

ORDER OF BUSINESS

2.2 At the regular meetings of the City Council, the Order of Business shall be as follows:

1. Opening
2. Roll Call
3. Pledge of Allegiance
4. Communications – Citizens
5. Minutes – Approval*
6. Consent Agenda
7. Public Hearings
8. Petitions and Communications**
9. From the Mayor***
10. Planning & Zoning
11. City Administrator
12. Communications Receive and File****
13. Approval of Bills
14. Communications – Councilmembers
15. Other Business
16. Adjournment

2.3 The Council agenda for all items except petitions and communications shall be closed after 5:00 p.m. on the Monday immediately preceding each regular Council meeting. Items received after that time, unless of obvious urgency, shall be held over until the following Council meeting.

CHAPTER 3

DETAILS PERTAINING TO ORDER OF BUSINESS

3.1 Roll Call shall be called at all regular and special meetings of the Council to determine if a quorum is present. Four members of the Council shall constitute a quorum and the Clerk shall announce whether a quorum is present.

3.2 Under “Public Hearings” the Mayor, or a City staff person requested by the Mayor, reports the purpose of the hearing after which time the public shall be given the opportunity to comment on the proposed matter in accordance with the rules outlined under “Rights of Participating Audience”.

3.3 Under “Minutes – Approval” the minutes of the previous Council meeting shall be approved upon motion. The City Clerk, prior to the meeting, shall have sent to each Councilmember a copy of the minutes and the reading of such minutes shall not be required unless the reading of certain articles thereof shall be requested by the Mayor or any Councilmember.

* “Minutes – Approval” is part of the Consent Agenda.

3.4 Under “Communications – Citizens” includes such communications, either verbal or written, as anyone in the audience may wish to present and which have not been included under any other item on the Council agenda. Citizens shall be allowed to address the Council in accordance with the provision of “Rights of Participating Audience”.

3.5 Under “Petitions and Communications” any petitions or communications from citizens or organizations are to be presented and read, including any applications for licenses or permits. Communications from anonymous persons are not to be presented.

****** “Petitions and Communications” is part of the Consent Agenda.

3.6 Under “From the Mayor” any messages, recommendations or suggestions which the Mayor deems appropriate from time to time are to be presented.

******* “From the Mayor” is part of the Consent Agenda.

3.7 Under “From the Planning and Zoning Commission” recommendations from the Planning and Zoning Commission will be considered by the City Council. All matters under this item are forwarded from the Planning and Zoning Commission with specific recommendations to the City Council.

3.8 Under “From the City Administrator” includes reports, recommendations, or communications of any nature from the City Administrator, other City departments, and other City boards and advisory commissions. These items, when appropriate, will include specific recommendations from the City Administrator.

3.9 Under “Communications – Receive and File” includes minutes from the various City boards and advisory commissions, special monthly reports, financial reports of the City, and other communications which require no action by the City Council. All items under this section can be received and filed by a single motion of the Council.

******** “Communications – Receive and File” is part of the Consent Agenda.

3.10 Under “Approval of Bills” the City Council shall consider the payment of all bills as submitted with the Council agenda and as prepared by the Finance Director. The Council shall authorize the payment by motion and authorize the Mayor and City Clerk to issue warrants for the amount requested. Members of the Council may question the payment of any bill and shall be provided with information concerning the bills from the City Administrator.

3.11 Under “Communications – City Council Members” any member of the Council shall have the opportunity to present suggestions or recommendations for discussion by the Council.

3.12 Under “Other Business” the Mayor, Councilmembers, City Administrator, or City Attorney may bring up items which are not on the agenda; which items may be of a general nature in the form of information, or in case of an urgency, the matter may require action by the City Council.

CHAPTER 4

MOTIONS

4.1 When a motion is made in writing and seconded, it shall be stated by the Mayor and handed to the Clerk for recording before being debated.

4.2 A motion shall be reduced to writing if requested by the Mayor, any Councilmember, or the Clerk.

4.3 After a motion has been stated by the Mayor or read by the Clerk, it shall be deemed to be in possession of the Council, but may be withdrawn by the maker at any time before a decision or amendment is made.

4.4 When a question is under discussion, no motion shall be received except one of the following, which shall have precedence in the following order:

1. To adjourn
2. To lay on the table
3. For the previous question
4. To postpone to a certain day
5. To refer to a committee
6. To amend the motion
7. To postpone indefinitely

No motion to postpone to a certain day, to refer to a committee, or to postpone indefinitely, having been decided, shall be made again on the same question at the same meeting.

4.5 A motion to lay on the table shall be decided without debate.

4.6 A motion to adjourn shall always be in order, except upon immediate repetition, interruption of a member speaking, when the previous question has been ordered, or a vote is being taken. A motion to adjourn is not debatable, except as to time.

