

RESOLUTION No. 12-01

ROLL CALL

VOTING	YES	NO
G. WAYNE ANDERSEN <i>Mayor (votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
BRANDON B. GORDON <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this resolution be adopted: Councilmember Leifson

I SECOND the foregoing motion Councilmember Scoubes

RESOLUTION No. 12-01 RESOLUTION APPROVING COUNCIL RULES OF ORDER

WHEREAS, Spanish Fork City has conducted its meetings according to rules of order which have been understood, but not formally adopted; and

WHEREAS, legislation from the 2011 legislature requires each city to formally adopt rules of procedure for the conduct of its meetings, publish them, and make them available to the public; and

WHEREAS, the attached rules of order formalize the earlier process;

NOW THEREFORE, be it resolved by the Spanish Fork City Council as follows:

1. The attached "Spanish Fork City Council Rules of Order" shall be the rules by which Spanish Fork City council meetings are conducted.

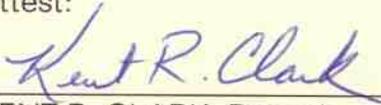
2. The City Recorder is hereby directed to make copies available at city council meetings.

3. These rules are effective as of January, 2012.

DATED this 17th day of January, 2012


G. WAYNE ANDERSEN, Mayor

Attest:


KENT R. CLARK, Recorder



SPANISH FORK CITY COUNCIL RULES OF ORDER

The purpose of these Rules of Order is to make it easier for the City Council to work together effectively to accomplish the business of the City. These rules should assist the Council in conducting their meeting, not inhibit it.

Spanish Fork City Council meetings will convene as established by ordinance (Spanish Fork Municipal Code §2.08.030) or by notice of a special meeting. The meeting will proceed according to agenda. The preparation of the agenda is under the direction of the Mayor. The Mayor may revise the order of the agenda during the meeting in order to accommodate the Council or to more efficiently handle the business of the Council.

In order to proceed with the meeting, a quorum must be present. A quorum is three or more members of the City Council (Utah Code Annotated §10-3-504). If a quorum is not present, those present may adjourn the meeting, but may not conduct other business. (UCA §10-3-503).

In order to take action, a majority vote of the quorum is required, provided there are no less than three votes in favor of the measure (UCA §10-3-507). The Mayor has no vote except in case of a tie (UCA §10-3-101). In the Mayor's absence, a *Mayor Pro Tempore* shall conduct the meeting. The Council Member acting as *Mayor Pro Tempore* retains his/her right to vote without the necessity of a tie vote.

A member of the public may request to be on the agenda to address the Council. The Mayor may establish a deadline to place an item on the agenda. An agenda request is a non-action item. If the Council desires action to be taken after listening to the request, it may direct staff to prepare appropriate documents and place it on a future agenda for action.

Other items are placed on the agenda in accordance with ordinance, or at the direction of an elected official or department head. Items may be withdrawn from the agenda by the Mayor, with the consent of the person who placed the item on the agenda. Agenda items will generally be presented by staff. An applicant, if there is one, such as a developer seeking to have a plat approved, should generally be given a few minutes to explain their position. A person having special knowledge or expertise about the subject matter may be invited to give a brief presentation, with the consent of the Council. Such circumstances should be prearranged with the Mayor, who may impose appropriate time restrictions. The general public will not be invited to speak unless a public hearing is scheduled. When a public hearing is scheduled, staff should generally present the matter. An applicant, if there is one, should generally be allowed to give a brief presentation. Anyone present shall be allowed to speak. Comments should be germane to the topic. The Mayor may set time limits for each speaker at a public hearing. Each member of the public is expected to comply with the time limits imposed. The time limit shall be uniform for all speakers. A common group of citizens may designate a spokesperson, who may accumulate the time of those persons present who designate him/her as their spokesperson. When everyone desiring to speak has had the opportunity to do so, the public hearing for that topic will be closed and no additional comment will be accepted. Once an agenda item has been presented to the Council, and public comment received if a public hearing is involved, the item is

ready for discussion by the Council. The Mayor directs the discussion. All Council Members should have an opportunity to voice their opinions. The discussion period is the time for ramifications of the proposed action to be explained, questions answered or raised, and information shared. Every member is entitled to know what effect the decision will have. Opposing viewpoints have the right to be expressed. Proper respect should be shown for members expressing any viewpoint. No derogatory remarks should be personally directed to another member. When a vote is taken, each member agrees to be governed by the majority. However, the rights of the minority must be protected to both voice opinion and vote contrary to the majority.

