

## RESOLUTION NO. 1-2021

**IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CLARK FORK, IDAHO AS FOLLOWS:**

### **SECTION 1. MEETINGS.**

- A. Meetings, Definition. Meeting shall mean the convening of the City Council to make a decision or deliberate toward a decision on any matter. "Decision" shall mean any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of the Council is required, at any meeting at which a quorum is present. "Deliberation" shall mean the receipt or exchange of information or opinions relating to a decision, but shall not include informal or impromptu discussions of a general nature which do not specifically relate to a matter currently pending before the City Council.
- B. Quorum, Definition. A quorum shall be the minimum number of members required to be present for the transaction of business. A majority of the full Council shall constitute a quorum.
- C. Executive Session, Definition. Executive session shall mean any meeting or part of a meeting of the City Council which is closed to any persons for deliberation on any of the below listed matters:
1. To consider hiring a public officer, employee, staff member or individual agent, but not appointment to a vacancy in an elective office;
  2. To consider the evaluation, dismissal, disciplining or hearing complaints or charges against a public officer, employee, staff member or agent;
  3. To conduct deliberations concerning labor negotiations, or to acquire an interest in real property which is not owned by a public agency;
  4. To consider records that are exempt by law from public inspection;
  5. To consider preliminary negotiations involving matters of trade or commerce in which the City Council is in competition with governing bodies in other states or nations;
  6. To consider and advise legal representatives in pending litigation or where there is a general public awareness of probable litigation;
  7. To conduct labor negotiations if either side requests closed meetings.
- D. Regular Meetings. The Council shall hold regular meetings the second Monday of every month at 6:00 PM. If the second Monday of the month is a holiday, the meeting shall be held the evening following at the same hour. Meetings will be held at City Hall at 110 E. 3rd Avenue in Clark Fork. The City Clerk shall provide agenda notice at least five (5) calendar days prior to each meeting; however, additional agenda items may be added to the agenda up to and including the hour of the meeting, provided a good faith effort is made to include in the notice all agenda items known at the time to be probable items of discussion. Action may not be taken on an agenda item added after the start of a meeting unless there is an emergency situation that is reflected in the motion to add the item to the agenda and the minutes. Meeting and agenda notices shall be posted on the City's website, in the notice board at City Hall and at the Post Office.
- E. Special Meetings. A special meeting of the Council may be called at any time by the Mayor or a majority of the members of the full Council. Meeting and agenda notice shall be made at least twenty-four (24) hours prior to any special meeting, unless an emergency exists. Items not included in the agenda notice for special meetings shall not be considered or deliberated upon by the Council, unless an emergency exists.

- F. Executive Sessions. Upon a two-thirds (2/3) roll-call vote of the Council members present to do so, the Council shall meet in executive session, after the presiding officer has identified the specific authorized purpose for the executive session, as listed in Section 1, Subsection C of this Resolution. No executive session may be held for the purpose of taking any final action or making any final decision.

## **SECTION 2. MINUTES.**

The City Clerk shall take written minutes of every meeting of the Council. Minutes shall contain the roll call of the Council; all motions, resolutions, orders, or ordinances proposed; the Council Members moving and seconding each question; the disposition of each question; and the results of all votes. Minutes shall include the motion and roll call vote to convene an executive session, and the specific authorized purpose for the executive session, as listed in Section 1 Subsection C of this Resolution. Minutes shall be available for public inspection during normal office hours within a reasonable time after each meeting.

## **SECTION 3. PRESIDING OFFICER.**

- A. Definition. The presiding officer shall be the Mayor, or in the absence of the Mayor, the Council President shall preside over the meeting.
- B. Duties. The presiding officer shall preserve order and decorum, shall recognize every member who desires to speak, shall state all questions before the Council, may speak to points of order in preference to other members, and shall respond to inquiries of the members. When two (2) or more members happen to request recognition at once, the presiding officer shall name who is to speak first. The presiding officer shall rule out of order any motions obviously designed to frustrate the progress of business.
- C. Questions of Order. The presiding officer shall decide all questions of order, which shall be subject to an appeal to the Council, on which appeal no member shall speak more than once without Council approval.

## **SECTION 4. COUNCIL MEMBERS.**

- A. Privileges. No member shall speak more than twice on the same question until every member choosing to speak shall have spoken.
- B. Addressing the Chair. When any member is about to speak in debate or deliver any matter to the Council, he shall respectfully address the presiding officer, and shall confine himself to the question in debate and shall not make personal comments or criticisms addressed to any individual.

