



# Rules and Norms

## *Ogden City Council*

*As Amended | January 2019*

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# I. Introduction

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City Council Rules and Norms are adopted, pursuant to [Ogden Municipal Code § 2-3-7](#), to conduct the public’s business in an open, transparent and orderly manner. These become effective upon adoption by the City Council and remain in effect until such time as amended, suspended or new rules are adopted by Council resolution.

# II. Organization of the City Council

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## Council Member Roles and Responsibilities

Ogden City Council members are elected to serve as legislative representatives. The Council is comprised of seven members, four Council members represent municipal districts and three are elected at-large.

The City Council is a legislative body that is given authority by the State of Utah to create local law, set policy, appropriate funds and review municipal administration ([Utah Code § 10-3b-203](#); [Ogden Municipal Code § 2-3](#)). The Council also acts as the Redevelopment Agency (RDA) Board and the Municipal Building Authority (MBA) Board. The RDA and MBA are agencies created according to Utah law to assist in development, redevelopment and financing of projects.

Council members have the unique task of balancing the needs and desires of residents and the city as a municipal entity. As part of the Council’s decision-making process, efforts are made to gather pertinent information and to involve all stakeholders. Each Council member has the opportunity to request information and to publically express his or her own individual ideas. Council members may sponsor or co-sponsor a legislative initiative by submitting a written request to Council Leadership for Council discussion and possible consideration.

**Figure 1**

Council Member Individual Roles and Responsibilities
1. Uphold the office with respect and dignity, and maintain trust with others.
2. Consider the interests of Ogden City and residents, while also keeping in mind established goals, policies, adopted plans and limited resources.
3. Raise questions and proactively address them by communicating with other Council members, Council staff and the Administration.
4. Be responsive and follow up on personalized requests in a timely manner.
5. Develop strong policies that are consistent with the Council’s legislative priorities.
6. Work with Council Leadership and staff to scope and clearly outline specific objectives, outcomes, timelines and other relevant information for new projects and initiatives.
7. Set clear expectations for Council Leadership and the Council Executive Director.
8. Share ideas in open sessions, ask questions and actively express concerns.
9. Review city e-mails on a daily basis, and more frequently as needed.

The Council strives to maintain a strong working relationship with the Mayor and Administration and to coordinate often while addressing joint and pressing matters.

The Council also provides oversight, reviews Administrative actions and conducts investigations as necessary. Council Member and staff correspondence with the Administration is directed to either the Mayor or Chief Administrative Officer.

## Oath of Office

The Oath of Office for newly elected Council members is administered by the City Recorder or others authorized by state law, during a City Council meeting held at 12 p.m. on the first Monday of January or as soon thereafter as is practical, per [Utah Code § 10-3-201, 10-3-828](#) and [Ogden Municipal Code § 2-5-1](#).

## Council Leadership Selection

The City Council annually elects from among its members a Chair and Vice Chair. Council Leadership is elected during the first regular Council meeting in January or directly following newly elected Council members being sworn into office. Separate nominations are accepted for Chair and Vice Chair, and any Council member may nominate another Council member or himself/herself.

*Figure 2*

Election of Council Chair and Vice Chair	
1.	The current Chair presides during the entire meeting when new Council Leadership is elected.
2.	The current Chair opens nominations for the new Council Chair and closes the nominations after all nominations are made known.
3.	Each nominee for Council Chair is provided an opportunity to comment in the order of nomination.
4.	The Chair calls for a motion to consider the first candidate nominated. After a motion and second, a roll call vote is taken to consider the nominee. If there is no second, the motion fails.
5.	If there is no majority approval for the first nominee, the Chair calls for a motion to consider the second nominee and the same process is used for any subsequent nominees as needed.
6.	If the first round of candidates fail to obtain the requisite four votes, the Chair reopens nominations for new or renewed nominations and subsequent voting. This process continues until there are at least four affirmative votes for a nominee.
7.	The same process is used to elect the Vice Chair.

Once the Chair and Vice Chair have been elected by the Council, both individuals take an oath of office. The Chair and Vice Chair serve from the date of the election until selection of their successors in the following year. In the event of a vacancy in the position of Chair, the Vice Chair shall become Chair and shall serve the remainder of the term. A vacancy in the position of Vice Chair shall be filled by election in the manner prescribed in these rules.

## Council Leadership Roles and Expectations

The Chair and Vice Chair serve in the same leadership capacity for the Ogden City Council, Redevelopment Agency and Municipal Building Authority.

