private interest to Council or any agency of the City.

903. Compliance with Rules. Councilors must act in accordance with these and any other rules duly established by the Council.

904. Conduct at Public Meetings. Councilors must inform themselves regarding any issue coming before Council, listen attentively to discussions, and, during meetings, focus on the present agenda item.

905. Policy Role of Members. Councilors must respect the City's governmental structure and the duties of its employees, as provided in its Charter and ordinances, as well as Virginia law.

906. Conduct of Members. Councilors must maintain and support a positive work environment for the City's employees. Councilors must treat the City's employees, residents, and those visiting and doing business in the City with respect and dignity.

Councilors must refrain from abusive conduct, personal charges, degrading communications, and verbal attacks upon the character or motives of other Councilors, boards, commissions, committees, employees, or the public.

907. Compliance with Law. Councilors must comply with law in the performance of their duties, and in their personal lives wherever their actions would reflect upon the City or its

government. In addition to whatever penalties are provided for violations of the law, such acts are also violations of these Rules.

Councilors must disclose to the appropriate authorities any act, whether by other Councilors or City employees, done in the course of official duties, that may constitute malfeasance in office, fraud, or bribery.

908. **Coordination with City Staff.** Councilors should involve relevant employees when they meet with officials from City agencies, state agencies, and other jurisdictions to ensure proper staff support, coordination, and information. Councilors must coordinate requests to employees with the City Manager, City Clerk, or City Attorney, as appropriate.
909. **Advocacy.** Whenever context suggests that a Councilor is speaking or acting as such, a Councilor must represent the official policies and positions of the City. When presenting their personal opinions or positions, members must state that they do not represent the Council or the City. Councilors must only direct employees to speak on behalf of the official policies and positions of the City.
910. **Confidential Information.** Councilors must respect and preserve the confidentiality of information that they gain because of their positions, and not disclose such information without the acquiescence of a majority of Councilors. This includes the contents of closed meetings and any other matter or public record subject to an exemption under the Virginia Freedom of Information Act, attorney-client privileged information or communications, and any other information that they would not possess other than because they are Councilors. They must also not use such information to advance any private interest.

Councilors must not record any interactions for which they would not be allowed, under this section, to disclose the information discussed in that interaction. With the acquiescence of a majority of Council, the presiding officer may waive this rule. Any recording made by a Councilor becomes the property of Council, and that Councilor must turn over such recording to the City Clerk.

911. **Gifts and Favors.** In accordance with the State and Local Government Conflict of Interests Act, Councilors must not accept gifts, favors, promises of future benefits, or take advantage of services or opportunities for personal gain that are offered to them because of their public office, rather than being available to the general public. They must not accept any thing that would compromise, or appear to compromise, their independence of judgment or action.
912. **Improper Influence.** Council as a whole, rather than individual Councilors, direct the work of City employees. Councilors must not attempt to direct the decisions of City employees or agencies.
913. **Implementation.** The City Attorney must provide an orientation to these Rules to all new Councilors within two months of their taking office.
914. **Compliance and Enforcement.** Any Councilor who knowingly, or with reason to know, violates these Rules has engaged in disorderly conduct.

Councilors must assure their own compliance with these Rules. However, if one Councilor believes that another Councilor has violated these Rules, the Councilor should first discuss the matter privately with the other Councilor. If that discussion does not avoid or reverse the violation – or cannot – then the violation must be reported to the Council at large.

Council must enforce these rules by censuring their violation. Censure must be by motion during an open meeting of Council, with a majority of all Councilors voting in favor.

Censure may be accompanied by fines; removal from committees, other public bodies, or assignments; a requirement to undertake certain training; or any other punishment allowed under Robert's Rules or the Virginia Code. Where fines are imposed, the first fine against a Councilor is \$250, the second is \$500, and so forth in increments of \$250, unless extraordinary circumstances recommend a higher or a lower fine. (Va. Code § 15.2-1400(D)).

X. REMOTE PARTICIPATION

- 1001. Applicability of Policy.** This policy describes the circumstances under which remote participation is allowed and the process for requesting remote participation, and fixes the number of times remote participation for personal matters can be used per calendar year, not to exceed the limitation set forth in the Virginia Code (Va. Code § 2.2-3708.3).

This policy will be applied strictly and uniformly, without exception, to all Councilors and without regard to the identity of the Councilor requesting remote participation or the matters that will be considered or voted on at the meeting.

- 1002. Adoption on Behalf of Other City Entities.** This policy is also adopted on behalf of any committee, subcommittee, or other entity (however designated) of Council empowered to perform delegated functions of Council or to advise Council.
- 1003. Non-Emergency Individual Participation.** Except as provided below, Councilors may participate remotely instead of attending a meeting in person only in compliance with this rule.

Individual Supervisors may participate remotely instead of attending a meeting in person if, in advance of the public meeting, the Supervisor notifies the City Clerk that (i) the Councilor has a temporary or permanent disability or other medical condition that prevents the Councilor's physical attendance; (ii) a member of the Councilor's family requires the Councilor to provide care that prevents the Councilor's physical attendance, or (iii) because of a personal matter (such as a family event or business commitment) and identifies with specificity the nature of the personal matter.

A Councilor may only use remote participation for personal matters no more than two meetings per calendar year or 25 percent of the meetings held in a calendar year, rounded up, whichever is greater.

- 1004. During a Declared Emergency.** Council may meet by electronic communication means without a quorum physically assembled at one location when a state of emergency is declared by the Governor or the City Manager, subject to Va Code § 2.2-3708.2. Council may also meet

by electronic communication means when an ordinance to ensure the continuity of City government is in effect. (Va Code § 15.2-1413).

1005. **Minutes.** If a Councilor participates remotely, the City Clerk will record in the minutes the remote location from which the Councilor participated, and the reason for the remote participation. The remote location need not be open to the public and may be identified by a general description.

If remote participation is disapproved by Council – which may only disapprove such participation if it would violate these Rules – then the City Clerk will note the reason for the disapproval in the minutes.

XI. TRAVEL POLICY

1101. **Intent.** Councilors are encouraged to participate in state and national associations and continuing education programs that benefit the City, and to attend the annual meetings of the Virginia Municipal League, the National League of Cities or their successor organizations.

1102. **Travel Expenses.** Travel costs are covered in the same manner as for City employees. Arrangements are made by the City Clerk, and must be requested in advance. Travel expenses below \$150 that otherwise meet the requirements of this section may be made by a Councilor without prior approval, then reimbursement sought from the City Clerk.

XII. MISCELLANEOUS

1201. **Food and Drink.** Members of the public may not have food and drink, except water or as medically necessary, in the Council Chamber.

The City Clerk will, if approved by the Mayor, provide food and drink to Councilors and staff, if appropriate based upon the length or timing of the meeting.

1202. **Land Use Requests.** City Council will not vote on a land use request unless the requester is present to respond to Council's questions. Requesters must be either an owner or lessor of the property for their request to be considered.