

Sec. 2-27. - Rules of order, procedure.

- (a) *Adopted.* The rules of procedure of the council in this section are adopted.
- (b) *Election of mayor pro tem.* The first business of a new council following the biennial election shall be the election of a mayor pro tem. In the event there is a runoff election for a councillor or mayoral candidate, after the first meeting following such runoff election the council shall select a mayor pro tem from among the other six councillors then elected and serving. The mayor shall preside during the election of a mayor pro tem. Nominations for mayor pro tem shall require no second, and all nominations shall be accepted before a vote is taken. Votes shall be by roll call, and an affirmative vote by four councillors shall be required for election. If no nominee is elected, the process shall be repeated until a mayor pro tem is elected.
- (c) *Regular meetings; special meetings; work sessions; agenda.* Meetings, work sessions and the agenda shall be subject to the following:
 - (1) *Types of meetings.* Types of council meetings shall be as follows:
 - a. *Official meetings.* All binding actions of the council shall be taken at official meetings, which shall be termed "regular meetings" or "special meetings."
 - b. *Work sessions.* For the purpose of studying problems or examining issues, the council shall conduct periodic work sessions. Instructions may be given to the city manager at work sessions, but no official action may be taken.
 - (2) *Meeting schedules.*
 - a. The council shall conduct regular meetings on the first and third Mondays of each month in the city council chambers of city hall at 1:00 p.m. If the day for a regular meeting falls on a legal holiday, such meeting shall be held on the next succeeding day not a holiday or as otherwise directed by council. By a vote of four or more councillors, the date, time, and/or location of a regular meeting may be changed in order to allow the councillors to attend a special function or event.
 - b. Special meetings may be held upon the call of the mayor or of four or more councillors and, whenever practical, upon no less than 72 hours' notice to each councillor and the public.
 - c. The council may meet in work sessions as directed by the council.
 - d. Regular and special meetings or work sessions may be canceled with the consent of four or more councillors.
 - (3) *Agenda.*
 - a. The agenda for regular meetings shall be set by the mayor or, in the absence of the mayor, by the mayor pro tem, in open meetings with the city manager and senior staff on the Monday immediately preceding regular council meetings, official holidays excepted.

Councillors other than the mayor or the mayor pro tem shall not discuss the proposed agenda during the agenda meeting.

- b. The agenda for work sessions shall be determined by council consent. The city manager shall maintain a list of work session topics for the guidance of the council. Copies of the agenda shall be made available to the public as early in advance of the work sessions as feasible, but in no instance shall the public be given less than 72 hours' notice of such meetings.
 - c. All meetings shall be subject to state statutes regarding open meetings.
- (d) *Voting; quorum.* The procedures for voting and a quorum shall be as follows:
- (1) Voting, except for procedural matters, shall be taken by roll call, and each councillor's vote shall be recorded in the minutes.
 - (2) The city clerk shall call the vote of the council as follows:
 - a. The clerk shall call the vote in council district order, except that the mayor pro tem shall be the last councillor to vote.
 - b. The clerk shall call the mayor's vote last.
 - c. If one or more of the councillors is absent, the clerk shall call the vote of the next councillor in district order, except that the mayor pro tem shall be the last councillor to vote.
 - (3) Four members shall constitute a quorum at any location. Any action by the council shall not be valid unless adopted by the affirmative vote of four or more members.
 - (4) If vacancies reduce the council to fewer than four members, the remaining councillors may, by majority vote, take action consistent with the Charter to fill the vacancies.
- (e) *General procedure of council.* General procedures of the council shall be as follows:
- (1) *Recognition.* The mayor or, in his absence, the mayor pro tem shall chair the meetings of the council. If neither the mayor, nor mayor pro tem is present, the council shall, by majority vote, select one of its members to chair the meeting. Councillors wishing to speak to matters before the council, to the city manager or members of his staff who are present, or to other persons present in council chambers shall first be recognized by the mayor.
 - (2) *Conflict of interest.* At the opening of each council meeting, the chairperson shall ask if any member of the city council, city manager, or any member of the city staff has any known conflict of interest with any item on the agenda.
 - (3) *Removal of item from agenda.* Any item may be removed from the agenda if a majority of the city council votes to do so.
 - (4)

Making and acting on motions. A councillor may make a motion by stating "I move for..." or "I move that..." or similar language. A second councillor must then second the motion before discussion can begin. In the absence of a second, the motion fails. At the end of discussion a councillor may "call for the question" or the presiding officer may ask if the council is ready for the question. If the call for the question passes or if all councillors are ready for the question, a vote by roll call is taken, and action on the matter is concluded.

