

CHAPTER 5: CIVIL ADMINISTRATION

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§ 5-101 FORM OF GOVERNMENT.

The City of Chadron is a city of the First Class with a municipal government organized pursuant to the provisions of the laws of the State of Nebraska. The City of Chadron operates under the City Manager Form of Government.

§ 5-102 POWERS; COUNCILMEMBERS; NUMBER; TERM.

The governing body of the City of Chadron shall be the City Council, which shall exercise all the powers which have been or may be conferred upon the City by the constitution and laws of the State of Nebraska and the Municipal Code. The Council shall consist of five Councilmembers, who shall be elected from the City at large, as provided in Neb. RS 19-612, and shall serve for a term of four years and until their successors are elected and have qualified.

(Neb. RS 19-611, 19-612 and 32-538)

§ 5-103 COUNCILMEMBER-ELECT; QUALIFICATIONS; ASSUMPTION OF OFFICE.

Members of the Council shall be residents and qualified electors of the City. Each Councilmember-elect shall make every reasonable effort to be qualified to assume, and to assume his or her office at the first regular Council meeting in December following the general election in every even-numbered year. Except as provided in Neb. RS 70-624.04, they shall not hold any other elective public office or any other office or employment of the City and, except as may otherwise be provided under state law, shall not be interested in the profits or emoluments of any contract, job, work, or service for the City and any such contract in which any member is or may become interested may be declared void by the Council.

(Neb. RS 16-311, 19-613, 70-624.04)

§ 5-104 OFFICE; SURRENDER TO COUNCILMEMBER-ELECT; WHEN.

Each Councilmember shall, upon expiration of the term of office for which he or she is elected, surrender his or her office upon the demand of his or her successor, which surrender shall be made on the date of the first regular Council meeting in December following the election of his or her successor. Provided, in case his or her successor does not qualify on or before such date, the incumbent shall hold the office until a successor shall have been chosen in the manner prescribed by law and qualified for office.

§ 5-105 COUNCIL; ORGANIZATION.

On the first regular Council meeting in December following the general election in every even-numbered year, the Council shall elect one of its members as President, who shall be ex officio Mayor, and another as Vice President, who shall serve in the absence of the President. In

the absence of the President and the Vice President, the Council may elect a temporary Chairperson.

(Neb. RS 19-615)

§ 5-106 PRESIDENT OF THE COUNCIL; MAYOR; POWERS; DUTIES.

1. Serves as ex officio Mayor and is the Chief Elected Official of the City of Chadron
2. When present, presides at all the meetings of the City Council
3. May debate any matter coming before the Council
4. May move, second, debate and vote from the chair, subject only to such limitations of debate as are imposed by these rules on all members, and shall not be deprived of any rights and privileges of a Councilmember by reason of his/her acting as presiding officer
5. May vote on all matters, unless a conflict of interest exists
6. Has no veto power
7. Fully participates in City Council meetings and other public forums
8. Chairs agenda meetings
9. Prepares in advance of Council Meetings and becomes familiar with agenda items
10. Makes judgement calls on proclamations and similar situations
11. Recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for military purposes
12. Selects substitute for City representation, when unable to attend events
13. Upon authorization by the City Council, signs documents on behalf of the City
14. Authorized to sign checks drawn upon the City treasury
15. Serves as the official delegate of the City at events and conferences
16. Provides advance notice to City Hall, whenever possible, if he/she is unable to attend any called meeting
17. May serve on various boards and commissions, per Council appointment
18. In addition, he or she shall exercise any other powers and perform any duties as are conferred upon the Mayor of the City by this Code and the laws of the State of Nebraska.

(Neb. RS 19-617)

§ 5-107 VICE PRESIDENT OF THE COUNCIL; VICE MAYOR; POWERS; DUTIES.

1. Serves as ex officio Vice Mayor
2. Chairs Council Meetings in absence of the Mayor
3. May debate any matter coming before the Council
4. May move, second, debate and vote from the chair, subject only to such limitations of debate as are imposed by these rules on all members, and shall not be deprived of any rights and privileges of a Councilmember by reason of his/her acting as presiding officer
5. May vote on all matters, unless a conflict of interest exists
6. Fully participates in City Council meetings and other public forums
7. Attends agenda meetings on a rotating schedule set by the Mayor
8. Prepares in advance of Council Meetings and becomes familiar with agenda items
9. Performs the duties of the Mayor, if the Mayor is absent or unable to serve

10. Represents the City at ceremonial functions at the request of the Mayor
11. Provides advance notice to City Hall, whenever possible, if he/she is unable to attend any called meeting
12. May serve on various boards and commissions, per Council appointment

§ 5-108 COUNCILMEMBERS; POWERS; DUTIES.

