

Minutes of the Work Session meeting of the Syracuse City Council held on October 25, 2011, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Alan Clark  
D. Matthew Kimmel  
Matthew Ocaña  
Douglas Peterson  
Larry D. Shingleton

Mayor Jamie Nagle  
City Administrator Robert Rice  
City Recorder Cassie Z. Brown

City Employees Present:

Community Development Director Mike Eggett  
Finance Director Steve Marshall  
Police Chief Brian Wallace  
Fire Chief Craig Cottrell  
Recreation Director Kresta Robinson  
Information Technologies (IT) Director TJ Peace  
Detective Corey Rowley

Visitors Present:	Alex Reid	Matt Wade	Tanner Hamblin
	Lawni Hamblin	Cyrus Johns	Talmage Rollins
	Bob VanVelkinburgh	Jeanne VanVelkinburgh	Craig Johnson
	Jaren Argyle	Kaden Argyle	Myles Deardon
	Kirsten Mudrow	Chase Hope	Colton Dallimore
	Alex Perez	CJ Stringfellow	

The purpose of the Work Session was for the Governing Body to receive a presentation from the Fire Department regarding a recent grant award, receive a presentation from the Recreation Department regarding the upcoming Pumpkin Walk and Turkey Trot events, discuss proposed City Council rules and procedures, and discuss Council Business.

Presentation from Fire Department regarding recent grant award

Fire Chief Craig Cottrell approached the Council and explained that his Department recently received a grant to aid in the purchase of a fire investigation trailer. He explained the total grant amount is \$78,500 and the City must provide matching funds of \$7,850. He explained that last year the City entered into a memorandum of understanding (MOU) with other cities in Davis County to create a fire arson investigation team and the purpose of that team is to determine the cause and origin of each fire at the request of a participating agency or jurisdiction; develop and share information about arsonists, their methods of operation and allied criminal activities, and investigative techniques; provide automatic mutual assistance to other agencies requiring additional resources for thorough and timely investigation of the circumstances surrounding a fire for civil and criminal purposes. He explained that the commitment to share information between agencies is very important because it helps to prevent an arsonist from being considered as a first time offender after setting fires in multiple cities. HE explained that each agency that is party to the MOU is required to provide their participants with tools and equipment necessary to conduct fire investigations. He explained that when expendable items are utilized they will be replaced by the agency requesting the task force; or the cost will be reimbursed to the agency providing the items. He explained the problems that his Department is currently dealing with include the fact that there is an inconsistent platform to work from; investigation equipment is owned by several different agencies and is brought to a scene by multiple people; and there are problems with the chain of custody of evidence. He explained that the trailer that he will purchase with the grant funding will allow fire investigators to have the appropriate gear, work space, and equipment for a complete fire scene investigation in a self contained unit. He explained that it will be quipped with a state-of-the-art mobile arson lab that will allow investigators to respond and conduct on-scene evidence collection. He explained that the trailer will be built to the team's needs and will be quipped with storage facilities for a variety of hand tools as well as battery operated tools, evidence collection equipment, and built in work stations with computer capabilities. He added that a self-contained and vented compartment for venting of fire scene contaminated items will be included. He pointed out that the trailer can be used as a

mobile command center for any incident where a smaller command vehicle is needed. He then reviewed photos of the trailer and pointed out the amenities that will be included in the interior of the trailer.

Councilmember Ocana asked if the City currently has a command vehicles, to which Chief Cottrell answered no and explained that when necessary Syracuse City borrows a command vehicle from the Davis County Sheriff's Office or from Layton City.

