



Governing Body Rules of Procedure

2019 Edition

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CHAPTER 1 – AUTHORITY OF RULES

A. AUTHORITY

The Governing Body shall establish its own Rules of Procedure in a clear and concise manner to assist them in the general conduct of City business. For those matters not covered by these rules, the procedure shall be decided by a majority vote of the Governing Body. These rules (with the exception of those included in Charter Ordinance No. 19 and Charter Ordinance No. 26) may be altered, amended or repealed by ordinance at any time by a majority vote of the entire Governing Body. Until such time as they are amended or new rules adopted by ordinance, these rules shall prevail to govern the order and conduct of business of the Governing Body. The rules may not be suspended by the Governing Body during any meeting.

During City Council discussions, deliberations, and proceedings, the Mayor has been designated with the primary responsibility to ensure that the Governing Body and members of the public adhere to the Council's norms and procedures.

B. APPLICATION

These procedures shall be applicable to all members of the Governing Body.

C. DEFINITIONS

Chair: When the term Chair is referred to in this publication, it is understood to mean the Mayor or President of the Council

City Council: The five (5) elected Council Members

Governing Body: The five (5) Council Members and Mayor, collectively

CHAPTER 2 – COUNCIL ORGANIZATION AND DUTIES

A. GOVERNING BODY

The Mayor and five Councilmembers shall constitute the Governing Body of the City and shall be elected at-large for four-year terms or until their successors are qualified. (*Charter Ordinance No. 19, Sec. 3, Ordinance No. 2046, and Charter Ordinance No. 26, Sec. 4*)

The officers elected hereunder shall be qualified pursuant to the laws of the State of Kansas. The removal from the City of any officer elected hereunder, who is required to be a qualified elector thereof, shall occasion a vacancy in such office. (*Charter Ordinance No. 19, Sec. 3 and Charter Ordinance No. 26, Sec. 4*)

B. NEWLY ELECTED MEMBERS

Newly elected Council Members are sworn into office on the second Monday in January following certification of the regular municipal election held in November of each odd year

C. DUTIES OF THE GOVERNING BODY

City Council Members and City staff shall conduct the business of the City of Gardner:

- Recognizing that the stewardship of the public interest must be of primary concern
- Working for the common good of the people of Gardner
- Ensuring fair and equal treatment of all persons, claims and transactions coming before the City Council and City Council established boards and commissions

D. DUTIES OF THE MAYOR

The Mayor shall:

- Preside at all meetings of the Council and shall have a tie-breaking vote when the Council is equally divided and in instances where Kansas Statutes specifically dictate a vote of the Governing Body. The Mayor shall have the power to approve or veto any ordinance as the laws of the state shall prescribe (*Ordinance No. 2046*)
- Be responsible for the control, debate and order of speakers
- Decide all questions of order, subject to an appeal by any Member to the City Council (*Ordinance No. 2556*)
- Confine debate to matters under discussion
- Put to a vote all matters properly presented before the City Council and to declare the result thereof for the record

- Authenticate by signature all acts made by the authority of the City Council
- Have the authority necessary to enforce the rules and prevent the misuse of motions or established procedure, the abuse of privileges, or obstruction of the business of the City Council, subject to the appeal by any Member to the City Council (*Ordinance No. 2556*)
- Serve as the representative of the City Council at ceremonial functions and may, at his/her own discretion, ask another Council Member to represent the Council at the function

E. DUTIES OF THE PRESIDENT OF THE COUNCIL

The President of the Council shall:

- Be appointed from members of the City Council by a majority vote at its second regular Council meeting in January following a regular municipal election
- In the absence of the Mayor, preside at City Council meetings (*Ordinance No. 2046*)
- When occupying the place of Mayor, have the same privileges as other members (*Ordinance No. 2046*)

F. DUTIES OF THE VICE-PRESIDENT OF THE COUNCIL

The Vice-President of the Council shall:

- Be appointed from members of the City Council by a majority vote at its second regular Council meeting in January following a regular municipal election
- In the absence of both the Mayor and the President of the Council, the Vice-President of the Council shall be styled “Acting President of the Council.” (*Ordinance No. 2046*)
- When occupying the place of Mayor, have the same privileges as other members (*Ordinance No. 2046*)