The following apply to the roles and expectations of the Council Chair and Vice Chair:

1. **Set Council Meeting and Work Session Agendas.** Council Leadership, working with the Executive Director, will set regular meeting and work session agendas. When the Council is divided on an issue, Council Leadership will work to determine the will of the full Council. Generally, the Chair should honor the will of the majority. However, the Chair has the final say regarding if and/or when an item is placed on an agenda.
2. **Conduct Meetings in a Professional, Open Manner.** The Council Chair, or Vice Chair in the Chair's absence, will conduct meetings in accordance with the Council Rules and Norms, striving to maintain a professional but friendly atmosphere.
3. **Meet Regularly with Mayor and CAO.** The Chair and Vice Chair will meet regularly with the Mayor and CAO in a Joint Leadership meeting to discuss issues facing the city. Other Council members will rotate in attending those meetings. Prior to each monthly meeting, the Chair, or Vice Chair or Executive Director as requested, will provide Council members an opportunity to provide discussion topics for the Joint Leadership agenda.
4. **Communicate Regularly with Council members and the Executive Director.** Council Leadership will regularly communicate with Council members about discussions held in Council Leadership and Joint Leadership meetings, and other informal discussions with the Mayor and Administration. Leadership will respond to questions and concerns from other Council members within a reasonable timeframe. Leadership will work with the Executive Director and/or the Administration to resolve questions or concerns.
5. **Facilitate Discussions Among/Between Council members.** Leadership will encourage and facilitate discussions among or between Council members both in and outside of regular meetings, as appropriate. Such discussions may include, but are not limited to, controversial or high profile issues before the Council, disagreements about process, issues that affect Council operations, proposed changes in policy, new Council member initiatives, etc. The Executive Director may assist in these facilitations.
6. **Act as Council Spokesperson.** In certain cases, the Council Chair may act as spokesperson for the Council. If the Council is divided on any issue, the Chair shall make every effort to express all viewpoints.

The Vice Chair, during the absence of the Chair, has and performs all duties and functions of the Chair. In the event of the absence or disability of both the Chair and the Vice Chair, the immediate past Chair temporarily serves as Chair until the Chair or Vice Chair return. In the event the immediate past Chair is absent, disabled or no longer serving on the Council, the Council shall elect a temporary Chair to serve until the Chair or Vice Chair return. In such an event, the past Chair or temporary Chair shall have all the powers and perform the functions and duties assigned to the Chair.

## **Advice and Consent for Mayoral Appointments**

The City Council is responsible to provide advice and consent to various Mayoral appointments, per [Ogden Municipal Code § 2-2, 2-4](#), et al. These appointments include the Chief Administrative Officer, City Attorney, City Recorder, Finance Officer, all department director positions and individuals appointed as representatives on city committees, boards and commissions. The Council is also responsible to confirm the Mayor's appointments of justice court judges.



Council Members generally request biographical information regarding proposed appointments. This may include a requested letter of qualifications from individual appointees asking about their interest in the position and whether they are comfortable with the expectations and meeting schedules of that body. The Council looks to promote geographic diversity in committee, board and commission representation, and generally requests geographical information regarding proposed appointments for informational purposes.

The names of individuals recommended by the Mayor for appointment are provided to the Council for review prior to being placed on an agenda. If desired, the Council may request a Closed Executive Session to discuss proposed appointments with the Mayor. All new committee, commission and board appointments receive a welcome letter and an Ogden pin from the Council office.

### **Intergovernmental Committees and Council Workgroups**

Council members serve as representatives on various intergovernmental boards, city ad-hoc committees and other committees or workgroups. The Council annually reviews its representation on intergovernmental committees and how this serves city interests. Council members may request to serve on specific groups based on individual interests and availability. Committee assignments and time commitments are determined by Council Leadership each January. Assignments are distributed as equally as possible, with the exception of Council Leadership who have additional commitments based on their role. Council members periodically report on committee activities during work sessions.

Ad-hoc committees and workgroups are created to facilitate a high level of communication with the Administration or other groups concerning important issues. These forums provide an opportunity for Council members to be involved in the formulation of proposals and to help facilitate efficiencies in the process. The Council as a whole considers all official decisions at a regular or special Council meeting.

Council members with interest in city committee discussions may attend advisory committee and commission meetings as members of the public. Council staff will provide agendas and minutes of city advisory committees or bodies who consider items that come to the Council, when available and upon request.

### **Filling a Vacancy**

In the event of a vacancy on the Council, either through death or resignation, a new Council member will be appointed by the Council within thirty (30) days to fill the unexpired term of the vacancy, as stipulated by [Utah Code § 20A-1-510](#).

All applicants must meet the legal requirements to qualify for public office. Applicant names are not made public until all applicants have been certified by the City Recorder's office to meet the criteria. Application materials are kept confidential similar to other employee application materials.