Councilmember Kimmel asked how many fires are set per year with the intent of causing property damage. Chief Cottrell explained there were 17 juvenile fires last year and that seems to be approximately the same amount that is set on an annual basis. Councilmember Kimmel asked how many of those fire-setters typically face charges and go to trial. Chief Cottrell explained that many of the offenders do not admit that they set the fire. Police Detective Corey Rowley stated that he is usually involved in the interview process for fires. He stated that not having the proper equipment at the scene is very detrimental and having this new trailer will help ensure that there are no delays in collecting evidence or interviewing suspects. Chief Cottrell stated that the trailer will also help the Department to determine if a fire is not arson related. Mayor Nagle stated she did not know that the Police Department aided in the arson investigation process. She stated she thought that the Fire Department had its own investigators. Chief Cottrell stated that he does have his own arson investigators, but when a fire is deemed a crime the detectives become involved and they proceed with a criminal investigation. Detective Rowley stated that he has attended arson investigation training seminars and it is important for the Fire and Police Departments to work together. Chief Cottrell stated the Police Officers are trained in the basis of arson investigation, but his Firefighters have much more experience in that area. He stated that his Department is the envy of other departments in the area because of the great relationship they have with the Police Department. He stated that in most cities Firefighters do their own investigation without any involvement from the Police.

Mayor Nagle stated that Chief Cottrell is very good at looking for and finding grant opportunities to fund the necessities of his Department and she appreciates that.

Councilmember Shingleton inquired as to the cost of the trailer. Chief Cottrell stated the total trailer cost is \$78,500 and the City will pay \$7,850 of that cost. He added that he included the grant match amount in his budget for this current fiscal year so there will be no need to amend the budget to proceed with the purchase.

Chief Cottrell then reviewed a couple of PowerPoint slides regarding the upcoming Guns and Hoses basketball game fundraising event for a local resident, Maddie Cook. He explained that Maddie is a little girl that lives in Syracuse that has cancer and her family needs some assistance in paying her medical bills. He explained the event will be held Friday, November 11 at 7:00 p.m. at the Syracuse High School. He stated it is a very emotional night for the family and the teams and he and the Police Department appreciate the support of the City Council and he asked them to tell as many people as possible about the event. Mayor Nagle stated she is very excited for the event. She stated the City has great Firefighters and Police Officers and she can not wait to see them compete in the game.

#### Presentation from Recreation Department regarding upcoming Pumpkin Walk and Turkey Trot events.

Recreation Director Kresta Robinson approached the Council and explained that the Pumpkin Walk event will be different this year than it has been in years past. She stated that with City Manager Rice's encouragement she has decided to convert the event to more of a festival. She stated pumpkins will be lit Thursday, October 27 through Saturday, October 29 from 7:00 to 10:00 p.m., but on Saturday the event will be open to the public starting at noon. She explained there will be nearly 20 vendors that will sell food or merchandise. She added that there will be an area for kids to watch a movie or participate in activities such as cookie frosting, bounce houses, hamster balls, or games. She stated there will also be a train that kids can ride on to see all the pumpkins. She stated there will be a charge for the train and hamster balls, but all other kids' activities will be free. She stated there will also be a children's parade and a trunk-or-treat that businesses and families will be participating in.

Councilmember Shingleton asked where the vendors will be and where the pumpkins will be. Ms. Robinson explained that the pumpkins will still line the perimeter of the park, with the exception of some of the professionally carved pumpkins, which will be located on stands in the middle of the park. She added that the vendors will be located along the perimeter of the parking lot shared by the Police Station and the Community Center. She stated that her hope is that all lines will be eliminated since that the biggest complaint she has received in the past has been relative to the long lines that people waited in to see the pumpkins.

Councilmember Ocana explained that the Antelope Island Tourism Board has been working to spread the word about the event as well. Ms. Robinson stated that the event was also advertised in the Standard-Examiner and fliers have been sent to homes in the area.

Mayor Nagle asked if the event has always been from 7:00 to 10:00 p.m., to which Ms. Robinson answered yes. She stated it is difficult to start much earlier than 7:00 p.m. because it is hard to see the pumpkins until it is dark enough for the lights inside of them to be seen.

