

Chapter 2.05

CITY COUNCIL AND MEETING PROCEDURES

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2.05.010 Council/mayor Functions and General Allocation of Authority. The City of Mosier operates under a mayor and council form of government pursuant to the authority of the city's municipal charter and ORS chapter 221. The city council is the city's governing body and responsible for establishment of city policy through the adoption of ordinances, resolutions, the budget and similar mechanisms. The mayor shall be the chief executive and administrative officer of the city, in charge of all departments and employees, with authority to designate assistants and department heads. The mayor shall see that all laws and ordinances are faithfully enforced and that law and order is maintained in the city, and shall have general supervision of the administration of city government and all city interests. All official bonds and bonds of contractors with the city shall be submitted to the mayor for approval or disapproval, and the mayor shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed. To this end the mayor may cause any legal proceedings to be instituted and prosecuted in the name of the city, subject to approval by majority vote of all members of the council. The mayor shall preside over all meetings of the city council. The mayor shall report to the council concerning the affairs of the city and its financial and other needs, and shall make recommendations for council consideration and action.

2.05.020 Regular Meetings. The city council of the city of Mosier shall meet on the first and third Wednesday of each month. The meetings of the city council shall be held in the City Hall of the city of Mosier, Oregon, unless the city clerk deems some other location necessary or expedient. In the event the city council meeting is held in a location other than the City Hall, the city clerk shall post a public proclamation at the City Hall directing members of the city council or the public to the new location of the city council meetings. Meetings of the city council are to begin at 7:00 p.m.

2.05.030 Procedures for Regular Council Meetings. The city council has certain responsibilities and duties to perform, such as the formulation of city policy, adoption and amendment of the city budget, expenditure of public funds, and the like. The city council performs all of its public responsibilities in council meetings. This section

provides the general policies and guidelines for how city council meetings are conducted. Generally speaking these procedures also apply to the meetings of city committees, commissions and boards.

- A. Council Meetings and Quorum. A “council meeting” is any gathering of a quorum of city councilors where city business is conducted or discussed. A quorum is a simple majority of the councilors currently in office. Once a quorum is present and the council meeting is called to order, the meeting shall continue until it is adjourned even though one or more councilors may be excused early or otherwise disqualified from participation in a particular matter. The conduct or discussion of “city business” is broadly construed to include virtually anything related to the city.
- B. Council Meetings – notice of agenda and distribution of information: Council meetings shall follow an agenda that is prepared and made available prior to the meeting. The mayor sets the agenda for council meetings as provided in Subsection C, but may amend the agenda as the need arises.
- C. Council Meetings – the agenda: A standard format for the agenda shall be used, but may be revised or adjusted to accommodate the particular items to be addressed at any one meeting. In general, the following agenda shall be used for regular council meetings:
 1. Call to Order: The meeting should be called to order on time, which for regular meetings is 7:00. p.m.
 2. Roll Call: The clerk calls the roll to verify which councilors are present. Councilors who know in advance that they will not be able to attend, should call the clerk. One of the requirements of a councilor is attendance at all council meetings. Councilors who know in advance of a meeting that they will be unable to attend shall notify the clerk in advance in order to be excused from attending for good cause.
 3. Changes to the Agenda: Before beginning the business portion of the meeting, the mayor shall ask the council if there are any changes, additions or deletions to the agenda as finalized.
 4. Consent Agenda: Certain items that require council approval, such as minutes from prior council meetings, accounts payable and the like may be consolidated and approved in a single action. Before taking action on the consent agenda, however, the mayor shall ask if any councilor wants any specific item pulled from the consent agenda for separate discussion and action. Otherwise, a single action is sufficient to approve all items on the consent agenda.
 5. Formal Proclamations and Special Presentations: Items of ceremonial or symbolic significance are appropriate for proclamations and shall be announced or otherwise explained by the mayor. Council approval may or may not be required for proclamations. Formal presentations are informational items generally presented to the council by people or groups from outside the city. Presentations do not require

council action, but may give rise to agenda items and formal council action at a subsequent meeting.

6. Citizen Communication and Correspondence: Citizens shall be allowed the opportunity to address the council on items that are not otherwise on the agenda. The mayor may impose reasonable time limitations on citizen comments, which should take the form of bringing a particular situation to the council's attention, asking a question or asking for council consideration at a subsequent meeting. Anyone wishing to address the council shall fill-out a comment card with their name and address and any other contact information sufficient to allow the city to provide a follow-up response to the comment. This personal contact information will not be regarded as publicly disclosable information. Comments should be addressed to the council as a whole and not to individual councilors or the audience. Citizens should not expect any particular or formal action by the council at the time the comments are made, but referral of the matter to staff, a committee or a subsequent council meeting may be appropriate. The mayor shall maintain order and not allow abusive, disrespectful or disorderly behavior during citizen comments. This portion of the agenda should not normally involve council action. At the end of citizen comments, the city clerk shall read any written communications received since the last meeting.

7. Councilor Comments and Staff/Committee Reports: The mayor shall afford all councilors the opportunity to make comments, including announcements of up-coming events or activities, requests for up-dates, requests that staff address a particular matter, requests for future agenda items, and the like. Similarly, city staff and department heads shall provide written or oral reports to the council on active matters in their departments, up-coming activities or projects and items of concern to the public or the council. This portion of the agenda should not normally involve council action.

