

ARTICLE 1. - MEETINGS

2-0101. - Meetings.

The city council shall hold meetings on the first and third Monday of each and every month. Such meetings shall take place at the city hall in the council chambers or such other location within the city and at such time as designated by the mayor. If a meeting falls upon a holiday, the day immediately prior to a holiday, or the day immediately following a holiday, the city council may reschedule such meeting to another date.

(Ord. No. 3298, § 1, 6-21-93; Ord. No. 3648, § I, 6-16-97; Ord. No. 3868, § 1, 11-20-00)

2-0102. - Special meetings.

Special meetings shall be called by the mayor whenever the mayor shall deem it necessary for the transaction of the business of the city or whenever requested by two (2) members of the council in writing, such request to be filed with the city auditor. Such meetings shall be held upon such date and at such hour and at the council chambers or such other location as may be designated in the call therefor. Such call shall state the date and hour of meeting and the purpose for which such meeting is called, and no business shall be transacted thereat, except such as is stated in the notice. The city auditor, or the chief of police, as directed by the mayor, shall cause duplicates of such notice of call to be served on all members of the city council who have not signed the call for such meeting, and also upon the city attorney.

2-0103. - President and vice president of council.

On or before August 1 in each even-numbered year the city council shall proceed to elect from its own members a president and vice president who shall hold their respective offices for the term of two (2) years and until their successors are elected and qualified. It shall be the duty of the president, in the absence or temporary disability of the mayor, to act as presiding officer of the council, and the president shall, during the absence of the mayor from the city, or the mayor's temporary disability, be acting mayor and possess all the powers of the mayor. In the absence or disability of the mayor and president of the council the vice president shall perform the duties of mayor and president of the council, provided that all warrants on the treasury signed by the president or the vice president shall be signed in the official capacity as acting mayor.

(Ord. No. 3587, § 1, 5-6-96; Ord. No. 3916, § II, 3-18-02; Ord. No. 3933, § I, 7-15-02)

2-0104. - Conduct of council meetings.

The rules and order of business for the city council shall be as follows:

- (1) *Call to order; roll call.* The presiding officer shall take the chair at the hour appointed for the council to meet, and immediately call the members to order, and shall order the roll to be called in the numerical order of wards, and at the insistence of any two (2) members present, compel the attendance of absent members.
- (2) *Quorum.* A majority of the members elect shall constitute a quorum for the transaction of business.
- (3) *Agenda.* All reports, communications, ordinances, resolutions, contract documents, or other matters to

be submitted to the city council shall be delivered as designated by the mayor not later than the time also designated by the mayor prior to any city council meeting, whereupon the mayor's designee shall arrange an agenda of such matters according to the order of business and furnish each member of the city council, mayor, city administrator, city auditor, city engineer and the city attorney with a copy of the same prior to the council meeting and as far in advance of the meeting as time for preparation will permit. Any item not listed on the agenda shall be considered by the council only by motion unanimously adopted by the council members present.

- (4) *Order of business.*
 - (A) The order of business shall be determined under the direction of the mayor and in consultation with appropriate staff and the city council.
 - (B) The order of business shall not be changed except upon a motion to suspend the agenda approved by two-thirds (2/3) of all members present.
- (5) *Priority of business.* All questions as to the priority of business shall be decided without debate, subject to an appeal to the council without debate.
- (6) *Preserving order.* The presiding officer shall decide all questions of order, subject to an appeal to the council without debate.
- (7) *Speaker to be recognized.* When two (2) or more members address the presiding officer, the presiding officer shall decide who is first to speak.
- (8) *Limiting number of speeches.* No member shall speak more than twice upon the same question, nor more than once upon "the previous question" without leave of the council; nor more than once in any case until every member choosing to speak shall have spoken.
- (9) *Speaker—Not to be disturbed.* When the presiding officer is putting the question, or when a member is speaking, no member shall walk across or out of the room nor entertain any private discourse or pass between the speaker and the presiding officer.
- (10) *Same—Addressing chair.* Every member, previous to speaking, shall address the presiding officer but shall not proceed until recognized and named by the presiding officer.
- (11) *Same—Not to injure feelings.* No personalities or reflections injurious to the feelings of any member or the harmony of the council shall be tolerated and every person indulging in such shall be called to order by the presiding officer.
- (12) *Same—Called to order.* Any member called to order shall immediately sit down, unless permitted by the council to explain. If said member appeals, the council shall decide the point without debate. If no appeal is taken the decision of the presiding officer shall be conclusive.
- (13) *Motion—To be seconded.* No motion shall be entertained unless seconded. When seconded it shall be stated by the presiding officer.
- (14) *Same—Vote on.* When a motion is stated, every member present shall vote unless excused by the council, or unless directly interested in the question, in which case such member shall not vote.
- (15) *Reserved.*
- (16) *Roll call vote.* Upon the demand of a single member of the council for a roll call vote, the city auditor shall call the roll of all members present, whereupon such members shall orally cast their votes. After the votes are cast, the auditor shall announce the decision of the council and record the same.