Ms. Robinson then stated that the Turkey Trot 5K race will be held on November 19. She stated all proceeds will go to the Chloe's Sunshine Playground project. She stated that the City finally received its 501C3 designation, which will make it easier to raise funds for the project. She stated there will be a silent auction in conjunction with the event and she asked for the Council to assist her in getting donations for the auction. Councilmember Ocana stated the Antelope Island Tourism Board is also promoting this event.

Mayor Nagle stated she is very excited for these events. She stated that she is happy about the changes to the Pumpkin Walk event and she would like to possibly go even further next year and partner with Black Island Farms to increase the number of visitors to both sites. She thanked Ms. Robinson for her work.

Discuss proposed City Council rules and procedures.

City Recorder Brown stated that the final draft of the rules and procedures document was provided to each Councilmember this afternoon. She apologized for updating the Council packet so late, but she was just barely able to get the final recommendations from the City Attorney this afternoon. She stated there was only one change to the document that was provided to each Councilmember yesterday and that was in section D(ii) which talks about the removal of a Councilmember from office. She stated this issue came up through discussions between herself and City Attorney Godfrey. She stated there was a case in Provo recently where a Councilmember was investigated for ethics act violations. She stated that there was an attorney's conference around that time and one of the issues that the group reviewed was the fact that State Code is very ambiguous relative to removing a municipal officer that is convicted of an ethics act violation. She stated the Code simply states that if a municipal officer is convicted of an ethics act violation their office is declared vacant, but there is no defined process for the actual vacating of that office. She stated the attorney's in this area have gotten together and came up with some language that they are recommending that cities adopt and follow in the event that any municipal officer is convicted of an ethics act violation. She stated that process is now included in D(ii) of the rules document.

Councilmember Peterson asked who the investigating officer would be. Ms. Brown stated that would be the City Attorney or the City Manager.

Councilmember Ocana asked if all cities will use the same verbiage. Ms. Brown stated that city attorneys in the area are recommending the use of this language, but some cities have not made changes to their rules.

Councilmember Kimmel asked how State Law reads relative to this type of issue. Ms. Brown reiterated that State Law simply states that the office will be declared vacant, but no process to declare that vacancy is defined.

Councilmember Clark asked who would determine that a violation of the ethics act has occurred. Ms. Brown stated that an investigation would be handled by the local county attorney's office. She explained the City would not participate in the investigation or conviction.

Councilmember Peterson asked if he is correct in his understanding that the City Council as a body has no right to remove one of its members. Ms. Brown asked if he is referring only to removal for an ethics act violation and she stated that the body could only remove one of its members following an actual conviction. Councilmember Peterson asked if the body could remove a member for any other reason. Ms. Brown stated that if a member is convicted of a felony they are to be removed from office and that is defined by State Code as well. Councilmember Peterson asked if there would ever be the opportunity for four Councilmembers to remove one Councilmember for political or any other purposes, to which Ms. Brown answered no.

Ms. Brown stated that wherever possible she has tried to review to provisions of State Law or City ordinances. She stated that to create this document she researched the rules and procedures that other cities are using and she found that much of the information included in their rules is already included in the City's Title Two that was recently recodified. She stated that she has a problem with the claim that the City does not have rules and procedures in place because Title Two of the City's Code includes those rules. She stated she feels that some of the information in the actual rules document is somewhat redundant for that reason. She stated that there is more detailed information in the rules document about how meetings are conducted.

Councilmember Shingleton stated that he thought that was the purpose of the rules document – to only provide rules for how the meeting is to be conducted. Ms. Brown stated that much of that information is in the City's Code, which is why our City Attorney has said that the City is not in violation of State Law that has been referenced by a citizen. Councilmember Shingleton stated that bylaws usually deal with other items and to him the document that Ms. Brown prepared is only dealing with rules and procedures. Ms. Brown asked Councilmember Shingleton if he is recommending the removal of the word 'bylaws' from the document, to which Councilmember Shingleton answered yes and explained that he did not believe the