G. SUCCESSION IN OFFICE

In case of a vacancy in the Council occurring by reason of resignation, death, or removal from office or from the City, the Governing Body shall appoint a qualified elector to fill the vacancy until the next election for that office. In case any person elected as a Councilmember neglects or refuses to qualify within 30 days after the election, the Councilmember shall be deemed to have refused to accept the office and a vacancy shall exist. The Governing Body may appoint a qualified elector to fill the vacancy. (*Charter Ordinance No. 19, Sec. 3 and Charter Ordinance No. 26, Sec. 4*)

In case of a vacancy in the office of Mayor, the President of the Council shall become Mayor until the next regular election for that office and a vacancy shall

occur in the office of the Councilmember becoming Mayor. (*Charter Ordinance No. 19, Sec. 3 and Charter Ordinance No. 26, Sec. 4*)

Appointment Process

The City Clerk will coordinate the appointment process beginning with the notification to the general public of openings on the City Council. Openings will be advertised for two weeks via the City's official newspaper, the City's website (www.gardnerkansas.gov), and other social media outlets.

Appointments to the City Council shall be based upon applications filed in the City Clerk's Office. Members of the public are encouraged to visit the City's website where they can choose one of two options to apply for an appointed position as a City Council Member. The first option offers a printable Public Service Application which can be accessed directly through the City's website, completed, and returned to the City Clerk's Office via the United States Post Office or by facsimile transmission. The second option allows the submittal of the Public Service Application electronically via an online application process which can be accessed through the City's website. Paper applications will be available at City Hall via the City Clerk's Office. Public Service Applications are always welcomed by the City Clerk and shall be kept for a period of one calendar year. The City Clerk will call upon the City Council to submit the names of potential candidates should there be no applications for appointment on file.

After the City Council opening has been advertised for two weeks, the City Clerk shall provide to the Governing Body a list of the applicants who are qualified pursuant to the laws of the State of Kansas. The Council will then be given one week to advise the City Clerk of any potential issues with any of the candidates.

The applicants will then be invited to the next regularly scheduled City Council Meeting for an interview with the Governing Body. The Governing Body will interview the applicants at the City Council Meeting and vote to appoint one of the applicants to fill the vacant City Council position until the next election. The Governing Body may conduct second interviews or start the appointment process over if they believe none of the applicants are qualified. A copy of the nominee's Public Service Application will be included in the Council packet for the meeting at which the interviews will be conducted.

CHAPTER 3 – CONDUCT OF THE GOVERNING BODY

A. GENERAL CONDUCT

These rules are intended to facilitate, and not obstruct, the orderly conduct of meetings of the Gardner City Council. The purpose of these rules is to provide an orderly and consistent procedure for conducting such meetings. These rules should be followed as necessary to conduct the meetings of the Gardner City Council.

All members have and share equal rights, privileges, responsibilities and obligations which include but are not limited to the following:

- All Members present and participating in meetings have the right to make, second, or amend motions
- All Members present and participating have the right to participate in debate when discussion is permitted
- All Members have the right to make inquiries and seek clarification or further information on pending matters
- All Members present for meetings have the right to vote on matters, unless prevented by a conflict of interest. Governing Body members are encouraged to recuse themselves from participating in discussion about or voting on matters relating to items for which they have a conflict of interest. Conflict of interest shall be defined as having substantial interest in a topic being considered by the Governing Body. Substantial interest shall include the following:
 - A Governing Body member and/or his/her spouse (individually or collectively) owns a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less
 - A Governing Body member and/or his/her spouse (individually or collectively) has received taxable compensation of \$2,000 or more from a business
 - A Governing Body member and/or his/her spouse, holds a position of officer, director, associate, partner, or proprietor of any business, other than organizations exempt from federal taxation of corporations under section 501(c)(3), Chapter 26, of the United States Code, regardless of the amount of compensation received from such a position
- It is important that all Members commit to attending meetings to ensure that the business of the City can be conducted effectively and to ensure fairness to the public, other Council Members, and staff that attend the meetings. Members expecting to be absent from a meeting should notify the City Clerk prior to the meeting, who will be responsible for notifying the Mayor prior to the start of any meeting. Proper attendance shall be defined as the following:
 - Not missing three consecutive meetings without an excuse

