Resolution No. 17-23

RESOLUTION OF SOUTH OGDEN CITY AMENDING RULES OF PROCEDURE FOR TOWN HALL MEETINGS; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of SOUTH OGDEN City ("City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA §10-3-717, the governing body of the city may exercise all administrative powers by resolution including, but not limited to regulating the use and operation of municipal property; and,

WHEREAS, the City Council finds that the City Council is defined as "governmental" by and is subject to the Utah Open Meetings Act in the conduct of its meetings; and

WHEREAS, the City Council finds it should have formally established rules and procedures in order to efficiently conduct their meetings and the city's business, including more informal town hall meetings; and,

WHEREAS the City Council has previously adopted rules and procedures for other boards and bodies of the city and now desires adopted rules and procedures for town hall meetings specifically; and,

WHEREAS, the City finds that the public convenience and necessity requires the actions contemplated,

NOW, THEREFORE, BE IT RESOLVED by the City of SOUTH OGDEN:

SECTION 1 - RULES OF PROCEDURE ADOPTED:

That the Rules of Procedure for South Ogden City Town Hall Meetings as set out in **Attachment "A"**, and by this reference incorporated as if fully set out, will be and the same is adopted.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS

All orders and resolutions regarding the changes enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal will not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS

The body and substance of all prior Resolutions, with their provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE

If any provision of this Resolution be held or deemed to be or be invalid, inoperative or unenforceable for any reason, such reason will not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of South Ogden City.

SECTION VI - DATE OF EFFECT

This Resolution will be effective on the 18th day of July, 2017, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, STATE OF UTAH, on this 18th day of July, 2017

SOUTH OGDEN CITY

_____
James F. Minster
Mayor

ATTEST:

_____
Leesa Kapetanov, CMC
City Recorder

ATTACHMENT "A"

Resolution No. 17-23

Resolution Of South Ogden City Amending Rules Of Procedure For Town Hall Meetings; And, Providing For An Effective Date

18 Jul 17

Rules of Procedure South Ogden City "Town Hall" Meetings

Purpose: The City may, occasionally, utilize a "Town Hall" meeting format to provide a more informal forum providing the mayor and council members the opportunity to receive input and comment from, and exchange views with, the public in a more relaxed atmosphere than is possible during a regular city council meeting. This format also allows for meetings to be held at locations more conducive to this informal interchange while also facilitating the natural information gathering that occurs during an "on site" visit outside of the regular city council chambers. However, even with the relaxed form of the meeting and/or the non-traditional location of the meeting, participants are still required to act civilly in this public setting to permit all interested citizens equal opportunity to participate and to be heard.

Procedures:

1. The meeting will be publicly announced and advertised as required by the Utah Open Meetings Act.

2. An item may be scheduled for the agenda by the Mayor, a City Council member, or the City Manager.

3. Presentation/Agenda:

   a.) Getting on the Agenda: Any citizen desiring to have an item placed on a town hall meeting agenda, particularly for items where the availability of background information or materials to be distributed would be helpful, should submit, in writing, a description of the proposed agenda item, a rationale for placing the item on the agenda, and background information sufficient to help determine the whether the item is appropriate for the meeting. Once the information has been received, the City Manager, or his/her designee, will inquire whether any member of the Council will sponsor the item for the agenda. Sponsored items will be placed on the agenda for the town hall meeting. **Items to be placed on the agenda are due by noon at least three working days before regularly scheduled Meeting with any handouts or other physical materials.**

   b.) Appearing in Person for and Item Not on the Agenda: Non-sponsored items will not be placed on the agenda. Since, during town hall meetings, the Council desires to receive information in a more informal setting, any citizen, who wants to comment on matters related to the purpose for the town hall meeting, will have the opportunity to do so in an orderly manner under the provisions of this policy.

4. During the meeting, unless otherwise noted, the meeting will follow the Rules of Procedure adopted for the meetings of the policy and administrative bodies of the city (city council, planning commission, etc.) and the Mayor will see those procedures are followed.

5. Meeting format:

   a.) A public meeting is defined as a meeting at which public business is discussed, decided or policy formulated. Citizens may attend and observe but not necessarily participate.
   b.) A public hearing is defined as a meeting which provides citizens the opportunity to express their position under consideration, both pro and con, after due notice. Citizens may observe and comment as provided by the Body's rules but this is not a forum for a debate with the Body.
   c.) The town hall format encourages a more free-flowing interchange between the city council, its members, and the public. Whether it is denominated as a "public meeting" or "public hearing", gatherings under the town hall format will vary from the more ridged protocols of regular council meetings.

6. Following the opening formalities of the meeting as required by law, Citizens' comments will be taken during the meeting as noted on the agenda. This may be at the beginning of the meeting, during the main part of the meeting, or at the end of the meeting.

7. This opportunity to comment is not to be mistaken for a public hearing nor is it an opportunity to debate with the governing body. Responses to public comments by elected officials and/or staff are welcomed and will be permitted while recognizing no decisions or policies will or may be adopted during this comment exchange.

8. Each citizen may speak **once** for a period **not to exceed five (5) minutes.**

9. If a comment or question from a member of the Council interrupts a member of the public, the time taken by the comment or question and the response will not be counted as part of that citizen's five minutes. The **Mayor** (or Mayor pro tem) will be the sole arbiter of any time extension allowed.

10. If a member of the Council raises a question about a comment from a member of the public after the person has made his/her comments, the member of the public may be allowed to respond to each question raised.

11. Members of the public cannot **give** their five minutes away to another person to speak on their behalf or to enlarge the time utilized by any individual speaker.

12. A member of the public, during the time allotted for that person's comments, may request of the Council that the record be held open for written comment. Any member of the Council may then move to hold the record open for written comments for a specified period. If the motion receives a second and passes by majority vote, the record will be held open for the specified time, otherwise the item will not be received into the record.

13. As suggested above, participants in town hall meetings are expected to conduct themselves with civility. Speakers must be courteous. **Applause is not allowed**. Outbursts from those attending a town hall meeting will not be tolerated. When a member of the public has been recognized and is speaking, he/she has the floor. Other members of the public may not speak either to the speaker or members of the Council until they have been given the floor. Spontaneous comments or other outbursts from the public are not allowed.

Disturbing Meetings

The City Council may fine or expel any of its members, or any other person, for disorderly conduct upon an affirmative "majority plus one" vote of those members present. The Mayor may expel any person, other than a member of the Council, who is disorderly during a town hall meeting.