document was actually a set of bylaws. Councilmember Shingleton then distributed three documents to each Councilmember. He stated they are copies of rules of procedure that he obtained from the Utah League of Cities and Towns (ULCT). He stated he wanted to provide them to each Councilmember so they have something to compare to the document provided by Ms. Brown. He stated one is very lengthy, but the other two are fairly simple. He asked if the Council wanted to review the three documents and see if they want to make any changes to the document being recommended by staff. Councilmember Clark asked if there are specific sections of the draft document that Councilmember Shingleton wanted the Council to focus on. Councilmember Shingleton stated that considering information in the documents from the ULCT may help to eliminate some of the redundancy that Ms. Brown talked about. Ms. Brown stated that she did say that there is some redundancy, but she feels that if the Council is going to adopt a document independent of the City Code that includes rules and procedures, she wants all of the rules included in that document because it is the information that will be provided to residents to inform them of how City Council meetings are conducted. She added that after briefly reviewing the documents provided by Councilmember Shingleton she believes that they are very similar to the draft document that she prepared.

Councilmember Clark stated that he reviewed the draft document provided by Ms. Brown and he feels that some language needs to be included explaining how electronic meetings are conducted. Councilmember Peterson stated he noticed that as well. Ms. Brown stated detailed information about electronic meetings is included in the City Code, but she could include it in the rules document as well. Councilmember Clark stated he likes the idea of having all information about meetings included in one document, but he does not want the document to be too lengthy.

Councilmember Ocana stated the longer document that Councilmember Shingleton provided has the same information as the document provided by staff, but it simply gives examples of how things should be handled and he does not think that is necessary. Councilmember Shingleton stated that the ULCT stated that the longer document is their least favorite.

Councilmember Clark stated that he likes the document that Ms. Brown has provided. He stated it does include more information than just how a meeting is conducted, but it is helpful information to provide to residents. He stated an example of additional information that is included in the document is the section dealing with gifts and favor. Councilmember Kimmel stated that information is provided in City Code as well. Councilmember Clark agreed, but added that he likes the idea of consolidating all information relating to Councilmember rules into one document. He then stated the Council should try to determine and declare the purpose of the document; is the purpose simply for the Council to have a copy to reference or is there an intent to make copies and provide them to the residents that attend Council meetings? Ms. Brown stated she feels the intent is to provide both the Councilmembers and residents alike with a document to reference. Mayor Nagle agreed. Councilmember Shingleton stated that the document should provide residents with an outline of how meetings of the Governing Body are conducted as well as give the Council some guidelines to follow. He stated he was happy to see the change in the rules dealing with amendments to motions. He stated he has tried to amend motions in the past and was told that the way he tried to do that was not acceptable, but now the City Attorney is agreeing that the process he has tried to follow in the past is correct. He added that one section of the ULCT document specifies that the governing body should have time to discuss an issue before a motion is made. Mayor Nagle reviewed the recommendation from the City Attorney that an amended motion can be made after the original motion and the amended motion should be seconded and voted upon via a voice vote before the original motion can be voted upon. Councilmember Shingleton stated that is correct and that is different than the process the Council has been employing whereby the original motion maker must accept an amended motion in order for it to be voted upon. He stated that process has been wrong. Ms. Brown stated that process is not wrong and she has found that other cities, such as Layton City, follow that same process. Councilmember Shingleton stated that he has never seen that process employed in any type of legislative setting. Mayor Nagle stated that the Wasatch Front Regional Council (WFRC) follows that process in the conduction of their meetings. She agreed that it may be different from what other cities do and it may not directly align with Roberts Rules of Order, but it is not wrong. Councilmember Shingleton stated that the bottom line is that the City Attorney is now recommending a new process for amended motions. Mayor Nagle stated there are several different processes that could be used for making and adopting motions. Councilmember Clark stated that he likes the process that City Attorney Godfrey is recommending in this document because it requires that only one vote be taken on any given issue. Ms. Brown stated that is correct. Councilmember Shingleton stated that an amended motion would be voted upon before the original motion could be voted upon and he likes that process much better than the process the Council has been following. Mayor Nagle stated she likes the way that it is written as well and she is comfortable following the process that Mr. Godfrey defined. All Councilmembers agreed.