- “Excuse” shall mean more than inconvenience and includes illness or family emergency
- Failing to attend a minimum of 2/3 of regular meetings in a rolling 12 month period
- While in person attendance is preferred, Governing Body members needing to attend the meeting via telephone shall contact the City Clerk in advance of the meeting to make arrangements to do so. Attendance via telephone is limited to one (1) member of the Governing Body, and shall be determined on a first come, first served basis. It is the responsibility of the Governing Body member attending via telephone to notify the City Clerk immediately if the connection is lost in order to ensure accurate record keeping

B. CONDUCT WITH MEMBERS

Members shall conduct themselves in a proper, businesslike manner during all proceedings of the City Council, and shall respect and follow the rules. Each Member shall demonstrate courtesy and respect for the Council, for the public, for staff and for other Members. No Member shall conduct themselves in a manner that is unbecoming of a Member of the Governing Body.

Governing Body Members shall:

- Value each other’s time
- Treat each other and everyone with courtesy and refrain from inappropriate behavior and derogatory comments
- Preserve order and decorum during the meeting
- Support the laws established by the City Council
- Abide by the *Governing Body Rules of Procedure* in conducting the business of the City of Gardner
- Govern themselves as to the length of their comments
- Limit their comments to the subject matter, item, or motion being currently considered
- Not delay or interrupt the proceedings or the peace of City Council meetings, nor disturb any Member while speaking, by conversation or otherwise, nor disobey the orders of the City Council or the presiding officer, except as otherwise herein provided
- Attempt to build consensus on an item through an opportunity for dialogue, but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority
- Have the right to dissent from, protest, or comment upon any action of the City Council
- Respect each other’s opportunity to speak and, if necessary, agree to disagree
- Avoid offensive negative comments and shall practice civility

- Assist the Mayor's exercise of duty to maintain order

C. CONDUCT WITH CITY ADMINISTRATOR AND STAFF

Governing Body Members shall:

- Communicate with the City Administrator and the appropriate Department Director(s) directly on issues and concerns, requests for information or research on a given topic, and questions on City Council agenda items. Responses will be copied to all Governing Body members
- Not direct staff to initiate any action, change a course of action, or prepare any report that is significant in nature or initiate any project or study without the approval of a majority of the City Council
- Direct the City Administrator to implement City Council's policy decisions through the administrative functions of the City
- Treat staff professionally and refrain from publicly criticizing individual employees
- Avoid involvement in personnel issues except during City Council executive sessions regarding City Council appointed staff such as the City Administrator, including hiring, firing, promoting, disciplining and other personnel matters
- Discuss directly with the City Administrator privately, as appropriate, any displeasure over work or behavior with a department or staff member
- Present citizen complaints to the City Administrator so the complaint and request for information can be disseminated to staff for appropriate action

D. CONDUCT WITH THE PUBLIC

Governing Body Members shall:

- Make the public feel welcome
- Be impartial, respectful and without prejudice toward the public
- Listen courteously and attentively to public comments
- Represent official policies or positions of the City Council first
- Explicitly state when their opinions and positions do not represent the City Council when representing their individual opinions and positions, including on social media
- Make no promises to the public on behalf of the Council, including on social media

E. CONDUCT WITH OTHER AGENCIES

Governing Body Members shall:

- Project a positive image of the City when dealing with other agencies

- Show tolerance and respect for other agencies' opinions and issues and, if necessary, agree to disagree
- Represent official policies or positions of the City Council first when designated as delegates of a legislative body
- Explicitly state when their opinions and positions do not represent the City Council when representing their individual opinions and positions
- Have the ability to lobby or discuss issues that have been adopted by the legislative bodies or are standing policies of the legislative body with other legislators, government officials or developers

F. CONDUCT WITH COMMISSIONS, BOARDS AND COMMITTEES

Governing Body Members shall:

- Treat all members of boards, committees and commissions with appreciation and respect.
- Refrain from participation in committee and commission meetings for the purpose of influencing the outcome of said meetings.