8. New Business: New business includes items that have not received prior attention by the council and have not been on a previous agenda. Items of new business seek some form of council action at this or some subsequent meeting. Typically all new business items begin with a presentation from a city staff member to provide background information and to frame the question, *i.e.*, to explain exactly what options for action are before the council. Final action by the council could take the form of adoption of an ordinance, resolution or approval by motion of a particular option. Alternatively, an item of new business can be tabled until another time, referred to staff or someone else to obtain more background information or to refine the available options. Some items of new business, such as code amendments, land use appeals and consideration of the budget, require a public hearing, the procedures for which are described below.

9. Old Business: Any item of business requiring council action that has been previously considered by the council and continued, will reappear on a subsequent agenda as old business. The process followed and range of decisional options is essentially the same as for new business items.

10. Executive Session, if any: Executive or closed sessions are not a part of every meeting yet are available to the council only in instances permitted by law.

11. Adjournment: Regular council meetings shall be adjourned by motion of the council. All items that have not been completed by the time of adjournment shall be continued to a subsequent meeting.

D. Placing Items on the Agenda - who can do it and how is it done: The mayor establishes the agenda through consultation with city department heads, the council and the public. Before an item or subject is placed on a council meeting agenda for council action, it shall be fully and properly researched, refined and otherwise prepared for consideration and action by the full council. This includes all necessary technical and legal review. An item may be placed on the city council's meeting agenda by any of the following methods:

1. At the mayor's direction.

2. Any councilor may request an item be placed on a meeting agenda by communicating directly with the mayor.

3. Any three (a majority) councilors may compel an item to be placed on an upcoming council meeting agenda by personally presenting to the mayor a written proposal, signed by three councilors. The mayor shall place the item on an upcoming meeting agenda within 60 days of presentment, but has the discretion of when that occurs and whether and what sort of preliminary work shall be done by city staff to properly support and prepare the item for council consideration. The mayor may require that the councilors who request the agenda item perform any required background research, preparation or refinement of the item for consideration of the item by the full council, including working with city staff. In no event shall an item be placed on an agenda for council action until it is ready for council consideration and action.

2.05.040 **Public hearings.** Some items that require council action should be, or are required to be, heard and decided in a public hearing. For example, consideration and adoption of the annual budget, land use appeals, and amendment of the city code and comprehensive land use plan require a public hearing. Land use hearings must be noticed and advertised according to the requirements in Titles 15 or 16. Non-land use hearings require that public testimony be taken and that a record of the proceeding be compiled and maintained prior to a council decision.

2.05.050 **Executive Sessions.** Executive sessions are closed council sessions where the public and media representatives are excluded. Executive sessions may be called only for the reasons listed in ORS 192.660 and no others. The council is prohibited from

taking formal or final action in an executive session. State law requires that the statutory basis for the executive session be listed on the agenda for the meeting in which the session occurs, and that the mayor announce the basis again before the executive session begins and before the public is excused from the room. The mayor shall also announce the expected duration of the session and whether the council will take any formal or final action following the session. No minutes or audio tape recording of the executive session should be taken. Council members are prohibited from disclosing the substance of an executive session or disclosing any exempt documents that are distributed in executive session.

2.05.060 **Special Meetings, Workshops and Retreats.** A special meeting is any council meeting that is not held at the scheduled time for a regular meeting. Special meetings may be in the form of a workshop, single subject meeting, council retreat, executive session, etc. All special council meetings are subject to the procedural requirements of the Public Meetings Law, ORS chapter 192. The mayor shall prepare the agenda and preside over special meetings in the normal course. The city clerk shall provide for the publication, posting and general notification of special meetings. A special meeting may be called in any of the following ways:

- A. At the mayor's direction.
- B. Any councilor or city department head may request a special meeting by communicating directly with the mayor.
- C. Any three (a majority) councilors may compel the holding of a special council meeting by personally presenting the mayor a written proposal, signed by three councilors. The mayor shall schedule the special meeting as soon as practicable, depending on the amount of background work and information gathering that is required to prepare for the special meeting. The mayor may require that the councilors who request the special meeting perform any required background research, preparation or refinement of the issue(s) or item(s) for council consideration and action, including working with city staff.

2.05.070 **Presiding Officer and Parliamentary Procedures:** The Mayor shall preside over all council meetings, except when unable to attend, in which case the mayor protempore shall preside. At the first meeting of each year, the council shall select from among its members the mayor protempore, who shall preside over council meetings in the mayor's absence. In presiding over council meetings, the mayor shall generally follow Roberts Rules of Order for parliamentary procedure, and may deviate from those procedures as circumstances warrant in order to provide for the efficient functioning and decision making by the council.

2.05.080 **Council Decision Making: ordinances, resolutions and votes:** Council action shall be formalized in the form of an ordinance, resolution or vote of the council, depending upon the nature of the issue before the council. All council decisions require a motion that frames as precisely as possible the question before the council. The affirmative approval of a majority of those councilors present and qualified to vote on a matter shall be required to pass a motion. An ordinance is required to amend the municipal code or comprehensive plan, adopt the budget and to memorialize similar formal and long-standing council decisions. A resolution is appropriate for less formal and more advisory decisions, statements of policy and the like that may not be long-standing but subject to periodic amendment and revision. All other decisions of the council shall take the form of a motion authorizing or approving a particular action.