However, applicants are free to make information about themselves available to the press and other interested parties. A press release is issued that includes the names and addresses of applicants after certification by the City Recorder's office.

**Figure 3**

Process To Fill A Council Vacancy	
1.	Within one week of a vacancy, a request for resumes and/or letters of interest is distributed to residents and the local media. The applicant deadline is set within two weeks of the vacancy announcement.
2.	Information is distributed to the Council the day after the application deadline.
3.	Applicants attend an informational meeting and Council staff provides an overview of the process as well as Council responsibilities and duties.
4.	A Special Council meeting is held and each applicant presents. Immediately following the presentations, the Council meets in a Closed Executive Session to discuss the applicants and select up to five (5) finalists for individual interviews. The Council returns to the Council meeting and a motion is made and voted on to select the finalists.
5.	Finalists are interviewed by the City Council at a subsequent special meeting. Each finalist is invited to make general remarks and to be interviewed by the Council. The public is welcome to hear the discussion, but is not invited to participate or provide comment. After the interviews, the Council holds a Closed Executive Session to discuss and evaluate applicants. The Council returns to the special meeting and selects an appointee by a motion and majority vote. If there is not a majority vote, the top two candidates are re-interviewed and another vote takes place. Once appointed, the new Council member is sworn in by the City Recorder, or others authorized by state law.

The Council may appoint an individual to fill a vacancy in the office of Mayor before the effective date of a Mayor's resignation by making the effective date of the appointment the same as the effective date of the Mayor's resignation if a vacancy in the office of Mayor occurs before the effective date of an appointment under Subsection (1) or (2) to fill the vacancy, the Council Chair shall serve as acting Mayor during the time between the creation of the vacancy and the effective date of the appointment to fill the vacancy. While serving as acting Mayor, the Chair continues to act as a Council member and vote at council meetings.

### III. Redevelopment Agency

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The Ogden City Redevelopment Agency (RDA) is a separate legal entity authorized by [Utah State Code Title 17C](#). The RDA's role is to facilitate redevelopment within identified project areas. As of January 2018, there are currently 20 project areas in Ogden City.

The governing Board of the Agency consists of members of the City Council with the Mayor serving as the Executive Director. The Council Executive Director and Council staff serve as the Board Administrator and Board staff respectively. The Board contracts with Administrative staff from the Community and Economic Development Department to provide project management and administrative support.

The RDA Board operates under the [Ogden City Redevelopment Agency Bylaws](#), and uses the City Council's Rules of Procedure to conduct business.



Agency funds are accounted for separately from city funds, and each RDA project area is accounted for separately within the Agency Budget. An annual report is presented to the Board each January, with the most recent annual report available on the [Redevelopment Agency website](#).

## IV. Municipal Building Authority

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The Municipal Building Authority was created as a nonprofit corporation on November 17, 1992 under the authority of the Utah Nonprofit Corporation and Cooperative Association Act and the Utah Municipal Building Authority Act. The purpose of the MBA is to acquire, improve or extend one or more projects and to finance the costs on behalf of the city.

The MBA operates under the same rules and norms as the City Council. The Governing Board of the MBA is comprised of all members of the Ogden City Council as Trustees. The Chair of the City Council serves as the Chair of the MBA Board and the Mayor serves as President.

The Municipal Building Authority currently owns the Public Services Building and Lindquist Stadium. These facilities are leased to the using entities and lease proceeds pay the debt service on the bonds used to construct the facilities. This is subject to change based on debt retirement or new debt.

## V. Establishing Policy

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The City Council is responsible to adopt ordinances which establish city law, and may approve changes to the organization of administrative services into departments, divisions and bureaus, while also defining the functions and duties of each city department, per [Utah Code § 10-3b-2](#).

The Council adopts policy in ordinances and sets expectations in resolutions. The Council periodically reviews, updates and adopts various policy documents, including but not limited to, the Ogden Municipal Code, Annual Action Plan, Capital Improvement Plan, General Plan, Community Plans, Redevelopment project area plans and budgets, and the annual Ogden City budget.

## VI. Adopting City, RDA and MBA Budgets

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The City Council is responsible to adopt the annual Ogden City, Redevelopment Agency and Municipal Building Authority fiscal year budgets. The Council also considers various budget amendments throughout the year. The budget approval process provides an opportunity for the Council to evaluate existing services, connect with residents and determine how best to allocate funding. The budget is one of the Council's strongest policy-making tools because it is an effective way to set goals and establish priorities. The budget addresses anticipated revenues, prescribes levels of funding within each city department, outlines fees for services and allocates funding for various Capital Improvement Projects (CIPs).