G. CONDUCT WITH THE MEDIA

Governing Body Members shall:

- Not discuss or go "off the record" with the media to discuss confidential or privileged information pertaining to executive sessions, attorney-client privileged or attorney work product communications including without limitation personnel, litigation or real property negotiations
- In conjunction with the Public Information Officer, provide non-confidential, non-privileged background information when acceptable

Press releases will be prepared by City staff and routed to the City Administrator for approval before release to the media.

Police responses and/or press releases regarding emergencies may be reported directly to the media by the Police Department's Public Information Officer.

H. LITIGATION AND CONFIDENTIAL INFORMATION

Governing Body Members shall:

- Keep all written materials and verbal information provided to them on matters that are confidential under state law in complete confidence to ensure that the City's position is not compromised
- Not disclose or mention any information in these materials to anyone other than City Council Members, the City Administrator or City Attorney

I. ETHICAL CONDUCT

Governing Body Members shall:

- Receive at least two hours of training in ethics, conflicts of interest, open meeting laws, bias prohibitions, etc., every year to be coordinated through the City Clerk's Office
- Conduct themselves in accordance with such training

CHAPTER 4 – CITY COUNCIL MEETINGS AND SCHEDULES

A. REGULAR MEETINGS

Regular meetings of the Council shall be held on the first and third Mondays of each month at the hour of seven (7:00) o'clock P.M., at the Gardner City Hall, 120 East Main, Gardner, Kansas, or at such other locations within the City as determined by a majority of the council members. *(Ordinance No. 2046)*

In the event the first or third Monday is a legal holiday, the regular meeting shall be held on the next day thereafter that is not a legal holiday. *(Ordinance No. 2046)*

Any alternate location or change in meeting time shall be specified in the notice for the meeting. All meeting notices are to be posted by the City Clerk on the City's website and in the public notice case in the lobby of City Hall 72-hours prior to the meeting.

B. SPECIAL MEETINGS

All meetings that are not spelled out in the regular meeting ordinance are considered "special meetings." Only the business for which the special meeting is called may be considered and acted upon by the Governing Body.

Special meetings may be called by the Mayor or acting Mayor on the written request of any three members of the Council, specifying the object and purpose of such meeting, which request shall be read at the meeting. *(Ordinance No. 2046)*

The process to request a special meeting will be as follows:

- The Councilmember seeking a special meeting shall email the Mayor or acting Mayor requesting such meeting, specifying the object and purpose
- The Mayor or acting Mayor will then inform the City Administrator and the City Clerk of the special meeting request
- The City Clerk initiates an email to the entire Governing Body explaining that a Councilmember would like to call a special meeting to discuss a specific topic. The email will instruct the Councilmembers to reply only to the City Clerk with a "Yes" or a "No" answer as to whether they are in agreement with holding a special meeting

No other business shall be transacted except that mentioned in the call.

Special meetings shall be held at Gardner City Hall or at such other locations as determined by a majority of the Councilmembers.

The City Clerk shall provide written notice to all Members, local news media and to any person having requested in writing notification of such meetings pursuant to state law. The notice shall include the date, time, and location of the special

meeting. All special meeting notices are to be sent via email blast, posted on the City's website and posted in the public notice case in the lobby of City Hall.

C. WORK SESSIONS

Work sessions are scheduled on an as needed basis and can be scheduled at any time during the day or evening. No action may be taken during a work session.

Work sessions may be requested by any Councilmember by orally making the request during Council Updates or by submitting a written request to the City Administrator or the Mayor. The City Administrator may also request a work session.

Upon receiving the request for a work session, the City Clerk will initiate an email to the entire Governing Body explaining that a work session has been requested for a specific topic. The email will instruct the councilmembers to reply only to the City Clerk with a "Yes" or a "No" answer as to whether they are in agreement with holding a work session.

Work sessions shall be held at Gardner City Hall or at such other locations as determined by a majority of the Councilmembers.