## **SECTION 5. ORDER OF BUSINESS.**

The presiding officer shall announce at each meeting of the Council the order of business. All questions relating to the order of business shall be decided without debate. The business of the Council shall be presented in the following order:

1. Call to Order
2. Optional Opening Ceremony with the Pledge of Allegiance
3. Roll Call by the Clerk
4. Additions to Agenda
5. Approval of the Consent Agenda
6. Applications, Appeals and Communications to the Council



7. Reports from City Officials and Standing, Select and Ad Hoc Committees
8. Public Hearings
9. Unfinished Business
10. New Business
11. Comments
12. Adjournment

## **SECTION 6. MOTIONS.**

A. **Motions During Debate.** During the debate of a motion, only the following motions are permissible:

1. to adjourn (non-debatable, non-amendable),
2. to table (non-debatable, non-amendable),
3. to postpone to a day certain (debatable, amendable),
4. to refer to a committee (debatable, amendable),
5. to amend (debatable, amendable),
6. to postpone indefinitely (debatable, non-amendable).

Multiple motions shall be decided in the above order.

B. **Adjournment.** A motion to adjourn shall always be in order, except when the motion has been once made and voted down; the motion to adjourn shall not again be in order until some other business shall have been taken up. A motion to adjourn shall be always decided without debate.

C. **To Table.** A motion to table, that is, to temporarily postpone a pending question during the meeting, shall be decided without debate.

D. **Reconsideration.** When a question has been decided, any member who voted in the majority, or any member in the case of a tie vote, may move for a reconsideration of the vote. A motion to reconsider a vote is in order until the adjournment of the next meeting of the Council. A motion for reconsideration may be made only once.

## **SECTION 7. CONSENT AGENDA PROCEDURES.**

A. **Definition of Consent Agenda.** Items on the consent agenda are those considered routine by the City Clerk, including but not limited to the following items:

1. Reports and minutes of meetings.
2. Approval to issue checks.
3. Approval of purchase orders.

B. **Approval of the Consent Agenda.** A single motion for approval or adoption of all items on the consent agenda shall pass on an affirmative vote of a majority of those Council Members constituting a quorum. The items approved under the consent agenda will appear in the Council minutes.

C. **Removal of an Item from the Consent Agenda.** Upon the request of the Mayor, a Council Member, or any interested citizen, any item on the consent agenda shall be removed and considered separately.

## **SECTION 8. PUBLIC TESTIMONY AND HEARING PROCEDURES.**

- A. Procedures. All procedures shall be directed to providing all participants in public hearings a fair chance to be heard by the City Council.
- B. Presiding Officer. The presiding officer shall have sole authority to recognize participants in the hearing process and to maintain order in its conduct.
- C. Limitations on Testimony.
  - 1. Subject to Council review, the presiding officer may establish time limits on presentations in the interest of fairness and to provide more people with a chance to participate. Limitations shall be established at the beginning of the hearing. Whenever possible, the potential for time limits on oral testimony should be included in the notice of public hearing.
  - 2. Public participants in the hearing process shall address the issue at hand and may state opinions as relevant to the issue under discussion. Irrelevant testimony or personal attacks shall constitute sufficient grounds for the presiding officer to cut short or exclude an individual's testimony.
  - 3. Public participants must declare whether they are speaking in favor of or against the issue.

## **SECTION 9. ORDINANCE AND RESOLUTION PROCEDURES.**


- A. Classifications of Ordinances and Resolutions. All actions of the Council involving the exercise of the City's legislative and police power functions, or actions otherwise required by law to be in ordinance form, shall be designated as ordinances and appear in the form required by law. All other actions of the Council relating to the administrative business of the City and requiring written findings or statements shall be designated as resolutions.
- B. Reading of Ordinances and Resolutions.
  - 1. Ordinances. Prior to final passage, all ordinances shall be read on three (3) different days, two (2) readings of which may be by title only and one reading of which shall be in full, unless a majority of the members of the full Council shall dispense with the rule.
  - 2. Resolutions. Unlike the adoption of an ordinance, there are no reading or notice requirements.
- C. Passage of Ordinances. The passage of every ordinance and resolution shall be by a roll call of the Council with the yes or no of each member present being recorded. A quorum of the Council shall be required to make a decision on any ordinance or resolution.

## **SECTION 10. MEMBERS MUST VOTE; EXCEPTIONS.**

Every Councilmember present shall vote for or against each question put before the Council, unless the Council shall excuse him. To vote on a matter, the Council Member must be present as no proxy or written voting shall be allowed. No decision at any meeting of the Council shall be made by secret ballot.

**BE IT FURTHER RESOLVED THAT** This resolution shall replace Resolution No. 3-2002 in its entirety and that this resolution shall be in full force and effect upon its passage and approval by the Clark Fork City Council.

**PASSED AND APPROVED** this 11th day of January, 2021.

  
Russell Schenck, Mayor

ATTEST:

  
Amber Burgess, City Clerk

CITY COUNCIL MEMBERS	YES	NO	ABSENT
Stanley Spanski	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shari Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jay White	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Banning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