Councilmember Kimmel asked why this document does not simply refer to sections of City Code or State Code that already define rules or processes rather than including the same definitions in the bylaws document and creating redundancy. Ms. Brown stated she would love to do that, but she then felt it would be necessary to also provide copies of City Code and State Code at the Council meetings because of the State statute that dictates that copies of rules of order and procedure must

be available to residents at meetings of the legislative body. She stated she would prefer to consolidate all rules into one document that she can provide to residents at each meeting. She stated the document that she has prepared is only six pages long. Councilmember Peterson asked if the City is allowed to create a summary of the rules that simply includes a bulleted list of the rules included in this document. Mayor Nagle stated she would like a "cheat sheet" including information about the making of motions available for her to review at each meeting. Councilmember Peterson stated the same information could be provided to the public. Councilmember Shingleton stated most of the residents that attend the meetings are only interested in very basic information about how a meeting is conducted and it is not necessary to include all the information that is included in the rules of order and procedure document. He stated the duties of the Mayor and duties of the Council are already included in City Code and it is not necessary to provide residents with that information at City Council meetings. He stated he does not think Ms. Brown has done a bad job drafting the document, but he provided the documents from the ULCT to give the other Councilmembers something to compare Ms. Brown's document to.

Councilmember Clark asked what the Council is required to provide; must they provide rules for conducting a meeting? Ms. Brown answered yes. Councilmember Clark stated the document created by Ms. Brown definitely has more information than a simple set of rules for conducting a meeting. He asked if the Council should be considering adopting two different documents; one that only includes rules for governing the meetings of the Council and another that includes the rest of the information. Ms. Brown stated that she initially thought the document was too broad, but she now feels that all of the information included in the document could be helpful at any given meeting. Councilmember Clark stated that he has never had someone try to give him a gift exceeding \$50 in value, but he agreed that could happen. Councilmember Shingleton stated that information is already covered in City Code. Ms. Brown agreed.

Councilmember Peterson stated the Council has talked about creating this type of document for the past couple of years and his vision is that it would include the information that Ms. Brown has provided. He stated he would like to have a document that could be provided to newly elected officials to give them a summary of everything they need to know about their role and responsibilities. Councilmember Shingleton stated that is not what this document is. Councilmember Peterson disagreed. Councilmember Clark disagreed as well and stated that if this document was provided to a new member of the Governing Body it would be very helpful to them. Mayor Nagle stated she would have appreciated having this type of document to follow when she was first elected. Councilmember Shingleton agreed, but stated that the document should simply provide rules for how Council meetings are conducted. Councilmember Clark stated that is why he asked if it is necessary to adopt two separate documents; one document could include rules for the meeting and the other could include the rest of the information compiled by Ms. Brown. Councilmember Peterson stated one document could be adopted, but a simple summary of the rules could be created to be provided to residents attending Council meetings.

Mayor Nagle asked what exactly the City is required to provide. She stated that she spoke with representatives from Layton City and they told her that they provide very basic information about conducting a meeting and it is included on the back-side of their meeting agenda. She stated that she is aware that Ms. Brown used Layton's bylaws and rules of order and a procedure as a starting point for the development of the document she prepared. She stated the City could still adopt something like that document, but only provide the "nuts and bolts" to residents at each Council meeting. Ms. Brown stated she could condense the information in the document and include it on the back of an agenda.

Councilmember Clark stated it would be helpful for residents to understand what things like a public hearing are or how they are allowed to participate in the meeting. Councilmember Clark stated that one of the documents provided by the ULCT defines the public comment portion of a meeting. Ms. Brown stated that the City Council's agenda also defines the public comment period of each meeting.

Councilmember Clark stated that he likes the idea of adding a bulleted list of rules to the back of each Council meeting agenda.