The City Clerk shall provide written notice to all Members, local news media and to any person having requested in writing notification of such meetings pursuant to state law. The notice shall include the date, time, and location of the work session. All work session notices are to be sent via email blast, posted on the City's website and posted in the public notice case in the lobby of City Hall

D. EMERGENCY MEETINGS

In the event of an emergency involving injury or damage to persons or property or which impacts the service or operation of the City, a special meeting may be called with less than 24 hours notice provided a majority of the Members waive notice requirements and reasonable effort is taken to notify local news media. The City Council may hold an emergency meeting without complying with the 72-hour posting requirement, for regular and special meetings, but shall otherwise comply with the Kansas Open Meetings Act procedures.

The City's official newspaper and radio or television station that has requested notice of special meetings shall be notified by the Mayor, or designee thereof, at least one hour prior to the emergency meeting, or in the case of a dire emergency, at or near the time that the Mayor or designee notifies the Councilmembers of the emergency meeting.

This notice shall be given by email or telephone, and all email and addresses or telephone numbers provided in the most recent request for notification of special meetings shall be used.

In the event that internet or telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the Mayor, or designee of the City Council, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

The minutes of an emergency meeting, a list of persons who the Mayor, or designee of the City Council, notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for a minimum of ten (10) days in a public place as soon after the meeting as possible.

E. EXECUTIVE SESSIONS

Executive sessions shall generally be conducted as needed. In accordance with the Kansas Open Meetings Act (KOMA), an executive session may only take place once an open meeting is convened. A formal motion must be made, seconded and carried by a majority vote to recess into the executive session. The motion must contain three parts: (1) a statement describing the subjects to be discussed during the closed or executive meeting; (2) the justification listed in subsection (b) for closing the meeting; and (3) the time and place at which the open meeting shall resume. The complete motion shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the public body or agency. Discussion during the closed or executive meeting shall be limited to those subjects stated in the motion *(See K.S.A. 75-4317 et seq)*

Executive sessions are closed to the public. All persons attending executive sessions should be admonished that the purpose of the executive session is to protect important privacy interests and subjects discussed during these sessions should not be shared outside of the executive session.

No executive session will be held without the presence of the City attorney. No binding action may be taken during an executive session. However, entities covered by KOMA may discuss the issue and reach a consensus during an executive session.

F. PUBLIC HEARINGS

The Governing Body shall hold public hearings when required by federal, state or municipal law. Public hearings are officially opened and closed by the Chair.

The City Clerk will set City Council public hearing dates and notify the City Council via the agenda on all matters that require a notice and public hearing before the City Council. Scheduled public hearings may be withdrawn or continued at the request of the City Council, staff, and/or applicant with a motion and majority vote without further published notice if at the time and place for which notice originally was given the Chair specifies the time and place where the hearing will reconvene.

The general procedure for a public hearing shall be as follows:

- Presentations: Staff presents its report; Councilmembers may ask questions of staff. The applicant has the opportunity to present his/her comments, testimony, or arguments
- Opening of the Public Hearing: The Chair opens the public hearing
- Public Testimony: Members of the public may present their comments
- Close of the Public Hearing: The Chair closes the public hearing after everyone wishing to speak has had the opportunity to do so
- Action: Council proceeds with discussion and takes action

The foregoing procedure may be modified as needed to accommodate the interests of the public and the operation of the City Government.

G. CONTINUANCES

Any person (applicant, appellant or designated representative) scheduled for a public hearing before the City Council:

- May obtain one continuance as a matter of right, without personally appearing before the Council on the scheduled hearing date. A written request for the continuance must be delivered to the City Clerk by noon on the business day prior to the scheduled public hearing. Any person, who has once obtained a continuance by any procedure, may not obtain any subsequent continuance without appearing before the City Council, pursuant to the subsection below:
 - Who has once obtained a continuance of a hearing either by notice to the City Clerk as provided in the subsection above may obtain a further continuance only by appearing before the City Council at the scheduled hearing and satisfying the City Council that circumstances exist which would justify an additional continuance
 - City staff may obtain a continuance based on the need of the originating department or on behalf of a Council Member. Department staff may request, via the City Clerk, as many continuances as needed to complete and ready the project or appeal for the hearing process. However, staff may not serve as a requestor on behalf of an applicant or appellant

The City Council may refuse to grant a continuance of any public hearing if there is no valid legal reason why the hearing must be continued.

