

Sec. 2-26. - Dates of regular and organizational meetings.

Notwithstanding anything to the contrary in state law, the rules and procedures with respect to regular and organizational meetings of the city council shall be as follows:

- (1) The city council shall hold its regular monthly meeting on the first Monday of each month, unless the first Monday of the month falls on a holiday, in which case the city council will hold its regular meeting on the Tuesday following the first Monday of the month.
- (2) A regular meeting of the city council may be canceled, or may be rescheduled to a date within eight (8) days of the date the meeting would, pursuant to subsection (1), otherwise occur in the absence of such rescheduling. In calculating the eight (8) days for purposes of the prior sentence, the date the meeting would occur in the absence of rescheduling shall not be counted. Any action of cancellation or postponement taken under the authority of this subsection must be authorized by a majority of the council at a regular or special meeting held not less than thirteen (13) days before the date when the regular meeting would otherwise be held in the absence of such action, excluding in such computation of days, the day of the meeting at which the action under this subsection is taken and the day of the meeting which is being canceled or rescheduled by such action.
- (3) If less than a quorum appears for a meeting, the meeting may be adjourned to a date and time certain, no later than the next regular meeting as previously established or scheduled under subsection (1) or (2). If no member appears, the meeting may be adjourned to the same time the next day (exclusive of Saturdays, Sundays, and holidays) by the city clerk, city auditor, or city manager, in the order of precedence just given, which procedure may be repeated if necessary, every ensuing day which is not a Saturday, Sunday, or holiday, until a quorum appears.
- (4) The organization of the city council shall occur as provided in section 2-21.
- (5) The time of the regular meetings of the council shall be 6:30 p.m., except as may be provided otherwise by way of a resolution by all of the members of the city council, which establishes either a general rule or a special rule for special circumstances. Special meetings shall meet at the time specified in the call for meeting or notice of meeting.

(Ord. No. 3428, § 2(2.1-251); Ord. No. 4294, § 1)

Sec. 2-27. - Notice required for special meetings; waiver.

A special meeting of the city council may be called by the city manager, the mayor, or any two (2) aldermen. Notice of special meetings of the city council shall be given by the city clerk or the city manager to the mayor and each alderman at least twenty-four (24) hours prior to the time set therefor by personal service of a copy of the call, or by leaving a copy thereof addressed to the mayor and each alderman not signing the call at his office or residence; however, if any of the members of the city council, including the mayor, shall, at the time of the special meeting or prior thereto, waive notice of the special meeting, no notice of the special meetings shall be required as to the member so waiving the notice. Whenever the members of the city council shall meet for a special meeting, the meeting shall be valid for all purposes without call or notice as to each of the members present at the meeting.

(Ord. No. 3428, § 2(2.1-252))

Sec. 2-28. - Place of meetings.

Except as may be provided by previous authorization by a majority of the council with respect to a specifically identified meeting, the meetings of the city council shall be held in the council chambers of the city hall.

(Ord. No. 3428, § 2(2.1-253))

Sec. 2-29. - Presiding officer.

A meeting of the city council shall be presided over by the mayor. In the absence of the mayor, the meeting shall be presided over by the first one of the following persons in attendance at the meeting in the following order of precedence: The president of the council, the vice-president of the council, the remaining members of the council ranked in terms of seniority (i.e., length of service, whether or not continuous).

(Ord. No. 3428, § 2(2.1-254))

Sec. 2-30. - Order of business.

- (a) Except as may be provided by a special rule adopted at the meeting in question, the order of business at a meeting of the city council to the extent which circumstances permit shall be as follows:
- (1) Roll call conducted by the city clerk, who shall record those present and absent in the minutes.
  - (2) Pledge of allegiance to the flag of the United States of America.
  - (3) Approval (with such corrections, if any, as may be necessary) of the minutes of the prior meetings which have not yet been already approved.
  - (4) Consideration and approval of bill payments, transfers, and payroll.
  - (5) Public hearings on items of business for which a public hearing is required as a matter of law.
  - (6) Personal appearances (other than those relating to matters on the agenda for the meeting).
  - (7) Oral reports by the city manager, mayor, and city attorney.
  - (8) Reports of commissions and committees with priority given to standing bodies over *ad hoc* bodies.
  - (9) Miscellaneous business.
  - (10) Adjournment.
- (b) Ordinarily, the consideration of an ordinance or resolution will occur in the context of a committee report. However, nothing herein is to be construed as invalidating an ordinance or resolution which is acted upon at any other time in the course of a meeting prior to adjournment. The prior sentence is not intended to diminish the authority of the presiding officer to rule a matter out of order, as being inconsistent with the order of business, but rather it is intended only to validate the action of the council if the ruling of the presiding officer is appealed to the council as a whole, and it overrules the presiding officer and proceeds to consider and adopt the matter without the formality of making a special rule.

(Ord. No. 3428, § 2(2.1-255))

Sec. 2-31. - Rules of order.

- (a) In addition to such supplementary rules of order as may be adopted by resolution from time to time, the rules of order applicable to meetings of the city council shall be as follows:
- (1) *Preservation of order.* The presiding officer shall preserve order and decorum, prevent the attacking of personalities or the impugning of members' motives, confine members in debate to

the question under discussion, and decide all points of order, subject to an appeal to the city council.