4.7 The previous question, having been moved and seconded, shall be in this form: "Shall the main question be now put?" It shall only be ordered when demanded by a majority of the Councilmembers present, and if carried, shall close all debate and the main question shall be put immediately. If the Nays prevail, the main question shall not then be put and the consideration of the subject shall be resumed, as though no motion for the previous question had been made.

4.8 On demand of any Councilmember, before the question is put, the question shall be divided if it comprehends propositions in substance so distinct, that, one being taken away, a substantive proposition shall remain for the decision of the Council.

4.9 When any motion has been carried or lost, it shall be in order for any member of the majority to move for a reconsideration thereof, at the same meeting, the adjourned meeting, any special meeting called for this purpose, or the next regular meeting of the Council, and such motion shall take precedence of all other questions except a motion to adjourn. A motion to move for a reconsideration may be seconded by any member of the Council.

4.10 No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. A substitute motion ranks as an amendment to the main motion. It proposes to strike out the entire original motion and to insert in its place a more satisfactory motion.

4.11 Roll shall be called on the expenditures of amounts of \$1,000 or more, if requested by the Mayor any Councilmember.

4.12 Roll shall be called on any action of the Council, if requested by the Mayor or any Councilmember.

4.13 Roll shall be called on any action of any ordinances or resolutions.

4.14 The rules of parliamentary practice comprised in "Robert's Rules of Order – Revised" shall govern the Council in all cases not covered by these Rules of the Council.

CHAPTER 5

ORDINANCES

5.1 The subject matter of an Ordinance or amendment must be generally described in its title.

5.2 An amendment to an Ordinance or to a code of Ordinances must specifically repeal the Ordinance, code, section, or subsection to be amended and must set forth the Ordinance, code, section, or subsection as amended.

5.3 A proposed Ordinance or amendment must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed, unless the requirement is suspended by a recorded vote of not less than three-fourths (3/4) of the Councilmembers.

However, if a summary of the proposed Ordinance or amendment is published as required prior to its first consideration, and copies are available at the time of publication at the Office of the City Clerk, the Ordinance or amendment must be considered and voted on for passage at one meeting prior to the meeting at which it is to be finally passed, unless this requirement is suspended by a recorded vote of not less than three-fourths (3/4) of the City Council members.

5.4 Passage of the Ordinance, amendment, or resolution requires an affirmative vote of not less than the majority of the Councilmembers.

5.5 Motion to spend public funds in excess of \$25,000 on any one project, or motion to accept public improvements and facilities upon their completion, requires an affirmative vote of not less than the majority of the Councilmembers.

5.6 The Mayor shall sign, veto, or take no action on an Ordinance, amendment or resolution passed by the Council. The Mayor may not vote as a member of the Council in accordance with the provisions of the laws of the State of Iowa.

5.7 Measures passed by the Council, other than motions, become effective in one of the following ways:

- A) If the Mayor signs the measure, a resolution becomes effective immediately upon signing and an Ordinance or amendment becomes the law when published, unless a subsequent effective date is provided within the measure.**
- B) If the Mayor vetoes the measure, he or she shall explain his or her reasons for the veto in a message to the Council at the time of the veto. Within thirty (30) days after the Mayor's veto, the Council may pass the measure again by a vote of not less than two-thirds (2/3) of the Councilmembers. If the Mayor vetoes the measure and the Council repasses the measure after the Mayor's veto, a resolution becomes effective immediately upon passage, and an Ordinance or amendment becomes a law when published unless a subsequent effective date is provided within the measure.**
- C) If the Mayor takes no action on the measure, a resolution becomes effective fourteen (14) days after the date of passage and an Ordinance or amendment becomes a law when published, but no sooner than fourteen (14) days after the date of passage, unless a subsequent effective date is provided within the measure.**

CHAPTER 6

RIGHTS AND DUTIES OF COUNCILMEMBERS

6.1 When any Councilmember is about to speak, he or she shall address the Mayor, confine himself or herself to the question under discussion, and avoid personalities.

6.2 If any Councilmember in speaking or otherwise, transgresses the rules of the Council, the Mayor or any member may call him or her to order, in which case the Councilmember so called to order shall immediately refrain from continuing except to proceed in order. An appeal may be made to the Council on the ruling and the ruling shall stand unless nullified by a majority vote of the Councilmembers present.

6.3 When two or more Councilmembers request at the same time to speak on a question, the Mayor shall name the Councilmember who was first to speak. The others shall be given the opportunity to speak next.

6.4 While a member is speaking, other members shall not hold private discussions or in any other manner interrupt the speaker.

6.5 No Councilmember shall be absent from any meeting of the Council without having notified the Mayor or Clerk in advance, giving the reasons for his or her absence. The Council may compel the attendance of any Councilmember if reasons for absence are deemed insufficient.