CHAPTER 5 - MEETING GUIDELINES & PROCEDURES

A. GENERAL

Authority

The City Council acts as a body and policy is established by majority vote. A decision of the majority binds the Council to a course of action. No Councilmember has any extraordinary powers beyond those of other members and all members have equal votes.

Meetings to be Public

All meetings of the Governing Body are required to be open to the public with the exception of executive sessions. All meeting notices are to be posted by the City Clerk on the City's website and in the public notice case in the lobby of City Hall 72-hours prior to the meeting. Notice shall also be provided to those persons having requested, in writing, notification of such meetings.

Quorum

In all cases, it shall require four (4) members of the Council to constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such a manner and under such penalties as the Council by ordinance may have previously prescribed. In the event of a vacancy on the Council, the number of members of the council required to constitute a quorum shall be reduced from four (4) members to three (3). (Ordinance No. 2046 and Charter Ordinance No. 26, Sec. 5)

Location

All public meetings shall be held at Gardner City Hall, or at such other locations as determined by a majority of the Councilmembers. Any alternate location or change in meeting time shall be specified in the notice for the meeting.

Action

Action by the City Council shall be taken by means of ordinance, resolution, or oral motion duly made and passed by the majority as a body or unit. The City Clerk shall call the roll of votes for ordinances and resolutions.

Public actions of the City Council shall be recorded in the minutes of all regular meetings of the Council. Resolutions shall also be recorded separately, serially numbered, and filed sequentially in the office of the City Clerk. Ordinances shall also be separately recorded, serially numbered, codified in the Municipal Code, and so remain until amended or voided.

The City Council cannot take action on items not included on the posted agenda except in the case of emergency meetings where urgent items will be discussed.

Sequence of Agenda Items

At any time during the meeting, the Chair may request a change in the sequence of discussion of items on the agenda. This exception is particularly used when a large crowd is in attendance for a particular item.

Minutes

It is the responsibility of the City Clerk or designated recording secretary secured by the City Clerk to keep and enter a written account of all Council meetings in the official City record books. Audio recordings will be destroyed after the minutes have been approved by the City Council. Video recordings will be retained for 10 years. The official record of the meeting is the minutes after they have been approved by the City Council.

It is the policy of the Governing Body that only the Mayor and Councilmembers have the authority to make revisions to the minutes subject to a majority vote of the City Council. Governing Body members having only typographical corrections to minutes are encouraged to provide such corrections to the City Clerk directly and need not wait to submit such corrections at a meeting.

Right of Floor

The Chair will recognize members of the Council, staff or audience desiring to speak, and confine remarks to the subject under consideration.

City Administrator

The City Administrator or designee attends all Council meetings and work sessions and may make recommendations to the Governing Body.

City Attorney

The City Attorney or designee attends all Council meetings and may give written or oral opinions on questions of law. The City Attorney acts as the Governing Body's parliamentarian.

City Clerk

The City Clerk or designee shall attend all Council meetings, keep the official minutes, call the roll of votes, and perform other duties as requested by the Governing Body.

Department Directors and Staff

The Director or their representative shall attend the meetings unless excused by the City Administrator.

B. REQUIREMENTS FOR AGENDA ITEM SUBMISSION

Councilmembers may submit items for inclusion on future agendas by orally making the request during Council Updates or by submitting a written request to the City Administrator and the Mayor. All items should be submitted by noon five (5) calendar days in advance of the City Council meeting for which they are to be included on the agenda. Any time-sensitive or urgent items that cannot be submitted prior to this deadline should be submitted for inclusion as soon as possible in order to avoid changes to a published agenda.

C. AGENDA PACKET PREPARATION

The City Administrator reviews and approves all items for the Council agenda and shall submit to the Mayor and City Council a proposed agenda for each Council meeting at least 72 hours in advance of the regular Council meeting.

The agenda and agenda packets are compiled and distributed through the Administration Department. Packet information that is unable to be electronically transferred will be provided in paper form or will be on file in the City Clerk's office.