All members of the City Council have an equal vote. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect. The Council is the policymaker of the Chadron City Government, and therefore the Council should feel free to ask for, and receive, thorough answers to reasonable questions. It is their responsibility to make good policy by understanding the form of government and the role they play in that form. The Council shall make all decisions in the best interest of the residents of Chadron.

Councilmembers:

1. Fully participate in City Council meetings and other public forums
2. Prepare in advance of Council meetings and be familiar with agenda items
3. May move, second, debate and vote from the chair, subject only to such limitations of debate as are imposed by these rules on all members, and shall not be deprived of any rights and privileges of a Councilmember by reason of his/her acting as presiding officer
4. May vote on all matters, unless a conflict of interest exists
5. Attend agenda meetings on a rotating schedule set by the Mayor
6. Represent the City at ceremonial functions at the request of the Mayor
7. Provide advance notice to City Hall, whenever possible, if he/she is unable to attend any called meeting
8. May serve on various boards and commissions, per Council appointment

In chairing official meetings of the City Council, the Mayor, or Vice Mayor shall:

1. Maintain order, decorum, and the fair and equitable treatment of all speakers
2. Keep discussion and questions focused on specific agenda items under consideration
3. Demonstrate respect, kindness, consideration, and courtesy to others
4. Open public hearings at the designated time(s) and inform those in attendance that each person addressing the City Council shall step up to the podium, state their name and address for the record, and unless further time is granted by the Council, limit their remarks to the designated time limit, if one has been set by the Mayor or presiding officer

§ 5-109 COUNCILMEMBERS; FORFEITURE OF OFFICE; GROUNDS.

Any Councilmember who shall cease to possess any of the qualifications herein required, or who shall have been convicted of a crime while in office, shall forthwith forfeit his or her office. The Council shall be the judge of the election and qualifications of its members, subject to review by the courts.

§ 5-110 COUNCILMEMBERS; BOND; AMOUNT; CONDITION; DEFINITIONS.

Before entering upon the duties of his or her office, each Councilmember shall make and file the oath hereinafter set forth and shall execute a bond to the City with good and sufficient sureties in the sum of \$2,000, conditioned first that he or she will faithfully and impartially discharge the duties of his or her office, and second, that if the Councilmember shall vote for any expenditure or appropriation of money or the creation of any liability in excess of the amount allowed by law, the Councilmember and his or her sureties shall be liable on the bond. Whenever used in this Code, or any other ordinance of the City of Chadron, unless otherwise clearly indicated, the word COUNCIL and the words CITY COUNCIL shall be construed to mean the Council of the City of Chadron, Nebraska. The bond shall be filed with the City Clerk and be approved by the Mayor, and the bond shall be recorded by the Clerk in the records of the City.

(Neb. RS 16-304)

§ 5-111 COUNCILMEMBERS; VACANCY; HOW FILLED.

Vacancies in the Council, except as otherwise provided herein, shall be filled by a majority vote of the remaining members until the next regular City election, when a successor shall be chosen by the electors for the unexpired term. If for any reason the seats of a majority of the Council shall become vacant, the City Clerk shall call a special election to fill the vacancies for the unexpired portion of each term, which election shall be conducted as provided for the regular City election. A vacancy in any office to which the Council elects shall be filled by the Council for the unexpired term.

(32-568(7))

§ 5-112 COUNCILMEMBERS; SALARY; NO CHANGE DURING TERM OF OFFICE.

The salary of the Mayor and City Councilmembers shall be in such amount as the governing body shall fix by ordinance. Such salaries shall be payable quarterly in equal installments as required by law.

