



City Council Policies and Procedures

Revision #	1
Implementation Date	11/04/2021
Last Reviewed/Update Date	8/14/2024
Resolution #	32045

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1. **Purpose**

This document provides policies and procedures for City Council. Please also see the Marion Code of Ordinances for further information regarding specific powers and duties

2. **Member Administration**

New Members

Members of City Council are elected, or if filling a vacancy, may be appointed. Each elected or appointed officer shall qualify for office by taking the prescribed oath. The oath shall be taken after being certified as elected but not later than noon on the first day (which is not a Sunday or legal holiday) in January of the first year of the term for which the officer was elected. In most instances, this means the formal oath is done prior to the member's first City Council meeting.

A new member orientation will be provided by the City Manager and other staff. This may include an overview of the organization chart, budget, Capital Improvements Program (CIP), adopted policies and plans, current projects, and a tour of facilities.

Resignations

If a member chooses to resign, a memo or letter from the member must be submitted to the City Clerk. The effective date of the resignation shall be provided in the memo or letter. This document will be received and filed at the next Council meeting.

Vacancies

When a vacancy occurs, the City Clerk will work with Linn County Election Services to gather information on options to fill the vacancy. City Council must then decide whether to fill a vacancy by appointment or by calling a special election. Citizens may also submit a petition to call a special election.

3. **Open Meetings**

Open meetings are governed by Chapter 21 of the Iowa Code. All meetings, where a quorum of Council is present and City business is being discussed, must be open to the public and must be preceded by at least 24 hours notice. A closed session may be held for the limited purposes set forth in Section 21.5.

4. **Meeting Types**

Pursuant to City Council direction, the Council meets in work session the first and third Tuesdays of each month at 4:00 p.m. Regular session meetings are held at 5:30 p.m. on the Thursday following each work session. The meeting schedule may change if there are conflicts or the scheduled meeting falls on a holiday.

Regular Session

A regular session is normally held on the Thursday following the first and third Tuesday of each month. Regular sessions are intended for the Council members to take action on submitted items. This might include holding public hearings, approving contracts and purchases, and enacting new legislation (ordinances). This meeting also provides an opportunity for the public to address the Council.



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Work Session

A work session is normally held on the first and third Tuesday of each month. These meetings are used to review and discuss the agenda prior to taking action at the regular session.

Special Session

Council may meet at times other than the regularly scheduled work sessions and regular sessions. Some examples of such special sessions include budget sessions, strategic planning sessions, etc.

Closed Session

A closed session is a portion of a Council meeting that is closed to the public. For more information regarding closed sessions, please see the City's Closed Session Policy and Procedures.

5. Agendas

Agenda items may be added by staff, Mayor/Mayor Pro Tem or any two Council members.

Per Chapter 21.4 of the Iowa Code, advanced public notice will be given at least 24 hours prior to the commencement of any meeting and will be provided to the public and media if requested. The public notice requirement applies to all meetings, whether formal or informal and regardless of where such meetings are held. An agenda must be prepared in advance, stating when and where the meeting will be held and topics to be discussed.

Agendas are posted at City Hall and through the meeting portal, which is accessible through the City website.

6. Minutes

Chapter 21.3 of the Iowa Code requires that minutes be kept of all meetings. Such minutes are public records, are subject to inspection upon request, and at a minimum must contain the time and place of the meeting, members present, and any actions taken.

Minutes are posted on the meeting portal, which is accessible through the City website.

7. Audio and/or Video Recordings

Meetings may be recorded. If applicable, recordings will be published on the meeting portal, which is accessible through the City website.

8. Motions, Resolutions, Ordinances

Motion – used for procedural items such as approving minutes, approving various licenses, directing staff to proceed with a specific action, etc.

Resolution – a Council statement of policy or a Council order for action to be taken.

Ordinance – a City law. The Municipal Code must be amended by passage of an ordinance. Ordinances require three separate readings to be approved. Once approved, ordinances are published in accordance with Iowa



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Code. If approved by Council, the second and third readings of an ordinance may be waived. This requires an affirmative vote from 3/4 of the Council.

9. Proclamations

Proclamations may be made at either a work session or a regular session. Proclamations are first reviewed and approved by the Mayor prior to being placed on the agenda. Entities wishing to submit a proclamation should send it to the City Clerk by the Wednesday the week prior to the meeting in which the proclamation is presented.

10. Public Participation at Meetings

Presentations

Presentations can be given at council meetings by external entities or individuals that are related to current council action (action items that are on the agenda at the same meeting presentation is given) or area projects and events. Entities that have an existing partnership with the City may also provide presentations.

Presentations are generally requested by the City. However, unsolicited presentations may be added to an agenda by contacting the City Clerk. Said presentations must be submitted at least one month in advance of the desired presentation date. All presentations will be reviewed prior to being added to an agenda, and the City has final discretion as to whether or not a presentation is added to an agenda. Unsolicited presentations should be limited to 15 minutes if possible.

Any presentation materials (including PowerPoint slides, handouts, etc.) must be given to the City Clerk by noon on Friday the week prior to the Regular Council meeting.

Public Forums

The public is able to speak during regular council meetings during a public forum section. Comments made during public forums are limited to five minutes. The public forum at the beginning of the meeting is for comments from the public on topics listed on that specific agenda and not associated with a public hearing. The public forum at the end of the meeting is for comments on any topic. Council will not take action on any comments made during the public forum at the end of the meeting due to requirements of the Open Meeting Law but may do so at a future meeting.