The Governing Body is encouraged to contact the City Administrator with questions and clarifications prior to the meeting.

D. AGENDA FORMAT

The Mayor and Council may reorder the agenda items to expedite the agenda or for the benefit of the public.

Call to Order

The Mayor shall open each regular meeting at the appointed hour.

Pledge of Allegiance

The Mayor shall lead the recitation of the Pledge of Allegiance. The Mayor may invite or designate others to perform this duty.

Presentations

This time may be used as necessary to present awards, proclamations, other honors or to receive remarks by distinguished guests.

Public Hearings

The Public Hearings portion of the meeting is reserved for any items requiring a formal public hearing.

Public Comments

Time shall be set aside at every regular meeting and work session to allow the public to address the City Council on matters that are not listed on the printed agenda, but which relate to the business of the City. Those wishing to speak may

do so during the “Public Comments” period at the beginning of the meeting. Interested persons may also speak to individual new business agenda items (other than the consideration of minutes and appointments), not part of a public hearing, and will be allowed to do so following staff’s presentation and preceding the Council’s discussion of any given item. In both cases, public comments will be limited to 5 minutes. Speakers will not be allowed to concede any part of their allotted time to another speaker.

Ordinarily, no person other than the applicant or proponent of an agenda item will be permitted to address any item before the City Council more than twice during the same meeting, and shall limit their comments to no more than five minutes each time.

Each person addressing the Governing Body must approach the podium when recognized by the Mayor, communicate his or her name and address and, if acting as spokesperson for a group, must name such group for the record. Lobbyists must identify themselves and their client(s), business, or organization they represent before speaking to the Council.

Any individual wishing to use the City’s audiovisual equipment to display content as part of his or her public comments must make arrangements with the City Clerk to do so by no later than 12:00 noon on the day of the meeting.

The City Council may not deliberate or take action on any request/item brought before them during the Public Comments period. The Council may ask clarifying questions and refer the request/item to staff for follow-up or they may request that it be added to a future meeting agenda.

Members of the Governing Body are discouraged from engaging in debate with a member of the public at Council meetings since these debates seldom resolve concerns and may inflame feelings at a public meeting.

Consent Agenda

Those items on the Council agenda which are considered to be of a routine and non- controversial nature by the City Administrator shall be listed on the consent agenda. These items shall be acted upon collectively under a single motion. A member of the City Council may remove any item from the consent agenda for discussion. Any item removed will be heard immediately following action on the remaining consent agenda items. The agenda item for all consent agenda items resulting from committee or commission recommendations shall include the results of the vote taken by the committee or commission.

Planning and Zoning Consent Agenda

Those items on the Council agenda which have already received a recommendation from the Planning Commission and do not require a roll call

vote shall be listed on the Planning and Zoning consent agenda. These items shall be acted upon collectively under a single motion. A member of the City Council may remove any item from the planning and zoning consent agenda for discussion. Any item removed will be heard immediately following action on the remaining planning and zoning consent agenda items. The agenda item for all Planning and Zoning consent agenda items shall include the results of the vote taken by the Planning Commission.

Committee Recommendations

Committee Recommendations contain items being brought forward for consideration by recommendation from a City board, commission or committee.

Old Business

Old Business contains items which have been previously discussed and formally tabled at a previous City Council meeting. All items the Council has voted to table will be brought forward at the next regular City Council meeting or at a date determined by majority vote of the Governing Body.

New Business

New Business contains items which may not have been previously discussed, require City Council direction, or are considered controversial.

Council Updates

The Council Updates portion of the meeting is reserved for updates to the Council on City business, operations, projects, and other items of Council interest. It is also a time to allow Council Members to comment on matters related to the business and operation of the City.

Executive Session

The Executive Session portion of the meeting is reserved for times when the Council determines it necessary to enter into Executive Session as allowed by State Statute. It does not preclude the Council from entering into Executive Session at any point during an open meeting as the Council deems necessary.

Adjournment

Before there can be an adjournment, the Council must, by proper action, move and vote for adjournment. Upon adjournment, the meeting is ended and no further business can be conducted.