The emoluments of any City Councilmember shall not be increased or diminished during the term of office for which he or she was elected, except that elected officials who are elected to the Council having more than one member and terms of one or more members commence and end at different times, the compensation of all members of that body may be increased or diminished at the beginning of the full term of any member of that body. No person who has resigned or vacated any office shall be eligible to the same during the time for which such person was elected or appointed when, during the same time, the emoluments have been increased. For each absence from regular meetings of the Council, unless authorized by a two-thirds vote of all members thereof, there shall be deducted a sum equal to two percent of such salary.

(Neb. RS 19-616)

§ 5-113 COUNCIL; CITY MANAGER AND CITY CLERK; APPOINTMENT; INVESTIGATORY POWERS OF COUNCIL.

The Council shall choose a City Manager and a City Clerk, but no member of the City Council shall be chosen as a Manager. Neither the Council nor any of its committees or members shall dictate the appointment of any person to office or employment by the City Manager, or in any manner seek to prevent him or her from exercising his or her own judgement in the appointment of officers and employees in the administrative service. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager, either publicly or privately. The Council, or a committee thereof, may investigate the affairs of any department or the official acts and conduct of any City officer. It shall have power to administer oaths, compel the attendance of witnesses and the production of books and papers, and may punish for contempt any person failing to obey its subpoena or refusing to testify. No person shall be excused from testifying, but his or her testimony shall not be used against him or her in any criminal proceedings other than for perjury. (Neb. RS 19-618)

§ 5-114 COUNCIL; DEPARTMENTS AND OFFICES; CONTROL.

The Council shall have authority, subject to the laws of the State of Nebraska, to create and discontinue departments, offices, and employments, and by ordinance or resolution to prescribe, limit, or change the compensation of the officers and employees. (Neb. RS 19-620)

§ 5-115 COUNCIL MEETINGS; PLACE.

All meetings of the City Council shall be held in the Council Chambers of City Hall located at 234 Main Street, Chadron, Nebraska, except as herein provided. In the event the Council shall determine that an emergency or public convenience or necessity require that a public meeting of the City Council be held elsewhere than in City Hall, the meeting may be held in any place designated by the City Council. Such place shall be accessible to the public and shall also be ADA compliant. Any determination that public convenience or necessity so require, the designation of the place of the meeting to be held pursuant to such determination, shall be made no less than two (2) days prior to the meeting to be held elsewhere than in City Hall. Every determination of such an emergency or of public convenience or of necessity shall include a statement of the grounds. The designation of the place shall include the street address of the building and identify the room in which the meeting is to be held. Closed sessions of the City Council which are authorized by law may, at the discretion of the City Council, be held in any room in in the building in which the Council is meeting.

§ 5-116 COUNCIL MEETINGS; REGULAR; TIME.

Regular meetings of the City Council shall be held at 6:00 p.m. in the Council Chambers of City Hall, unless otherwise designated, on the first and third Mondays of each month; provided, however, the Council may reschedule any such meeting to any other time and day of the week

during the same month. The dates for the regular City Council Meetings for the upcoming calendar year are ordinarily set by motion by the City Council at a Council Meeting in December of the preceding year. In the event of a holiday or other conflict, the Council may amend the schedule of City Council Meeting dates by motion.

A majority of the members shall constitute a quorum, but a majority vote of all the members elected shall be required to pass any measure or elect to any office.

§ 5-117 SPECIAL MEETINGS; PROCEDURE FOR CALLING.

Special meetings may be called by the Mayor, or any two (2) Councilmembers, or the City Manager upon at least forty-eight (48) hours written notice to every member of the Council. Said notice shall state the time of the meeting and its purpose. No other business shall be transacted at a special meeting.

It shall be the duty of the City Clerk, when given such notices, to serve the same or cause the same to be served immediately.

§ 5-118 CITY COUNCIL; WORKSHOP MEETINGS.

The City Council may hold a meeting to be referred to as a workshop meeting as needed and at the discretion of the City Council. Workshops will be public meetings held at the time and place to be determined by the Council, for which notice will be published or posted pursuant to Nebraska statutory requirements. Workshop sessions shall be conducted to facilitate discussion among members of the Council and shall not be subject to formal parliamentary procedure. No motion, action, or vote of any kind may be taken on any matter during a workshop session except on a motion to recess or adjourn.

§ 5-119 CITY COUNCIL; EMERGENCY MEETINGS.

When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. The City Manager, in consultation with the Mayor, shall determine an emergency.

(Neb. RS 84-1411)

§ 5-120 CITY COUNCIL; CLOSED SESSIONS.