- (17) *Withdrawal of resolution or motion.* When a resolution or motion has been stated by the presiding officer, it deemed to be the possession of the council, but may be withdrawn at any time before a decision, by the person offering the same, with the consent of the council.
- (18) *Precedence of motions when question pending.* When a question is pending no motion shall be received except as hereinafter specified, which motion shall have precedence in the order stated:
- First*, an adjournment of the council.
- Second*, a call of the council.
- Third*, to lay on the table.
- Fourth*, for the previous question.
- Fifth*, to postpone indefinitely.
- Sixth*, to postpone to a day certain.
- Seventh*, to refer to the committee of the whole.
- Eighth*, to refer to a standing, special, or select committee.
- Ninth*, to amend.
- (19) *Priority of motions.* A motion for the "previous question," "to lay on the table," or "commit until decided," shall preclude all amendments to the main questions.
- (20) *Previous question.* The previous question shall be put as follows: "Shall the main question now be put?", and may be called on request of two (2) members of the council.
- (21) *Adjournment.* Motion to adjourn shall always be in order and decided without debate.
- (22) *Names entered on journal.* In all cases the name of the member offering a resolution or motion shall be entered with it upon the journal.
- (23) *Special committees, appointment.* Special committees shall be appointed by the presiding officer unless otherwise specially directed by the council.
- (24) *Motion for reconsideration—When in order.* When a question has once been put and decided it shall be in order for any member who voted with the prevailing side to move for a reconsideration thereof; but no motion for a reconsideration of any vote shall be in order after the subject upon which the vote was taken shall have gone out of the council, unless with the consent of four (4) members of the council.
- (25) *Same—Limited.* A motion for reconsideration, if lost, shall not again be repeated at the same meeting of the council; nor shall any question be reconsidered more than once.
- (26) *Standing rules; how changed.* No standing rules of order of the council shall be repealed, rescinded, changed or suspended, except by a vote of the majority of the members elect; nor shall any new rule be added thereto except by like vote.
- (27) *Meeting, how adjourned.* Any meeting of the council may be recessed or adjourned from time to time. When any meeting day shall occur on a legal holiday or a day immediately preceding or subsequent to a legal holiday the city council may reschedule its meeting to another date. The council may recess or adjourn to a work session, informational session, committee of the whole, or a council meeting. The council may take final action upon any matter appearing on the agenda at such work session,

informational session, committee of the whole, or council meeting, unless otherwise restricted by law.

Any item not listed on the agenda shall be considered only by motion unanimously adopted by the council members present.

The preliminary approval and introduction of an ordinance may occur at any meeting of the council, including a work session, informational session, or as a committee of the whole, however, second reading and final approval of an ordinance may not occur upon the same day as its preliminary approval and introduction.