The Mayor works with the various city departments to draft the annual proposed budget. The Council's budget priorities are presented to the Mayor as part of this process.

The Mayor officially presents the recommended budget to the Council late-April or early-May. The Council receives public input, incorporates its initial changes and adopts a tentative budget.

Several discussions and public hearings are held throughout the budgetary process to provide opportunities for residents to comment. The Council incorporates its changes to the Mayor's proposed budget based on resident feedback and Council priorities. The Council adopts the final budget no later than June 22 to meet budgetary requirements, unless a property tax increase is proposed. If a property tax increase is considered, the Council adopts a tentative budget in June and the final budget no later than August 17, per [Utah Code § 10-6-118](#).

## VII. Land Use and Planning

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The Council is responsible for establishing land use policies in the city. The Council establishes those policies and subsequent amendments through legislative action. These policies are first reviewed by the Planning Commission which then forwards its recommendation to the Council for final consideration. These policies include but are not limited to, the zoning and rezoning of property; amendments to the city's zoning ordinance, outdoor sign regulations, and subdivision standards; amendments to the city's General Plan, as well as the initial adoption of and updates to various community plans, corridor plans and master plans; annexations; street vacations; and certain development agreements.

### Planning Commission

The Council periodically meets with the Planning Commission to discuss the Council's vision and purpose and may also meet with the Planning Commission to discuss certain topics on which the Council desires more direct interaction with the Planning Commission. The Council will also meet with the Planning Commission annually in a joint work session to receive training on relevant land use topics.

**Figure 4**

Planning Commission Interactions
Council members are encouraged to attend Planning Commission meetings if they are interested in items on the Commission's agenda. To avoid any undue influence or risk of legal liability, Council members do not speak during Planning Commission meetings or follow up with Commissioners immediately following their meetings. However, the Council in its deliberation and consideration of an issue, may contact individual Planning Commissioners to get their views after a vote has been taken by the Planning Commission on that item. Also, the Council and Commission may determine it appropriate to jointly meet in a work session to discuss a new topic or current Planning Commission recommendations. When the Council takes action that differs from the Commission's recommendation, the Council outlines its reasoning for the change so the public record is clear and definitive. If the Council differs from the Commission on a major issue, the Council sends a letter to the Planning Commission outlining the reasons for choosing a different course of action.

## Landmarks Commission and Board of Zoning Adjustment

The Council is responsible for the designation of historic resources to the Ogden City Register of Historic Resources, or more commonly referred to as the local Landmarks Register.

This includes the designation of individual historic resources, such as structures or sites, as well as the designation of historic districts. The Ogden City Landmarks Commission reviews any proposed designation of a historic resource and forwards its recommendation to the City Council for final determination. Council member interaction with members of the Landmarks Commission should follow the same protocols as with members of the Planning Commission.

The Ogden City Board of Zoning Adjustment (BZA) is the city's quasi-judicial body and has the authority to hear and decide: appeals of zoning decisions made by the land use authority, special exceptions to certain terms of the zoning ordinance, and requests for variances from the terms of the zoning ordinance in accordance with [Utah Code § 10-9a-702](#). The City Council has limited interaction with the BZA and should refer questions regarding items being considered by the BZA to Council Staff, the Mayor, or the City Legal Department and not to members of the BZA.

## VIII. Fiscal Year 2019 Council Budget Priorities

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Each year in preparation for the budget process, the City Council establishes legislative priorities to determine issues of importance to the legislative body, these include:

1. **Active and Healthy Living** – Proactively implement policies and programs and construct facilities that provide healthier options and support individual efforts to make healthier choices.
2. **Arts and Culture** – Support arts and cultural initiatives as a key element in enhancing quality of life, promoting economic development, increasing education, and celebrating community.
3. **Community Outreach and Engagement** – Establish a community outreach and engagement program to effectively communicate and engage citizens, businesses and organizations within Ogden.
4. **Fiscal Sustainability and Transparency** – Ensure that Ogden's financial future is secure and sustainable and that financial information is transparent and readily available to residents and city employees.
5. **Neighborhoods and Community Building** – Cultivate neighborhoods of choice and improve the quality of life for all residents. Proactively engage in neighborhood revitalization through the completion of housing projects that increase the supply of quality and affordable housing.
6. **Public Safety and Essential Services** – Ensure the safety of residents through timely and appropriate responses in emergency situations and effective crime reduction efforts. Provide dependable city services.
7. **Transportation** – Ensure that Ogden has safe sidewalks, well-maintained streets and trails, convenient transit options and a viable, active transportation system.
8. **Economic Development** – Ensure that Ogden maintains a strong and diverse economy with an offering of quality career, business and housing opportunities.