The City Council may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited, such reasons as:

1. Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;
2. Discussion regarding deployment of security personnel or devices;
3. Investigative proceedings regarding allegations of criminal misconduct;
4. Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(Source: Statutory Authority: Neb. RS 84-1410)

§ 5-121 CITY COUNCIL; QUORUM; VOTING.

1. A majority of all the members of the City Council must be present at a regular or special meeting to constitute a quorum; but if less than such majority is present at the meeting; the majority of the Councilmembers present may adjourn the meeting from time to time without further notice.
2. Except in those cases where Nebraska law requires a greater number of votes, three (3) affirmative votes from all of the members elected shall constitute a majority vote required to pass a motion, resolution, ordinance, action, or policy. A majority vote shall be required to elect to any office. The Mayor's vote shall be counted as one of the three necessary affirmative votes.
3. On votes requiring two-thirds vote of the Council, such vote shall require four (4) affirmative votes to pass.
4. On votes requiring three-fourths vote of the Council, such vote shall require four (4) affirmative votes to pass.

Source: Statutory Reference: Neb. RS 19-615

AGENDA PROCEDURES

§ 5-122 AGENDA FOR MEETINGS.

All matters for consideration at any regular meeting of the City Council shall be submitted to the office of the City Clerk prior to the deadline established by resolution. The City Clerk shall be responsible for drafting the agenda by arranging a list of such matters according to the order of business. The City Manager shall establish a preliminary City Council meeting agenda based on the policy direction of the City Council and specific items of business that require action by the City Council. The Mayor shall determine the contents of the agenda relating to policy items. The City Manager shall review the preliminary agenda with the Mayor and designated Councilmember during the agenda meeting prior to finalizing the meeting agenda. Except as provided in paragraph two of this section, items may be removed from the agenda at the direction of the City Manager or Mayor prior to the final agenda being prepared and distributed.

If an individual Councilmember wants to place an item on the City Council meeting agenda, the written request may be made to the Mayor or by seeking the support of one other Councilmember for the placement of that item on the agenda by written request of both Councilmembers. These agenda items(s) cannot be removed from the agenda by the Mayor or City Manager unless the two Councilmembers requesting the agenda item(s), are in agreement with the decision to remove said item(s) from the agenda and a written statement from both Councilmembers is received by the City Clerk stating such.

All matters for consideration at any special meeting of the City Council shall be submitted at least forty-eight (48) hours prior to the time set for such special meeting.

Upon receipt of an agenda request by the public, the request will be reviewed by the City Manager and the appropriate staff to determine whether the issue can be addressed administratively or not. If so, it will be forwarded to the appropriate City department for action. If not, the topic will be scheduled for a future Council meeting or a specific Council meeting. The individual submitting the request will be informed as to how their request will be handled. If scheduled for a City Council Meeting, they will be informed as to the date of the Council Meeting. If a person is denied being placed on a City Council agenda, they will be notified in writing of the denial, along with the reasons for the denial.

§ 5-123 CONSENT AGENDA.

By resolution, the City Council establishes a consent agenda procedure for the transaction of certain routine business at Council meetings. The intent of this procedure is to expedite the conducting of routine business at Council meetings to allow more time to be devoted to substantive issues by condensing the time necessary to process routine items, but yet allowing an opportunity for full discussion in consideration of said items if appropriate. The procedure to be followed is as follows:

- (1) Items considered to be of routine and non-controversial nature may be placed on the agenda for regular Council meetings and under the heading of "Consent Agenda." Such items shall include minutes of previous Council meetings, correspondence, monthly reports, and any other items deemed appropriate.
- (2) At the Council Meeting, the Mayor or presiding officer will review those items placed on the Consent Agenda. If all matters listed under the Consent Agenda are considered to be routine by the City Council, they will be enacted by one motion.
- (3) In the event a Councilmember or citizen at the meeting desires any separate discussion on such items, such desire shall be made to the Mayor who shall list the order of such discussion, and after such discussion, the items on the Consent Agenda shall be enacted by one motion.
- (4) In the event that discussion in length is desired, then such item shall be removed from the Consent Agenda and will be considered separately.

§ 5-124 AGENDA MEETINGS.