6.6 No Councilmember shall refuse to serve on any Committee to which he or she is appointed.

6.7 Unless specifically otherwise provided in the City Code, or in the laws of the State of Iowa, each Councilmember shall vote on each question before the Council for a determination unless such Councilmember has a direct conflict with the issue, which conflict shall be ruled upon by the City Attorney.

CHAPTER 7

RIGHTS OF PARTICIPATING AUDIENCE

7.1 When any member of the audience has a matter to bring before the Council, he or she shall address himself or herself to the Mayor, giving his or her name and address and present the matter either verbally or in writing. If the matter is presented in writing, the petition or communication shall be filed with the Clerk for the records of the Council.

7.2 No member of the audience shall speak more than once on any question unless every other member of the audience or Council has had the opportunity to speak on such subject, and in no case shall a member of the audience speak more than twice on the same question without the consent of the Council. The total time for speaking by any member of the audience shall be FIVE MINUTES, unless the Mayor extends the time.

7.3 When two or more members of the audience rise at the same time, the Mayor shall name the one to speak first. The other shall be given the opportunity to speak next.

7.4 If any member of the audience speaks or conducts himself or herself in an unbecoming manner, the Mayor shall have the right to call him or her to order and he or she shall immediately thereupon be seated and shall not speak further less he or she conducts himself or herself in an orderly manner.

7.5 Members of the audience shall address all remarks to the Mayor and shall not hold conversations or discussions with other members of the audience.

CHAPTER 8

SERGEANT-AT-ARMS

8.1 The Sergeant-at-Arms shall attend any meeting of the Council upon the request of the presiding officer of the Council or any Councilmember.

8.2 It shall be the duty of the Sergeant-at-Arms to enforce any written order of the Council or the presiding officer.

CHAPTER 9

IN-DEPTH COUNCIL MEETING PROCEDURE

9.1 In-Depth Council meetings are held as study sessions for the purpose of deliberating towards a decision on any matter. Normally, action will not be taken on the matters discussed at In-Depth Council meetings unless an item has been specifically placed on the agenda. Any matter considered an urgency by Council and requested for action at an In-Depth Council meeting shall require approval (by simple majority) of Council before acting on the matter.

9.2 The rules of Council shall not apply to study sessions except for the rules contained in this section and except for the following, it being the intent thereof to give the Council complete freedom of discussion:

- A) The presiding officer shall be the Mayor as provided in Section 1.4 of these rules.
- B) All persons shall be permitted to address the Council during the In-Depth Council meetings in accordance with Chapter 7 of these rules. The Council may adopt the motion to refer any matter brought before it and may adopt the motion to adjourn at any time.
- C) Minutes of the In-Depth Council meetings shall be kept in accordance with the provisions of the State of Iowa laws and with the City Code and are to be submitted for approval at a subsequent meeting under the same procedures outlined in Section 3.4 of these rules.

CHAPTER 10

SUSPENSION AND AMENDMENT OF RULES

10.1 The Council may suspend any specific rule of the Council upon a three-fourths (3/4) vote of the members present. After having given written notice at a previous regular meeting, these rules may be amended at any regular meeting by a three-fourth (3/4) vote of the members of Council.

CHAPTER 11

OPEN MEETINGS LAW

11.1 All meetings conducted by the City Council shall be held in accordance with the Iowa Open Meetings Law, Chapter 28A of the Iowa Code, and as amended.

11.2 Closed sessions of City Council shall be held in accordance with Chapter 28A of the Iowa Code. Closed sessions may only be held on an affirmative vote of two-thirds (2/3) of the members of Council or all of the members present at the meeting.

11.3 The City Council shall not discuss any business during a closed session which is not directly related to the specific reason announced as justification for the closed session.

11.4 Final action by the City Council on any matter discussed in closed session shall be taken in open session unless some other provision of the Iowa Code expressly permits such actions to be taken in closed session.

11.5 Closed meetings of Council may be held for any of the following reasons:

- A) To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body's possession or continued receipt of federal funds.
- B) To discuss application for letters patent.
- C) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
- D) To discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings if the governmental body is a licensing or examining board.
- E) To discuss the decision to be rendered in a contested case conducted according to the provisions of Chapter 17A.
- F) To avoid disclosure of specific law enforcement matters, such as current or proposed investigations, inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection.
- G) To avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.
- H) To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
- I) To discuss the purchase of particular real estate, only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property. The minutes or the tape recording of a session closed under this paragraph shall be available for public examination when the transaction is completed.

CHAPTER 12

CABLECASTING CITY COUNCIL MEETINGS

12.1 All regular City Council meetings shall be cablecast over the local government channel.

12.2 Starting July 1, 1988, all In-Depth City Council meetings shall be cablecast on a three (3) month trial basis.

12.3 Special City Council meetings shall not be cablecast unless required by a majority vote of the City Council.