- (28) *Council members to participate in all meetings in person or by telephone, video or other electronic means.* It shall be the responsibility of every member of the council to participate in all meetings of the council in person or by telephone, video or other electronic means at the hour appointed when possible and to remain until the close of the session, unless excused.
- (29) *Sergeant at arms; duties.* The chief of police shall be ex officio sergeant at arms and shall attend all meetings of the council at the hour appointed, and remain in attendance until the close of the session unless otherwise ordered. It shall be the chief's duty to prevent spectators from entering within the bar, unless invited, and to prevent members from leaving unless excused. The chief of police shall bring in the absent members under the direction of the presiding officer, and shall further obey all orders of the presiding officer in enforcing order and decorum.
- (30) *Dais; who to be admitted upon.* No person except members of the city council and city officials or staff in the exercise of their official duty, and such reporters as may be designated, shall be admitted upon the dais unless at the request of the mayor, but the right of such admission shall not extend beyond that meeting.
- (31) *Robert's Rules of Order.* Any question of procedure not covered herein shall be governed by Robert's Rules of Order.
- (32) *Passage of ordinances by newly formed council.* No new ordinance introduced prior to an election of members of the city council shall be voted upon for final approval and passage before the second regularly scheduled meeting following said election.
- (33) *Mayor's veto power.* All ordinances and resolutions passed by the city council shall be presented to the mayor, the mayor may sign said ordinance or resolution thereby approving the same or may veto said ordinance or resolution thereby disapproving the same. If disapproved, the mayor shall deliver the vetoed ordinance or resolution with a memorandum stating the reasons for the veto to the city auditor within ten (10) days from the date of the action taken by the city council. If the city auditor does not receive a signed or vetoed ordinance or resolution within the ten-day period, the ordinance or resolution shall have the effect as if approved by the mayor.
- (34) *Council's power to override veto.* All ordinances and resolutions properly vetoed by the mayor shall be presented to the city council by the city auditor at the next regular meeting. Any action on a motion to override the veto must occur at the next regular city council meeting. Should council adopt the ordinance or resolution by an affirmative vote of five (5) of its members, the same shall become law notwithstanding the objections of the mayor. Council shall vote only once upon the vetoed ordinance or resolution and should council fail to adopt such ordinance or resolution, the same is effectively disapproved and shall not be reconsidered.
- (35) *Reading of titles waived.* Unless a reading of any of the titles of the meeting agenda or any prior recommendations is requested to be read by a member of the city council, such matters may be approved without reading.

- (36) *Summary action calendar.* When in preparing the agenda for any regular meeting of the city council, the city administrator, mayor or city council determines that two (2) or more agenda items for such council meeting are of a routine and noncontroversial nature, such items may be placed upon the summary action calendar for a single vote. The vote shall have the same effect as a separate vote upon each calendar item. Prior to a final vote on the summary action calendar, the mayor, city administrator, or any member of the city council may object to the inclusion of any item as part of the summary action calendar. Upon such objection, such item shall be thereupon excluded from the summary action calendar and considered separately after the vote is taken on the remaining summary action calendar or at a later time as determined by the city council. Any question, debate, or discussion regarding an item on the summary action calendar, except in the nature of clarification or brief explanation of the content of an item, shall be deemed an objection to inclusion of such an item on the summary action calendar.
- (37) *Delegation of authority.* The governing body may delegate any decision or final action upon a matter to a committee of the whole, any standing committee, special committee or department head as the city council deems necessary or expedient.
- (38) *Minutes.* Minutes of all meetings of the city council, including all committees shall be maintained by the city auditor and distributed to members thereof. Unless a reading of the minutes is requested by any member of the city council or of such committee, the minutes may be approved without a formal reading.
- (39) *Report of attendance.* The city auditor shall prepare a report for each quarter showing the attendance of each city council member at every meeting of the city council and committee of the whole. The city auditor shall also publish the report on a quarterly basis and include the report in the official minutes of the Grand Forks City Council.

(Ord. No. 3040, § 1, 6-18-90; Ord. No. 3643, § I, 5-12-97; Ord. No. 3955, § I, 12-2-02; Ord. No. 4195, §§ I, IV, 7-2-07)

2-0105. - Public meetings.

- (1) All official meetings of the city council and its committees, commissions and authorities shall be open to the public and conducted pursuant to the provisions of the N.D.C.C. chapter 44-04, as may be amended.
- (2) The city council may meet informally in work sessions, informational sessions or as a committee of the whole at the call of the mayor or any two (2) members of the city council to consider any matter, receive progress reports on current problems, programs or projects, or to receive or discuss such other information, or take such action as may be necessary, appropriate or expedient. The city council may recess or adjourn from its meetings to another date, whether meeting in a work session, informational session, committee of the whole, or a council meeting. The city council may take final action upon any matter appearing on the agenda at such work session, informational session, committee of the whole or council meeting unless otherwise restricted by law. Any item not listed on the agenda shall be considered only by motion unanimously adopted by the council members present. Preliminary approval and introduction of an ordinance may occur at any meeting of the council, including a work session, informational session, or as a committee of the whole; however, second reading and final approval of an ordinance may not occur upon the same day as its preliminary approval and introduction.
- (3) The city council and its committees, commissions and authorities may only enter into executive sessions not open to the public as may be provided by N.D.C.C. chapter 44-04.

(Ord. No. 3955, § II, 12-2-02; Ord. No. 4195, §§ II, V, 7-2-07)

2-1016. - Reserved.

Editor's note— Ord. No. 4195, § iii, adopted July 2, 2007, repealed 2-0106, which pertained to emergency funds and derived from Ord. No. 3539, § 1, adopted Aug. 21, 1995.