Once an agenda item has been fully discussed by the Council, it is ready for action. Action should be taken on each agenda item before moving to the next agenda item. Action consists of approving the item, approving the item with changes, denying the item, or tabling the item. The effect of tabling an item is to continue action to a future meeting. Action is initiated by motion. Every motion must be seconded. A motion which is not seconded dies for the lack of a second. Once a motion has been made and seconded, further discussion or debate may take place on the motion. The Mayor may impose a time limit on each member during any discussion. Every member is entitled to understand the motion. Therefore, any member may raise a question on the motion to fully understand it.

Once discussion/questions have taken place, the member making the motion may move to withdraw the motion. If the member who seconded agrees, the motion may be withdrawn if there is no objection from the Council. If an objection is raised, the Mayor shall call for a vote on the motion to withdraw. If the motion is withdrawn, any member may make a motion with respect to the agenda item.

Once discussion/questions have taken place, a motion to amend the motion may be made. Such a motion must be seconded. Discussion or debate may take place on the motion to amend. The Mayor may impose a time limit on each member during any discussion. Questions may also be asked in order to fully understand the motion to amend. Once discussion/questions have taken place the Mayor shall call for a vote on the motion to amend. If the amendment passes, the amended motion becomes the motion. Note: Too many amendments become confusing to the Council and the minute keeper. It is sometimes better to deny a motion and start over than to have multiple amendments to a motion.

Once a motion has been discussed and questions clarified, the Mayor shall call for a vote. If the motion fails to pass, a member may make another motion. If no other motion is made, the measure dies and the Mayor may move to the next agenda item. If the motion passes, the Mayor may move to the next agenda item.

During the course of a meeting, a member may move for a recess. This may occur at any point in the meeting, but is generally more productive and efficient if done between agenda items. This motion requires a second, but no discussion takes place. The Mayor calls for a vote. If the motion passes the Mayor may set a time limit on the recess.

All meetings are terminated by a motion to adjourn. The Council can set a time limit on

its meetings. A motion to adjourn can be made prior to action on all the agenda items, if the time limit has passed. Such a motion cannot be made during discussion/action of an agenda item, but must be made between agenda items. Such a motion requires a second, but no discussion takes place. Upon a motion being made and seconded, the Mayor shall call for a vote. If the vote passes all the remaining agenda items are automatically tabled to the next meeting. Note: When conducting the public's business it is generally better not to adjourn prior to completion of the agenda, but this policy recognizes the need to do so, on occasion.

A member who believes these rules are not being followed during the course of a meeting may call for a point of order. This may be done at any time during the meeting, requiring no second or discussion. The Mayor shall make an immediate ruling on the point of order, either directing the Council to comply with these rules or explaining why the Council is in compliance with these rules.

The Council is required to maintain an orderly meeting. If a member of the public is disrupting the meeting, they may be ordered removed by a two thirds vote of the Council (UCA §10-3-608). This motion may be made anytime during the meeting and should coincide with the disruptive behavior. It requires a second, but no discussion. Upon being seconded, the Mayor calls for a vote. If the motion passes, the Mayor shall direct a police officer to remove the disruptive person(s).

Motions concerning ordinances, resolutions, or actions which create liability must be by a roll call vote (UCA §10-3-506). Other matters may be by a roll call vote at the discretion of the Mayor or at the request by any member. This request may be made at the time the Mayor calls for a vote.

Unless a meeting has been adjourned to a closed session, no discussion of City business should be had among the members after adjournment. If the meeting is adjourned to a closed session, only those matters permitted by Utah law in a closed session may be discussed.