- (2) *Right of appeal.* Any member of the city council may appeal to the city council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state his reason therefor, and the presiding officer may briefly explain his ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "aye," then the ruling of the chair shall be sustained; otherwise, it shall be overruled.
- (3) *Obtaining the floor.* When any member is about to address the city council, he need not rise from his seat, but shall respectfully address the presiding officer by title, and when recognized by the chair, the member shall confine himself to the question under debate, avoid the attacking of personalities and refrain from impugning the motives of any other member's argument or vote.
- (4) *Stating of motion.* When a motion is made, it shall be stated by the presiding officer or read by the city clerk prior to voting thereon.
- (5) *Debate limitation.* No member of the city council shall speak more than twice at the same meeting on any question, except by leave of the presiding officer. No speaker shall address the city council for a period longer than five (5) minutes without permission given by the presiding officer. Otherwise it shall be the duty of the presiding officer to call the speaker to order upon the expiration of the time limit. This rule may be suspended at any time by a majority vote of the city council.
- (6) *Member called to order.* When a member is called to order, he shall not proceed until the question of order is decided.
- (7) *Consent agenda.* A motion that one (1) or more items be placed upon the so-called consent agenda shall be deemed the equivalent of a motion that, by unanimous consent, the rules be suspended and a special rule be adopted that the item or items thus designated be voted upon immediately without any debate or opportunity for amendment. Any council member may "pull" an item from the consent agenda by so stating, which statement by itself alone is sufficient to cause such item to be handled in the same manner as though it had never been included in the consent agenda motion in the first instance.
- (8) *Voting procedure; demand for roll call.* A question which need not be decided by way of a roll call vote shall be put in this form: "Those who are in favor of the motion (state the question) say, 'Aye', and those opposed say, 'Nay'; however, at any time before the presiding officer announces the result of such a vote by ayes and nays, any member of the city council may call for a roll call vote. A roll call vote is necessary, without regard to whether requested by a member of the council, upon the passage (whether upon first reading or second) of an ordinance, the expenditure of funds, or the sale of property, and otherwise when required by state law.
- (9) *Reconsideration.* After the decision on any question, any member of the city council who voted with the majority on the question (or on either side of the question, if there was no majority) may move for a reconsideration of the vote at the same or the next succeeding meeting, without regard to whether either meeting is a regular or special meeting, however, unless the subject of reconsidering a specific vote taken at a prior meeting is mentioned unambiguously in a call for a special meeting, the specific vote in question cannot be reconsidered at the special meeting unless there are as many members present and voting at the special meeting as there were present and voting on the original vote. If, at a special meeting, it is not possible, by virtue of the prior sentence, to entertain a motion to reconsider a matter, then such special meeting shall be disregarded in determining which special or regular meeting shall be considered as the "next succeeding meeting." After a motion for reconsideration has once been acted on, no other motion for a reconsideration thereof shall be made without unanimous consent.

- (10) *Precedence of motion to adjourn.* A motion to adjourn shall always be in order, except when a vote is being taken.
- (11) *Treatment of motions.* The motions listed in the following table are listed in decreasing order of precedence, and are debatable and are subject to majority requirements, as specified in such table.

*Table of Motions*

Name of Motion	Debatable	Majority
Adjourn	No	Simple
Recess	No	Simple
Lay on the table	No	Simple
Previous question	No	Two-thirds
Postpone to a time certain	Yes	Simple
Refer to a committee	Yes	Simple
Amend	Yes	Simple
Postpone indefinitely	Yes	Simple
Main motion	Yes	Simple
Take from the table	No	Simple

- (12) *Amendment of ordinances.* It shall be in order to amend an ordinance at any time before final passage.
- (13) *Robert's Rules of Order.* Any question of procedure not covered herein shall be governed by Robert's Rules of Order.
- (14) *Effect of passed vote.* Notwithstanding anything to the contrary in state law, whether statutory or common, a member who passes his or her vote on a measure being voted upon by the city council, or who is disqualified from voting on such measure, shall be deemed to be absent from the meeting for purposes of such vote (without regard to his or her actual physical presence at the meeting).
- (15) *Equivalent motions.* A motion-
- a. To hold; or

- b. To table; or
- c. To lay on the table; or
- d. To postpone to a time certain; or
- e. To postpone indefinitely-

will (except when the discussion or other circumstances indicate a contrary intent), be treated and recorded as being a "motion to hold." A "motion to hold" will be considered a short-hand form of moving that debate on the main motion cease immediately and that such main motion be put on the agenda of the next meeting of the body (full council or committee thereof), in which the motion to hold is made. The motion to hold shall require only a simple majority to pass and shall be debatable, but the debate may go only to the merits of postponing consideration of the main motion, and not to the merits of the main motion itself. A "motion to hold in committee," when made at the city council level, shall be treated and recorded as being a motion to refer the main motion to the committee from whence it originated.

- (b) A majority vote of the council is required to pass a resolution establishing, amending, or repealing the rules of order of the city council supplementary to those provided for in subsection (a).

(Ord. No. 3428, § 2(2.1-256); Ord. No. 3800, § 1; Ord. No. 3903, § 1)

Secs. 2-32—2-35. - Reserved.