Allowed documentation may include letters, pictures or other single-page documents.

Public Hearings

Certain council items may require public hearings. The following rules have been set for public hearings:

- Anyone who wishes may present their views to the City Council.
- Those in favor will be heard first and those opposed will be heard next.
- Participants must follow the City's Public Forum Rules of Procedure.
- The City Council will only receive comments during the public hearing. When the public hearing is closed, there will no longer be an opportunity to speak unless a member of the City Council asks a question.

Allowed documentation may include letters, pictures or other single-page documents.



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11. Council Actions

Nearly all business conducted during a meeting begins with a motion. A motion requires two people – a “mover” and a “second.” The “mover” simply states “Mayor/Mayor Pro Tem, I move to...” followed by the item title. Below are examples of how to make a motion to bring an item to the floor for action.

Resolution

Say: “Mayor, I move to approve Resolution No. 12345 approving contract...”

Ordinance

Say “Mayor, I move to approve Ordinance No. 19-01 amending chapter...”

Miscellaneous

Say: “Mayor, I move to approve Consent Calendar/Project Calendar as follows:”

Say: “Mayor, I move to receive and file...”

Say: “Mayor, I move to direct staff to...”

Below is an overview of the steps of a motion:

1. A member makes the motion: “Mayor/Mayor Pro Tem, I move...”
2. A member seconds the motion: “Second”
3. The Mayor/Mayor Pro Tem states the motion so that members know exactly what is being moved. (If there is more than one member to “second” the motion, the Mayor/Mayor Pro Tem should announce who made the motion and second so it can be noted in the minutes.)
4. The Mayor/Mayor Pro Tem “opens the floor” for discussion.
5. Council members should indicate their desire to speak and wait to be called upon by the Mayor/Mayor Pro Tem. All discussion will be led by the Mayor/Mayor Pro Tem
6. After discussion, the Mayor/Mayor Pro Tem conducts a vote to determine those in favor or against. “All in favor of the motion say aye.” Pause. “All opposed say no”.
7. The results of the vote should be announced to the group.

12. Tabled Items

Tabled items are those that have been “tabled” or set aside for one or more reasons. This can come at any time, including even after the item has been moved and seconded. Most often in practice, items are tabled because of the Council’s need for additional information. The minutes will reflect that an item has been tabled.

To table an item:

“Mayor, I move to table Resolution No. 12345...”

13. Amendments

An Amendment is a change to the main/original motion. There are two common ways to amend a motion:

- While the motion is being made and before the Mayor/Mayor Pro Tem formally states the motion, a member may informally offer modifying suggestions.
- After the Mayor/Mayor Pro Tem has stated the motion, any member may move to amend the main motion in order to clarify or improve it before the motion is voted on.



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Once an amendment is offered, the group must first discuss and vote on the amendment. After an amendment has been approved, the group has to take a final vote on the now amended motion.

14. ***Voting***

Votes are computed on the basis of the number of members not disqualified by reason of conflict of interest. The majority of votes are taken via voice vote. However, roll call votes are used when adjourning to a closed or exempt session, when voting on any property disposition (sale of real estate), or whenever requested.

	Members Present				
	7	6	5	4	
Motion - yeas needed to Pass	3	3	3	3	Majority of Quorum (380.4.1)
Resolution - yeas needed to Pass	4	4	4	4	Majority of All Council (380.4.1)
Amendment - yeas needed to Pass	4	4	4	4	Majority of All Council (380.4.1)
Ordinance - yeas needed to Pass	4	4	4	4	Majority of All Council (380.4.1)
Waive Reading of Ordinance - yeas needed	6	6	N/A	N/A	3/4 of All Council (380.3)
Closed Session - yeas needed	5	5	5	4	2/3 of All Council or All Present (21.5)

15. ***Abstention***

Abstention is required when there is a conflict of interest. It is recommended that if there is an appearance of conflict of interest, it is best practice not to vote. Members may always first consult with the City Attorney on how they should handle an item. If a Council Member does vote on a matter for which they have a conflict of interest, the action is not necessarily null. It depends on whether or not they were the deciding vote.

16. ***Electronic Meetings***

If the need arises, meetings may be held electronically. Electronic meetings will be held via Zoom or a similar platform. Instructions on how to watch, listen, or participate during an electronic meeting should be provided on the agenda.

Similar to an in person meeting, presentations, public forums and public hearings may still be held. All guidelines or rules stated above shall remain. Comments may be submitted to the City Clerk by 4:00 p.m. the day of the regular session. Comments may also be heard during the meeting by providing name, address, and topic. The City Clerk will call on those wishing to speak during the appropriate section.

17. ***Meeting Cancellations***

If necessary, meetings may be cancelled by the Mayor or Mayor Pro Tem. Cancellations will be posted on the City website or social media.



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18. *Contacting Council*

The public may reach out to Council at any time via phone or email. Council member contact information is available on the City Website or by calling the City Manager's Office at 319-743-6301. It is also encouraged to contact department staff directly as the concern may be able to be addressed without going to council. Council members should make a reasonable effort to respond to emails or phone calls within two business days or ask another council member or staff member to do so.

19. *Questions*

Any questions concerning the City Council Policies and Procedures should be directed to the following:

City of Marion
Attn: City Clerk
1225 6th Avenue
Marion, IA 52302
cityclerk@cityofmarion.org | 319-743-6327