

	Closed Session Policy and Procedures	Revision #	1
		Implementation Date	7/7/22
		Last Reviewed/Update Date	6/14/24
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1. Purpose

The purpose of this policy is to ensure that the Marion City Council and all City of Marion Boards and Commissions adhere to the requirements of Iowa Code Chapter 21 when entering into and participating in a closed session.

2. Applicability

This policy applies to the Marion City Council and all Marion Boards and Commissions that are subject to the requirements of Iowa Code Chapter 21 pertaining to Open Meetings.

3. General

The Marion City Council and all Boards and Commissions required to hold open meetings in accordance with Iowa Code Chapter 21 shall adhere to the following requirements when entering into and participating in a closed session:

1. All proposed closed sessions shall be included in a public agenda in accordance with Iowa Code Chapter 21.4. The public agenda in which a closed session is proposed shall state the specific Iowa Code Section under which the closed session purports to qualify as lawful and appropriate.
2. The City Attorney shall be present at closed sessions whenever possible. Prior to entering into any closed session, the governmental body shall obtain a verbal statement of from the City Attorney as to whether the proposed closed session is lawful under the facts and circumstances. Said statement shall be memorialized in the minutes of the open meeting. Alternatively, the City Attorney may provide a written opinion if the City Attorney is unable to be present at the meeting and the closed session can't be rescheduled to a time during which she or he may be present. This opinion shall be read publicly during the open session and entered into the minutes. The opinion shall state the reason for holding the closed session by reference to a specific exemption under Iowa Code Section 21.5.
3. The vote to enter and exit into any closed session shall be done by verbal roll call vote and recorded in the minutes. The verbal roll call vote to enter into any closed session shall occur publicly during open session.
4. Discussion during the closed session shall be limited to the specific reason announced publicly as justification for the closed session. Any other topics must be discussed at an open session. If there are additional subject matters which would be appropriate for discussion in a closed session, each additional subject matter must be listed in the agenda, referenced in the attorney statement and the vote to enter closed session, or reserved for a later closed session when this policy can be followed.

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5. Any final action necessary, including motions to approve resolutions or ordinances, shall occur in an open session and not during the closed session, unless permitted by another section of the Iowa Code.
6. No board member shall be excluded from attending the closed session unless that member's attendance creates a conflict of interest for the member due to the specific reason for holding the closed session.
7. All closed sessions shall be audio recorded and detailed minutes shall be kept. The date, start and end time of the closed session, and any temporary absences from the meeting (such as a member leaving to use the restroom) shall be verbally noted for the recording and within the meeting's minutes.
8. All audio recordings and closed session minutes shall be kept by the City for at least one (1) year from the date of the closed session, unless otherwise required by law for a longer period.

4. Questions

Any questions concerning the policy above or related procedures should be directed to the following:

City Clerk
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 1225 6th Avenue, Suite 110
 Marion, IA 52302
cityclerk@cityofmarion.org
 319-743-6327