Agenda meetings are held on Tuesdays, prior to regular City Council Meetings, for the purpose of reviewing the agenda. The City Clerk facilitates the meeting by reviewing items on the agenda as drafted. The City Manager and Department Heads attend these meetings. Key staff members may be requested to attend, especially if they have something to be placed on the agenda. Items may be removed from the agenda if it is determined that the agenda item is not ready to go before the Council by those attending the agenda meeting. To assure that the Open Meetings Act is not violated by having a quorum present, it shall be the policy of the City of Chadron that no more than two (2) members of the City Council shall be in attendance at an agenda meeting. The Mayor will establish a schedule whereby the Councilmembers rotate as to who attends each agenda meeting. If the Mayor has not established a rotating attendance schedule of Councilmembers, the Mayor and Vice Mayor shall represent the Council at the meetings. The City Attorney's attendance may be requested if it is deemed to be necessary.

§ 5-125 METHOD OF PUBLICIZING MEETINGS.

1. For all regular, special, and workshop meetings of the City Council, the City Clerk shall make all reasonable attempts to publish notice of such meeting at least twenty-four (24) hours prior to the scheduled starting time of such meeting by publication in a legal newspaper in or of general circulation within the City.

2. If after all reasonable efforts, the City Clerk or staff is not able to meet the publication requirement set out above, they may proceed with publicizing the notice of meetings of the City Council through one or more of the following actions:

- (1) Posting notice of such meeting in three (3) public places accessible to the public in the following buildings:
 1. Chadron City Hall
 2. Dawes County Courthouse
 3. Chadron Public Library
- (2) Publication on the City's website
- (3) Electronic Mail notification to news media outlets who previously requested such notice; and
- (4) Paper copies of meeting documents and materials accessible to the public at the office of the City Clerk

(Neb. RS 84-1411)

§ 5-126 RESOLUTION; MOTION; SECOND.

No motion shall be put or debated unless it is seconded; when seconded, it shall be stated by the presiding officer before it shall be debatable.

§ 5-127 MEMBER; LEAVING ROOM.

While the presiding officer is putting the question, no member shall leave the Council Chambers or meeting room.

§ 5-128 VOTING; WHEN REQUIRED.

Every member who shall be present when a question is stated by the presiding officer, shall vote thereon unless excused by a majority of the members present.

§ 5-129 ORDINANCE; RESOLUTION; MOTION; WITHDRAWAL.

An ordinance, resolution, or motion may be withdrawn by the mover, with consent of the second, before the same shall be voted upon.

§ 5-130 MOTION; TO RECONSIDER.

A motion to reconsider shall be in order when made by a member voting with the majority, but such motion to reconsider must be made before the expiration of the third regular meeting after the consideration of the same question.

ORDINANCES, RESOLUTIONS, ORDERS

§ 5-131 ORDINANCES, RESOLUTIONS, ORDERS, PASSAGE, REQUISITES.

All ordinances, resolutions and orders shall require for their passage or adoption the concurrence of a majority of all members elected to the Council.

(Neb. RS 84-1411)

§ 5-132 ORDINANCES, READING; VOTE RECORD.

Ordinances of a general or permanent nature shall be read by title on three different days unless three-fourths (3/4ths) of the City Council vote to suspend this requirement, except that such requirement shall not be suspended for any ordinance for the annexation of territory. In case such requirement is suspended, such ordinance shall be read by title and then moved for final passage. Three-fourths (3/4ths) of the Councilmembers may require a reading of any such ordinance in full before enactment under either procedure set out in this section.

Ordinances of neither a general nor a permanent nature may be read by title once and then moved for final passage. The “yeas” and “nays” on any vote on, or preliminary to, passage of an ordinance shall be recorded.

(Neb. RS 16-404)

§ 5-133 ORDINANCES, PUBLICATION.

All ordinances of a general nature shall, within fifteen (15) days after they are passed, be published one time:

1. In a legal newspaper in or of general circulation within the City, or
2. In pamphlet form; or
3. Posted in three (3) public places in the City.

Every ordinance fixing a penalty or forfeiture for its violation shall, before the ordinance takes effect, be published or posted for at least one (1) week in some manner prescribed in this section.

The title of the ordinance shall be published one (1) time in a newspaper published in the City when the ordinance is published in pamphlet form or posted at three (3) public places in the City.