- (5) *Main motions.* Main motions bring items of business before the council. They must be considered and voted upon in reverse order to their proposal. Main motions are debatable and amendable, and can be reconsidered after adoption.
- (6) *Leave to withdraw motion.* The proposer of a motion may request to remove it from consideration. A motion to withdraw is neither debatable nor amendable. If the initial motion is seconded, the leave to withdraw must also be seconded.
- (7) *Tabling.* Consideration of an item of business may be delayed temporarily by tabling.
 - a. A motion to table is neither debatable, nor amendable, it takes precedence over all other motions and it cannot be reconsidered.
 - b. Motion to remove from table. If an item of business has previously been tabled, it may be reconsidered following a motion to remove the item from the table. Such a motion is neither debatable nor amendable and cannot be reconsidered. If an item of business has been tabled to a time certain and is not removed from the table at the designated time, the item dies.
- (8) *Amendment.* A motion, resolution or ordinance may be amended, provided the proposed amendment does not constitute a substantive change. An amendment is amendable, is debatable only if the main motion is debatable and can be reconsidered.
- (9) *Calling the question.* Debate may be closed immediately by calling the question. A call for the question requires a two-thirds vote, is neither amendable, nor debatable and may be reconsidered.
- (10) *Reconsider.* If the council wishes to reconsider a vote previously taken, a councillor who voted on the prevailing side of the vote must make a motion to reconsider. Any councillor may second. A motion to reconsider is not amendable, cannot be reconsidered, and is debatable only if the original motion was debatable. A motion to reconsider may be acted upon only at the meeting at which the original vote was taken or at the next regular meeting of the council.
- (11) *Point of order.* A councillor may call attention to the violation of the rules or a mistake in procedure by "rising to a point of order." Such an assertion does not require a second, is neither debatable nor amendable and cannot be reconsidered. The mayor may permit a full explanation before he makes a ruling on the claim. The mayor may submit the question to the council for decision by a majority vote.

(12)

Recess. The council may vote to recess a meeting without closing the meeting. If no question is pending, a motion to recess must be seconded, and it is both debatable and amendable. If a question is pending, the motion to recess is not debatable. After a recess, business will immediately be resumed at exactly the point where it was interrupted.

- (13) *Adjournment.* Meetings shall be closed by a motion to adjourn, which must be seconded, is neither debatable, nor amendable, cannot be reconsidered, and may be accompanied by a voice vote.
- (14) *Legislation.*
 - a. During the council section of the regular meeting, a councillor may ask for permission to have staff help draft legislation. If a majority of the council agrees, the manager will have staff help in drafting the bill or resolution. The drafted document will then go through the staff review process for comments and to the council for comments. Those comments will then go back to the councillor for review and modification, if desired. After this step, it will go to the mayor for appropriate review on the next regular meeting's agenda.
 - b. Any councillor may submit written legislation to the mayor for consideration at an upcoming regular meeting. The city council will be polled as to the appropriateness of the legislation, and the mayor will determine whether a staff review process is required before the item is to be placed on an upcoming regular meeting's agenda.
 - c. The mayor or staff may ask that any item be removed from the agenda if all of the steps for processing have not been met. A majority vote of the council is required for removal of an item from a published agenda.
- (f) *Public participation.* Comments from the public about matters before the council or other matters of concern shall be permitted at the discretion of council, except when petitioners who are appealing decisions of city boards or seeking approval of licenses have legal speaking rights. The council may limit or cut off public discussion in the interest of orderly or timely conduct of its business.
- (g) *Suspension of rules.* The rules of procedure may be suspended at an official meeting of the council by a two-thirds vote. At a work session the council may suspend the rules by majority vote in order to facilitate free discussion.
- (h) *Parliamentarian, additional rules.*
 - (1) The city attorney shall serve as parliamentarian for the council.
 - (2) Robert's Rules of Order, Newly Revised, shall govern matters of procedure not covered by the rules in this section.

(Code 1988, § 2-18; Ord. No. 2144, § I, 11-1-04; Ord. No. 2218, § I, 8-1-05; Ord. No. 2493, § II, 12-15-08; Ord. No. 2595, § I, 11-15-10; Ord. No. 2685, §§ I, II, 7-1-13)