## IX. Council Staff

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Council staff assist the Council in accomplishing its priorities and various other initiatives. The Council Executive Director is responsible to plan, direct, manage and oversee the day-to-day activities and operations of the City Council. The Executive Director works on behalf of and at the discretion of the Council, receiving general direction from Council Leadership, and is responsible for the direct supervision of Council staff. In the event that the Executive Director is unavailable, the Deputy Director fulfills these roles and responsibilities.

**Figure 5**

Council Staff Positions	
1.	Executive Director ( <i>full-time</i> )
2.	Deputy Director/Senior Policy Analyst ( <i>full-time</i> )
3.	Policy Analysts ( <i>2 full-time</i> )
4.	Communications and Public Engagement Coordinator ( <i>full-time</i> )
5.	Office Manager ( <i>full-time</i> )
6.	Communications Specialist ( <i>part-time</i> )
7.	Office Assistant ( <i>part-time</i> )

Staff is responsible to serve each Council member and also the Council as a collective body, and to respond to requests received by Council members, which are generally informed by Council Leadership. Staff works to assist the Council in understanding responsibilities and opportunities within Ogden's form of government. Staff supports the Council in fulfilling its priorities and objectives. Council members are advised regarding land use planning, redevelopment and other issues and policies. Staff provides policy development and analysis, budget analysis, communications, public outreach and general support. Staff administers the Council's office and budget and manages a calendar of activities, meetings and events. Council staff also assists in responding to resident questions and concerns.

At the direction of Council Leadership, staff represents the Council in various meetings, committees and other gatherings. The staff also assists Council Leadership in developing meeting agendas and then publishes and distributes relevant materials.

## X. Council Office

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### **Council Department Budget**

An official expense account is available to use for conducting Council business, e.g., meals for work sessions and night meetings. When a Council member or Council staff is sent to a luncheon/dinner or meeting to represent the City Council, his/her meal and travel outside the city are reimbursed from the official expense account.

Any Council member wishing to attend an event or function, excluding fundraising events, as a representative of the Council brings his/her request to Council Leadership for approval if city funding is being sought. Expenses charged to the city for family members (e.g., dinners) must be reimbursed to the city within 30 days of the event.

The Council's purchasing policies and requirements are further addressed in the [Council Office Policy Manual](#).

## Council Salaries and Compensation

Council members receive a salary to account for their time and service. The salary amounts are historical with adjustments based on benchmarking of other comparable Utah cities. Salaries for Council Leadership are higher to compensate for required additional time. Council member salaries are defined by [Ogden Municipal Code § 2-3-6](#) and pursuant to the annual budget process, with salary adjustments periodically considered by the Council.

**Figure 6**

Annual Salaries – Adopted Fiscal Year 2019 Budget	
1.	<b>Council Chair</b> – \$17,812
2.	<b>Council Vice Chair</b> – \$16,812
3.	<b>Council Member</b> – \$15,812

Council members also receive a 401K contribution, which is 18.47% of their income, and are eligible for medical benefits.

An Internal Revenue Service (IRS) ruling has determined that meals furnished during City Council meetings are taxable to Council members. Rather than tracking specific attendance for this purpose, each Council member will be assumed to have attended each City Council meeting where a meal is served. The average cost per meal is determined annually in accordance with IRS regulations. The costs are accumulated quarterly and provided by Council staff to payroll for inclusion as compensation for tax purposes.

## Stipends

Stipend payments are separate from and in addition to salary, mileage reimbursements or other reimbursable expenses as outlined. Each stipend is provided for a specific purpose to further support Council members in fulfilling their roles and responsibilities.

**Figure 7**

a. Committees
Council members receive a compensation stipend of \$87 per month for service on committees, boards and/or work groups. Council members are expected to regularly attend assigned meetings and otherwise carry out the duties and responsibilities of those assignments. Any salary, reimbursement, stipend or other monetary payment a Council member receives associated with service on any board or committee, or any payment received (e.g., mileage reimbursement, meal reimbursement, etc.), is delivered or assigned to the city and deposited into a City Council account. This then equalizes the amount received by each Council members regardless of the committees in which they serve.
b. Electronic Equipment
Electronic devices offer many benefits and enhance the ease of access to information for Council members. Documents, files and e-mail messages used to conduct city business are considered public records and may be subject to the Utah Government Records Access and Management Act (GRAMA).

Council members receive an electronic equipment stipend of \$1,000 in January every two years after an election cycle. This is provided to ensure access to city e-mail accounts, meeting packets and other pertinent information related to city business. Council members also have the option to use the city's employee computer loan program to aid them in the purchase of equipment.