Councilmember Shingleton stated that the reason that he supplied each Councilmember with the documents from the ULCT is because he has no idea what the Council should be adopting. He stated he wanted the Council to have something to compare staff's recommendation to. Councilmember Clark stated that he wanted something like the document that Ms. Brown prepared and he thinks it is good information, but he agrees that the document does not need to be distributed to residents at each Council meeting. He then stated the one thing he had a question about is whether a public hearing can be re-opened after it is closed. Ms. Brown stated that the rules state that if the Council wants to continue the public hearing to a future meeting they can vote to do that, but once the public hearing is closed there is nothing in the rules saying whether the public hearing can be re-opened or not. She stated that her recommendation would be that if the Council wants to reconvene a public hearing it must happen during the same meeting that the public hearing is scheduled for. Councilmember Clark asked if staff to determine what Roberts Rules of Order say regarding that topic. Mayor Nagle stated she would like to include language that states that the Mayor will announce the closure of a public hearing twice before it is actually closed. She stated that she feels that meetings have become so informal that people are having conversations in the audience that

distract them from paying attention to what is happening in the meetings. She stated the public should be obligated to follow what the Council is doing during their meetings, but if the potential closure of a public hearing is announced twice there is no reason that those in attendance should miss that announcement and have the opportunity to come forward.

Councilmember Shingleton stated that he would like to see the Council take some time to review the document provided by staff and compare it to the documents that he provided from the ULCT and then discuss the issue again at a future meeting. Councilmember Kimmel stated he would like to have that additional time because there is too much information for the Council to digest at this time. Mayor Nagle stated that frustrates her because the Council received this information in advance of this meeting in order to be prepared to discuss it. She stated that she reviewed the rules and procedures of other cities in order to perform that comparison on her own. She noted that there is an action item on the special meeting agenda for the Council to potentially adopt a rules document. Councilmember Shingleton stated that business meeting agendas have been changed in the past to give the Council more time to consider an item. Mayor Nagle stated that is correct, but she is frustrated that Councilmembers are not conducting their own research outside of the meeting and then be prepared to discuss the issue at hand. Councilmember Kimmel stated that Councilmember Shingleton did do his own research and he has provided the documents from the ULCT for the rest of the Council to consider as well. Councilmember Shingleton agreed. Mayor Nagle asked what specifically Councilmember Shingleton is asking the rest of the Council to consider. Councilmember Shingleton stated that there is not enough time tonight for the Council to read the documents that he provided so he would like for the rest of the Councilmembers to have enough time to review the information he has provided. Councilmember Peterson stated that if Councilmember Shingleton wants the Council to consider certain sections of the documents he provided he would be happy to do that. Councilmember Clark added that the longer document that Councilmember Shingleton provided only appears to be longer because it includes examples of motions or other actions any council could take. He stated that once those examples are removed the document is not too lengthy and can be easily digested. He stated that there is nothing in the document regarding public hearings. Councilmember Ocana added that he feels like the document prepared by Ms. Brown includes all of the same information that the documents from the ULCT includes. He added that there is no information in the document about closing a public hearing. Ms. Brown stated that the cities that she researched probably obtained much of their information from the ULCT, which may be why her document is so similar to those provided by the ULCT. Councilmember Ocana that he does have a question about the section dealing with a motion to adjourn. He stated that the ULCT document states that a motion to adjourn requires a second and it is not debatable, but Ms. Brown's document states that the motion to adjourn does not require a second. Mayor Nagle stated that the Council has always asked for a motion and a second to adjourn and she does not feel any need to change that practice. The entire Council concurred that they would like to require a second to the motion to adjourn. After review of the documents provided by Councilmember Shingleton the Council found that none of the three documents included any provisions for re-opening a public hearing. Councilmember Clark asked the other Councilmembers if they wanted to add a rule allowing for the re-opening of a public hearing. He asked what the council would do if a resident asked to be allowed to speak to an issue ten minutes after the public hearing for said issue had been closed. He stated that his feeling would be that once the public hearing is closed it should remain closed. Councilmember Kimmel asked what Robert Rules of Order says about closing a public hearing. He asked if all public hearings are advertised at least 24-hours in advance of the meeting during which they are scheduled to be held, to which Ms. Brown answered yes. Councilmember Kimmel stated that as long as a public hearing is properly advertised and the public should understand when the public hearing is going to be held he can understand the validity of a rule that states that a public hearing can not be re-opened once it has been closed. Ms. Brown stated that all meetings must be advertised via a proper notice and agenda at least 24-hours in advance of the meeting. Councilmember Kimmel stated that as long as that is always the case he has no problem disallowing the re-opening of a public hearing. He stated he would also want to make sure that the same type of rule is included in Roberts Rules of Order. Councilmember Ocana stated that he is comfortable adopting the rules as they currently read, with the changes that have been discussed during this meeting. He stated he is also willing to take additional time to review the documents that Councilmember Shingleton provided.