(Neb. RS 16-405)

§ 5-134 ORDINANCES, EFFECTIVE DATE; EMERGENCY ORDINANCES.

- a. Except as provided in subsection (b) of this section, an ordinance for the government of the municipality which has been adopted by the governing body without submission to the voters of the municipality shall not go into effect until fifteen (15) days after the passage of the ordinance.
- b. In the case of riots, infectious diseases or other impending danger, or any other emergency requiring its immediate operation, an ordinance shall take effect upon the proclamation of the Mayor immediately upon the first publication of the ordinance.

(Neb. RS 16-405)

DECORUM

§ 5-135 ELECTED OFFICIALS CONDUCT WITH PERSONS ADDRESSING THE COUNCIL AS A BODY.

1. Making individual presenters feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident. Every effort should be made to be fair and impartial in listening to testimony that is presented.
2. All speakers should be allowed the privilege of making an appropriate presentation without interruption. If a speaker becomes flustered or defensive by questions, it is the responsibility of the Mayor or presiding officer to stay calm, focus the speaker, and maintain the order and decorum of the meeting. Questions directed to the person

addressing the Council should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.

§ 5-136 REQUIREMENTS OF THE PUBLIC WHEN ADDRESSING THE COUNCIL AS A BODY.

1. The Open Meetings Act provides that the Council may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings. The Mayor or presiding officer of the City Council can, but is not required by State law provide opportunity during Council meetings for discussion by interested persons or their authorized representatives on any Council agenda item prior to final action thereon.
2. The Mayor or presiding officer reserves the right to limit presentations to a specified time limit. If the Mayor or presiding officer exercises this right, an announcement will be made prior to the start of the discussion. Remarks may be limited to five (5) minutes, more or less. If time limits are set, the City Clerk will indicate when one (1) minute remains to allow for a summary of remarks. Additional time to speak may be granted, by a majority vote of the City Council.
3. As a general rule, each person addressing the City Council shall step up to the podium, state his/her name and address for the record, and unless further time is granted, limit his/her remarks to the time limit that may have been set by the Mayor or presiding officer. Each person shall limit remarks to the specific agenda item then being discussed. No person, other than the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without permission of the Mayor or presiding officer.
4. Any member of the public may direct a written communication to the Council on any agenda item by directing the communication through the City Clerk or the City Manager.
5. The Mayor or presiding officer may, from time to time, make such rules as he/she may deem necessary to fulfill and carry out the intent of the provisions of this section.
6. Nothing in this section shall prohibit any citizen from contacting a Councilmember(s) regarding an issue of concern.

COMMITTEES

§ 5-137 COUNCIL COMMITTEES.

Committees of the Council may be created by a majority vote of the Council to advise the Council in regard to special issues. Each committee will consist of no more than two (2) Councilmembers, appointed by the Council. The Committees may also consist of other members, including staff, who shall serve only as non-voting members. The manner of

appointment shall be the same. The chairman of the committee may be a Councilmember. Council committees shall conduct their meetings in compliance with the open meetings law, shall maintain minutes of the meetings, and shall submit their minutes, findings, and recommendations to the City Council in writing in a timely manner. Appointments to Council committees shall be for a term of one year unless ended sooner by dissolution of the committee. The committee may be dissolved by any of the following actions:

1. Majority vote of the committee to dissolve,
2. Resolution of the special issue assigned,
3. Majority vote of the City Council, or
4. Expiration of one (1) year from date of creation unless reappointed.

§ 5-138 BOARDS AND COMMISSIONS.

The City Council may establish citizen advisory boards and commissions of either a permanent or temporary nature to study and/or make recommendations on designated issues. Certain powers may be delegated to boards and commissions as provided for by statute. Boards and commissions of a permanent nature shall be established by ordinance. The structure and appointments of the boards and commissions shall be in accordance with other provisions contained herein.

§ 5-139 AMENDMENTS AND SUSPENSIONS.

These Rules of Procedure for City Council Meetings belong to the City Council and the Council has the authority to vary them. The Rules of Procedure or portions thereof may be amended or revised after being placed on an agenda for a City Council Meeting and approved by a majority vote of the Council. The Rules of Procedure or portions thereof may be varied or suspended by a unanimous affirmative vote of all of the members of the Council.

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- 5-104 Council; vacancy; how filled
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