Council members may purchase the equipment of their choice or use existing personal equipment. All purchased equipment is owned and maintained by the Council member. Any equipment that is purchased or utilized by Council members must provide functionality that allows use of Microsoft Outlook E-mail, iCalendar, Adobe Reader, Wi-Fi and other tools deemed appropriate.

Council members should not download files from sources which could be untrustworthy or open and read files attached to e-mails unless these knowingly come from a trustworthy source. Council members are required to maintain secured or password protected screens in order to ensure adequate security.

Council staff is available to provide minimal training and assistance with but may not be fully familiar with all purchased equipment and are not able to provide extended technology support services.

#### c. Clothing

To encourage Council members to wear apparel or carry other items bearing the city logo, an annual stipend of \$150 is provided to offset costs. Council members will receive the stipend in the first paycheck of each new fiscal year.

Newly elected Council members will receive the \$150 stipend in the first paycheck issued after taking office. Thereafter they will receive the stipend in the first paycheck of each new fiscal year. Council members may order items of their choice from an online catalogue offering high quality apparel and other items bearing the city logo.

## Council Interactions with Human Resources

Ogden City Council members are considered part-time city employees. The Human Resources Division requires that timecards be submitted for each Council member biweekly. Council staff coordinates timecard submission.

Council members coordinate directly with Human Resources regarding health and other benefits and to meet requirements associated with receiving these benefits.

Council members are required to complete employee trainings relative to risk management and sexual harassment. All of these employee training opportunities are provided during City Council work session meetings and are coordinated through Human Resources.

## City Council Office Policy Manual

The [City Council Office Policy Manual](#) details guidelines set forth internally and by Ogden City through Administrative Orders, Personnel Policy, and City Ordinances. These policies provide guidance to City Council members and Council Staff on matters pertaining to day-to-day operations, travel and general office procedures. These policies may be updated from time to time, with the approval of Council Leadership, on an as needed basis.



## Travel and Conferences

The City Council and Council staff are periodically provided with opportunities to attend conferences and trainings, some of which require travel to attend. Each year, funding is set aside for this in the Council's budget.

**Figure 8**

Purposes for Conferences, Training and Travel	
1.	Education
2.	City responsibilities/programs
3.	Promotion, marketing and public relations
4.	Professional sharing
5.	Professional responsibility, e.g., policy committees
6.	Meeting with people, e.g., lobbying
7.	Site visits

All requests for travel are presented to Council Leadership for approval, with the exception of pre-approved conferences. The American Planning Association, Utah League of Cities & Towns and National League of Cities are the currently approved conferences related to Council business. On a case-by-case basis, Council Leadership reviews and determines the city's payment of overall conference registration, extra costs for workshops, orientations and special events. Additional information and requirements relative to conferences, trainings and travel are included in the [City Council Office Policy Manual](#).

## Memberships

Funding is available in the budget for professional dues, e.g., American Planning Association (APA), International City Management Association (ICMA), etc. Approval for memberships with outside organizations need Council Leadership approval for the initial membership, with annual renewals not requiring approval. Memberships for Council staff require approval from the Executive Director.

## Signature Authority for Expenditures

As part of the ongoing operations of the Council Office, per [Ogden Code § 4-1A-3 \(D\)](#), the Council Executive Director or Deputy Director, may sign requisitions, professional service agreements or contracts up to and including \$30,000. All requisitions over \$30,000, must be approved by the Council and signed by the Council Chair, once a requisition has been initialed by the Executive Director to indicate funding is available.

All payroll forms are signed by the Executive Director or Deputy Director.

## Meeting Rooms

The Council Chambers and Conference Room 310 are meeting spaces available for city elected officials and employees to use for city-related business, per meeting room usage policies. Scheduling occurs based on room availability, typically during regular business hours, and is coordinated through Council staff.

Political Parties may request the use of Council Chambers and Conference Room 310, per [Utah Code § 20A-8-404](#), at least 30 days before a meeting is scheduled to take place. Billing is based on Ogden City Facility’s after-hours rate and meeting room usage policies also apply.

The meeting rooms are not available to other outside agencies, groups or individuals for discussions unrelated to Ogden City objectives or programs. Food and drinks aren’t allowed within the Council Chambers or within public areas of the Municipal Building, but are allowed in Conference Room 310 or the 3<sup>rd</sup> floor foyer for City Council or employee use only.

Additional information and requirements relative to use of Council meeting rooms are included in the [City Council Office Policy Manual](#).

## XI. Legal Counsel

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The Ogden City Attorney’s Office has a unique role to serve both the Council as the City’s Legislative body and the Administration as the Executive branch of government. There are circumstances that may require the Council to seek outside legal counsel. This may come as a result of a conflict of interest for the City Attorney. The Council may also request an outside legal opinion, as determined appropriate by Council Leadership.