Resident TJ Jensen stated that he feels that as long as the Council is still considering the same agenda item it would be ok to re-open a public hearing.

Councilmember Peterson stated that he has wondered about simple things like the expected dress code for the Council or whether the Councilmembers are responsible for any damage to the iPads they have been issued. Mayor Nagle asked Information Technologies (IT) Director Peace if the City has an acceptable use policy regarding electronics, to which Mr. Peace answered yes. Mayor Nagle explained to Councilmember Peterson that the Councilmembers are bound by that policy just like any other City employee. Councilmember Peterson asked if any other Councilmembers wanted to consider a dress code. Councilmember Kimmel stated he would not care to consider a dress code and members of the Council could

dress however they choose to for a meeting. Mayor Nagle stated that newly elected officials could have simple conversations about those types of issues rather than needing to include a dress code in the bylaws and rules document.

Councilmember Kimmel stated he thinks there is some good information in the document prepared by staff. He stated that he thinks that some members of the public may be interested in the duties of the Mayor and the duties of the City Councilmembers and it may be beneficial for them to have access to that information at City Council meetings. He stated that the sections dealing with meetings, motions, and voting are great because it is nice for the citizens to be able to understand what types of meetings the Council can hold and how they vote on items. He stated definitions from Roberts Rules of Order would be nice to include as well. He added that he likes the idea of including all information on the back of the agenda if possible.

The Council then decided that they wanted to wait until the next meeting scheduled for November 15 to give final consideration to this item. Mayor Nagle then read the definition from Roberts Rules of Order regarding the closure of public hearings as follows:

“a public hearing is concluded when all attendees desiring to speak have been heard. A vote is not needed to close the hearing; provided no board members object, the chair simply gavels the hearing to a close. When the oral portion of the hearing is finally closed, the board may wish to “hold the record open” for a stated time period for the receipt and inclusion of additional written testimony. This may be appropriate to allow people to respond to testimony given orally. IN such case the board will of course delay any final action on the matter until the latter deadline has passed. Regardless, any legal time period for a decision must begin when the oral hearing is closed.”

Mr. Rice stated that the City Code states that the City Council generally follows Roberts Rules of Order, so the Council can adopt a rule that differs from Robert’s Rules if they so choose.

Councilmember Kimmel asked if section two of the rules document, which calls out the duties of the Mayor, is pulled directly from City Code. Ms. Brown initially answered yes, but upon review she stated that the section does differ from City Code and that there is an error in the list of duties in that it states that the Mayor is the Chief Legislative and Judicial Officer of the City, when in fact the Mayor is the Chief Executive and Administrative Officer of the City. She stated that can be updated to reflect how City Code actually reads.

Mayor Nagle recommended the Council convene in its regular meeting and when the time arises to discuss this item they can decide how to proceed.

The meeting adjourned at 6:55 p.m.

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Jamie Nagle  
Mayor

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Cassie Z. Brown, CMC  
City Recorder

Date approved: November 15, 2011