

TITLE 2

GOVERNMENT

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2-01-010. Governing Body.

The governing body of Woods Cross City shall be a council composed of six (6) members, one of whom shall be the Mayor and five (5) of whom shall be Council Members, which council is hereinafter referred to as the "City Council".

2-01-020. Powers and Duties.

The City Council shall exercise the legislative and executive powers of the city and may perform such other functions as may be specifically provide or necessarily implied by law.

2-01-030. Meetings.

(a) **Regular Meetings.** The City Council shall hold regular meetings to conduct the business of the City at least once each month and shall prescribe by ordinance the time and place for holding its regular meetings. Unless otherwise provided, regular meetings of the City Council shall be held on the first and third Tuesdays of each month at the hour of 6:30 p.m. at the offices of Woods Cross City, 1555 South 800 West, Woods Cross, Utah.

(b) **Special Meetings.** If at any time the business of the City requires a special meeting of the City Council, such a special meeting may be ordered by the Mayor or any two Council Members. Notice of the special meeting shall be provided in accordance with the provisions of *Utah Code Ann.* § 10-3-502, as amended. The order of the special meeting shall be entered into the minutes of the City Council.

(c) **Closed Meetings.** The affirmative vote of at least two-thirds of the City Council present at an open meeting for which notice is given and a quorum is present may call a closed meeting to discuss certain items as provided under *Utah Code Ann.* § 52-4-5, as amended. The

reason or reasons for holding a closed meeting and the vote, either for or against the proposition to hold such a meeting, cast by each member by name shall be entered on the minutes of the meeting. No ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting.

(d) Electronic Meetings.

(1) Definitions. As used in this Ordinance:

(i) "Anchor location" means the physical location from which the electronic meeting originates or from which the participants are connected.

(ii) "Electronic meeting" means a City Council meeting convened or conducted by means of a conference using electronic communications.

(iii) "Electronic notice" means electronic mail or fax.

(iv) "Monitor" means to hear or observe, live, by audio or video equipment, all of the public statements of each member of the City Council who is participating in a meeting.

(v) "Participate" means the ability to communicate with all of the members of the City Council, either verbally or electronically, so that each member of the City Council can hear or observe the communication.

(vi) "Public hearing" means a portion of a meeting at which comments from the public will be accepted.

(vii) "Public statement" means a statement made in the ordinary course of business of the City Council with the intent that all other members of the City Council receive it.

(2) Procedures. The City Council may, be following the procedures and requirements of this Ordinance, convene and conduct an electronic meeting. The City Council convening or conducting an electronic meeting shall:

(i) Give public notice of the meeting pursuant to *Utah Code Ann.* § 52-4-202 by posting written notice at the anchor location; and

(ii) Providing written or electronic notice to at least one newspaper of general circulation within the state; and a local media correspondent;

(iii) In addition to giving public notice required by Subsection (i), provide:

Notice of the electronic meeting to the members of the City Council at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and

A description of how the members will be connected to the electronic meeting.

(3) Procedures Governing Electronic Meeting. The procedures to be followed at the electronic meeting shall be the same as those followed by the City Council in a non-electronic

open and public meeting of the City Council. The Mayor shall conduct the meeting and the meeting shall be held pursuant to the agenda posted for that meeting. Prior to commencing the electronic meeting, an electronic link shall be established with all participants and the anchor location. Minutes shall be kept for the meeting in accordance with the requirements of the Open Meetings Law. Following passage of a motion to adjourn, the electronic link shall be terminated and the meeting shall be deemed concluded. The initial anchor location for meetings of the City Council shall be the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah 84087. If the meeting is a public hearing, space and facilities will be provided at the anchor location so that interested persons and the public may attend, monitor and participate in the open portions of the meeting.

2-01-040. Open Meeting Law.

All meetings for the City Council shall be open to the public, except closed meetings, and shall be conducted in accordance with the Open and Public Meetings Act as set forth in *Utah Code Ann.* §§ 52-4-1, *et seq.*, as amended.

2-01-050. Notice of Meetings.

The City shall give public notice at least once each year of its annual meeting schedule and shall give not less than twenty-four (24) hours public notice of the agenda, date, time and place of each of its meetings, other than emergency meetings, in accordance with *Utah Code Ann.* § 52-4-6, as amended.

2-01-060. Agenda.

A written agenda for each regular meeting shall be prepared by the City Administrator or his or her designee. Any member of the City Council may place items on the agenda.

2-01-070. Minutes.

Written minutes shall be kept of all meetings of the City Council in accordance with the provisions set forth in *Utah Code Ann.* § 52-4-7, as amended.

2-01-080. Mayor Presides.

The Mayor shall be the chairperson and preside at the meetings of the City Council. In the absence of the Mayor or because of his or her inability or refusal to act, the City Council may elect a member of the City Council to preside over the meeting as Mayor pro tempore in accordance with the procedures set forth in Chapter 2-03 of this Title.

2-01-090. Quorum.

No action of the City Council shall be official or of any effect except when a quorum of the Council Members are present, except as otherwise provided by law. Three (3) or more members of the City Council shall constitute a quorum.

2-01-100. Voting.

(a) **How Taken.** A roll call vote shall be taken and recorded for all ordinances, resolutions, and any action which would create a liability against the city and in any other case at the request of any member of the City Council by a "yes" or a "no" vote. Every resolution or ordinance shall be in writing before the vote is taken.

(b) **Number Required.** The minimum number of "yes" votes required to pass any ordinance, resolution, or to take any action by the City Council, unless otherwise prescribed by

law, shall be a majority of the members of the quorum, but shall never be less than three (3). Any ordinance, resolution, or motion of the City Council having fewer favorable votes than required herein shall be deemed defeated and invalid; except in the following: fewer votes may compel attendance of absentees, may adjourn a meeting from time to time, and may fill a vacancy in the City Council.

(c) Mayor Voting. The Mayor shall not vote except in cases of a tie vote of the City Council as more particularly discussed in Chapter 2-03 of this Title.

2-01-110. Reconsideration.

Any action taken by the City Council shall not be reconsidered or rescinded at any special meeting unless the number of members of the City Council present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

2-01-120. Rules of Procedure.

Except as otherwise provided by law, the City Council may determine its own rules of procedure for the proper conduct of its meetings. In general, the City Council follows *Robert's Rules of Order* for the conduct of its business.

2-01-130. Council Committees.

The City Council may from time to time delegate portions of its authority by resolution to committees composed of at least two (2) members of the City Council. Committees of the City Council shall be limited in authority to the specific assignment of the City Council and shall exercise their authority subject to a standard by the Council in making the delegation.

2-01-140. Attendance.

The City Council shall have the power to compel the attendance of its own members and to provide such penalties as it deems necessary for the failure to comply therewith.

2-01-150. Disorderly Conduct.

The City Council on a two-thirds vote of its members may expel any person who is disorderly and/or disruptive during the meeting of the City Council. The City Council may also on a two-thirds vote of its members expel or fine any Council Member for disorderly and/or disruptive conduct. This Section or any action taken by the governing body pursuant hereto shall not preclude prosecution under any other provision of the law.

2-01-160. Required Attendance of Witnesses and Production of Evidence.

The City Council may require the attendance of any person to give testimony or produce records, documents or things for inspection, copying or examination necessary or useful for the governance of the City. The City Council shall issue subpoenas in its own name in the manner provided in the Utah Rules of Civil Procedure or may by ordinance establish its own procedure for issuing subpoenas under this Section.