Confidential information exchanged with Council members verbally or in writing from the Ogden City Attorney’s office or outside legal counsel is subject to attorney-client privilege and should not be disclosed or made public.

**Figure 9**

**Using Outside Legal Counsel**

1. The Council’s budget may include funding for professional services, including outside legal counsel.
2. Any Council member can request an outside legal opinion.
3. The Council Executive Director discusses a request with the City Attorney and this is considered by Council Leadership to determine whether it is justified. If four or more Council members request outside legal counsel, Council Leadership may direct the Executive Director to seek an outside opinion.
4. Council Leadership discusses requests confidentially with each Council member.
5. The Council Executive Director negotiates a professional services agreement with one or more appropriate outside legal representatives.
6. The Council and/or Council Executive Director approve the professional services agreement.
7. All Council members receive a copy of the opinion. The City Attorney receives a copy of the opinion if/when deemed appropriate by the Council Executive Director.
8. Council Leadership determines whether the opinion becomes public and who receives it.
9. Additional follow-up occurs as appropriate.

If a Council member or individual employee is named in a legal action as a result of their position with Ogden City, they are to contact the City Attorney and Risk Management offices within one (1) business day and to provide the date and method that the legal documents were served. Within three (3) business days of being served, all of the original documents that were served are to be submitted to Risk Management. The documents will be inspected, copied and

forwarded to the city's insurance and defense representatives. The Request for Defense form, available from the Council Office, will also need to be completed and submitted to Risk Management. Copies of this document will be forwarded to the city's insurance and defense representatives, and the original will be provided to the City Attorney.

The city will provide legal defense for Council members relative to actions and determinations associated with the official capacity of serving as a Council member.

## XII. Communications

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One of the most fundamental roles of a Council member is communication. The Council communicates with the public to assess community opinions and needs to share its vision, goals and priorities. Communication with Council staff provides policy direction and promotes teamwork, informed decision-making and an understanding of the implications of policies.

### **Public Outreach and Engagement**

The Council strives to build relationships and trust with residents and community partners based on transparency, responsiveness and accessibility and is committed to conducting its business in public forums that provide opportunities for community input. Council members and staff may participate in community meetings and events to build stronger relationships and to further the Council's goals and objectives.

Council staff, under the direction of the Council, may implement communication strategies and plans to create cohesive messaging and a targeted strategy for disseminating information. These include biannual communications strategies for Council communications as well as smaller-scale communication plans for some of the more significant issues and initiatives facing the Council.

At times, it may be necessary to choose a spokesperson for the Council to address a specific issue. This may be the Council Chair, Vice Chair or a member of the Council or staff. This person should be well versed in the facts of the issue.

Council members may field questions and concerns from residents. Council members have several resources available to help them formulate an appropriate response, including working through the issue with Council staff. Council members are also always welcome to communicate directly with the Mayor regarding city business. Generally, Council members initiate communication with Administrative staff through Council staff. However, in certain situations, it may be appropriate for Council members to contact the Chief Administrative Officer directly. Nonetheless, Council members are not permitted to provide any direction or instruction to Administrative staff.

Council members are encouraged to support Council communication efforts and implement individual measures to foster communication. However, unless appointed as a spokesperson, Council members shall not speak on behalf of the Council as a whole.

## Interactions with the Media

Council members and staff are encouraged to cultivate relationships with members of the media. The press is often a key consideration in Council communication plans and efforts. Reporters receive information distributed through the Council's information email list, including press releases. The Council also has a page on its website containing information for the media: [ogdencity.com/731/Council-Media-Room](http://ogdencity.com/731/Council-Media-Room). In certain situations, the Council may contact an individual reporter to provide information about a Council issue or initiative. Council staff may also help coordinate Council member interviews.

Council members may wish to share an opinion on an issue for which the Council has yet to take a position or for which the Council has no position.

In these circumstances, individual Council members should clearly indicate they are not speaking for the Council as a whole, but as individuals. Information provided to the media should be accurate. If Council members cannot or should not answer a question, they may seek assistance from Council staff or refer the reporter to a more appropriate contact.

## Website

The Council communications team is responsible for managing and maintaining the Council's website at [council.ogdencity.com](http://council.ogdencity.com). The website is a resource for the Council to communicate with the public. Information about the Council, meetings, ordinances, resolutions, minutes, Council issues, Ogden's form of government and contact information is available on the website. Council meeting agendas and draft minutes are generally posted on the Council's website on the Thursday prior to a Tuesday meeting.

