

CHAPTER 2.04
CITY COUNCIL

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2.04.010: **GOVERNING BODY:** The legislative and executive powers of the city shall be exercised by its governing body which may be referred to as the "city council", which shall be composed of six (6) members, one of whom shall be the mayor and the remaining five (5) are referred to as members of the city council. (Prior code § 2.04.010)

2.04.020: **MEETINGS:**

- A. Days And Time Of Regular Meetings: Regular meetings of the city council shall be held at the offices of the city on the first and third Tuesdays of each month at the hour of six o'clock (6:00) P.M., effective October 18, 2006. Changes in the date, time and place of said regular meetings may be prescribed by ordinance. If a meeting day shall be a legal holiday, the meeting shall be held on the following day. A portion of the meeting may be designated as an executive session on the agenda for that meeting, to facilitate informal discussion, caucuses, preliminary familiarization with or review of agenda items or city business, and for other lawful purposes; provided, that the executive session is held in accordance with the Utah open meetings law. (Ord. 2006-19, 10-17-2006)
- B. Special Meetings: If at any time the business of the city requires a special meeting of the city council, such meeting may be ordered by

the mayor or any two (2) members of the city council. The order shall be entered in the minutes of the city council. The order shall provide at least three (3) hours' notice of the special meeting, and notice thereof shall be served by the city recorder on each member who did not sign the order by delivering the notice personally or by leaving it at the member's usual place of abode. The personal appearance of a member of any specially called meeting constitutes a waiver of notice required in this section.

- C. Cross Reference; Open Meetings Law: Statutory provisions governing action taken at meetings of the city council are found in Utah Code Annotated title 52, chapter 4.
- D. Agenda: The city manager shall prepare and distribute to the mayor and members of the city council a written agenda for each regular meeting.
- E. Minutes: Complete minutes shall be kept of all meetings of the city council and shall be presented to the council for review, correction and approval, except that minutes need not be kept of an executive session unless required by law. Minutes of each meeting of the city council shall be retained in the records of the city.
- F. Compulsory Attendance: The city council shall have the power to compel the attendance of its members and provide such penalties as it deems necessary for the failure to comply therewith.
- G. Rules Of Procedure: Except as otherwise provided by law, the city council may establish its own rules of procedures for the proper conduct of its meetings.
- H. Disorderly Conduct: The city council, on a two-thirds ($\frac{2}{3}$) vote, may expel any person who is disorderly and/or disruptive during the meeting of the city council. This section or any action taken by the city council pursuant hereto, shall not preclude any other prosecution under any other provision of law.
- I. Mayor Presides: The mayor shall be the chairperson and preside at the meetings of the city council. In the absence of the mayor or because of the mayor's inability or refusal to act, the city council may elect a member of the city council to preside over the meeting as mayor pro tempore, who shall have all of the powers and duties of the mayor during his or her absence or disability. The election of a mayor pro tempore shall be entered in the minutes of the meeting. (Prior code § 2.04.020; amd. Ord. 2000-13; Ord. 2002-02)

2.04.030: QUORUM:

- A. Defined: Three (3) or more members of the city council (not including the mayor) constitute a quorum.
- B. Required: No action of any governing body shall be official or of any effect except when a quorum of the members is present. Fewer than a quorum may adjourn from time to time. (Prior code § 2.04.030)

2.04.040: VOTING:

- A. Number Required: The minimum number of "yes" votes required to pass any ordinance or resolution, or to take any action by the city council, unless otherwise prescribed by law, shall be a majority of the members of the quorum, but shall never be less than three (3). Any ordinance, resolution or motion of the city council having fewer favorable votes than required herein shall be deemed defeated and invalid, except a meeting may be adjourned to a specific time by a majority vote of the governing body even though such majority vote is less than that required herein. However, a majority of the members of the city council, regardless of number, may fill any vacancy in the city council.
- B. How Taken: A roll call vote shall be taken and recorded in the minutes for all ordinances, resolutions, and any action which would create a liability against the city and in any other case at the request of any member of the governing body by a "yes" or "no" vote. Every resolution or ordinance shall be in writing before the vote is taken.
- C. Mayoral Voting: The mayor shall not vote except in cases of a tie vote of the city council. (Prior code § 2.04.040)

2.04.050: RECONSIDERATION AT SPECIAL MEETING: Any action taken by the city council shall not be reconsidered or rescinded at any special meeting unless the number of members of the governing body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved. (Prior code § 2.04.050)

2.04.060: REQUIRED ATTENDANCE OF WITNESSES, PRODUCTION OF EVIDENCE: The city council may require the attendance of any person to give testimony or produce records, documents, or such things for an inspection, copying, or examination necessary or useful for the governance of the city. The city council shall issue subpoenas in its own name in the manner as is provided in the Utah rules of civil procedure. (Prior code § 2.04.060)

2.04.070: SUMMARY ACTION OF THE CITY COUNCIL: When in preparing the agenda for any regular meeting of the city council, the city manager determines that two (2) or more agenda items for such council meeting are of a routine and noncontroversial nature, such items may be placed upon a summary action calendar, which vote shall have the same effect as a separate vote upon each calendar item individually. Prior to a final vote on the summary action calendar, any member of the city council may object to the inclusion of any item as a part of the summary action calendar, and upon such objection, such item shall be thereupon removed from the summary action calendar, and may be considered separately immediately after a vote is taken on the remaining summary action calendar or at such later time as the city council may determine. Any question, debate, or discussion regarding an item on the summary action calendar, except in the nature of clarification or brief explanation of the content of an item, shall be deemed an objection to inclusion of such item in the summary action calendar. All items on the summary action calendar which require public hearings shall be open for hearing simultaneously, and the mayor shall announce, or direct the city manager to announce, the titles of all such items. If any member of the public is present and indicates a desire to comment upon any item in the summary action calendar, such item shall thereupon be forthwith excluded from the summary action calendar and considered separately after a vote is taken on the remaining items comprising the summary action calendar. (Prior code § 2.04.070)