Each Council member has the opportunity to post a biographical page on the Council's website. Council members may submit their biographical information and areas of focus to Council staff for review. Council members may also contact Council staff to make suggestions for changes to the website.

The Council website cannot be used in support of or opposition to a ballot measure or campaign for election of an individual to public office.

## Social Media

The Council utilizes social media to enhance communication with citizens. The Council communications team is responsible for managing and maintaining social media accounts for the Council as a whole on platforms, including Facebook, Twitter, Google+, Instagram, LinkedIn, YouTube and Nextdoor. The Council has chosen to adhere to [Ogden Administrative Policy 1470](#) for the management of Council social media accounts.

Council members may choose to create and manage their own social media accounts to communicate with the public. These accounts may be subject to public records laws. Council members are encouraged to contact Council staff with any questions regarding social media retention.

## Recognitions

An individual or group may be formally recognized through a ceremonial resolution, proclamation or recognition award. The Mayor is generally invited to participate in these recognitions. Any Council member or the Mayor may request that a recognition occur.

If Council Leadership determines a honorary resolution, proclamation, or citizen recognition award is not appropriate, a letter of recognition or acknowledgement may be drafted by staff and sent to the individual or group that was proposed to be recognized. If a Council member has a concern with a resolution or proclamation, he or she may call Council staff before the meeting to discuss concerns and request desired changes.

Council Staff prepares the recognition, at the direction of Council Leadership, places it on the Council agenda or schedules the item for presentation otherwise and calls the individual or group contact to coordinate their attendance at a Council meeting or other designated event. Staff acquires the necessary signatures on the original resolution or proclamation, frames the document, as appropriate, and has it available to be presented. Council Leadership determines who will read and present the recognition at the Council meeting or event.

**Figure 10**

<b>a. Recognitions</b>	
1.	<b>Resolution</b> – Recognizes the collective efforts of an individual, group or organization.
2.	<b>Proclamation</b> – Designates the focus of a specific day, week or month in Ogden City.
3.	<b>Recognition Award</b> – Notes the contributions of an individual, group or organization, for either a long-standing contribution or a specific act within 12 months of the recognition. These are not formally adopted by the Council but may be presented during a City Council meeting or at an event related to the recognition.
<b>b. Criteria for Ceremonial Recognitions (one or more must be met)</b>	
1.	Significant contribution to residents and/or the local community
2.	Receipt of state or national recognition
3.	Exemplify a strong sense of volunteerism, civic pride and/or commitment to bettering the community
4.	Celebrate a notable anniversary or historic event
5.	If a previous award has been received, this will be taken into consideration
<b>c. Information Required for Recognition Requests</b>	
1.	The name of the individual or group that he or she would like recognized
2.	The purpose of the recognition
3.	The name and contact information of a person for staff to connect with and make arrangements.
4.	Any requests received from the public will be distributed to the City Council and Mayor. This distribution will include an inquiry asking if there is an associated request to pursue the recognition that has been proposed.

## Fulfilling Duties during an Election

Council members may continue to represent the Council in an official capacity to fulfill their regular communication duties during an election. This includes serving as a spokesperson for the Council at public events, in the media and in government owned or produced television,

videos, websites, social media, documents and letters. When serving as a spokesperson for the Council during an election, Council members must maintain a clear distinction between their role as a Council member and a candidate.

### **Government Records Access and Management Act (GRAMA)**

It is the policy of the City Council to comply with official requests for records filed under the Utah Government Records Access and Management Act (GRAMA). The Council has chosen to adhere to Administrative Policies 1800 through 1870 pertaining to GRAMA requests. Council staff and the City Recorder's office may provide additional guidance on GRAMA requests.

## **XIII. Emergency Preparedness**

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Ogden City utilizes the Incident Command System (ICS) as set forth by the Federal Emergency Management Agency (FEMA) under the National Incident Management System (NIMS) guidelines. In order to gain a clear understanding of ICS and the Council's role during an emergency, Council members complete the FEMA courses titled "Introduction to Incident Command System" and "National Incident Management System (NIMS) An Introduction."

The duties and powers of the City Council remain consistent during an emergency, and are described in detail in the city's Emergency Operations Plan (EOP). During the period of an emergency declaration, public notice requirements of the Open and Public Meetings Act are suspended for actions of the Council. The Council may convene in regular or special meetings as deemed appropriate. The Council is responsible to approve interlocal agreements that are deemed essential to the Emergency Operations Plan, per [Utah Code § 11-13-202](#), and annually review the EOP and any incorporated changes, which are submitted to the Council by Oct. 31 of each year.

Each Council member must establish a clear line of succession for unavailability, temporarily or permanently, in order to ensure continuity and a prompt response to an emergency situation, natural phenomenon or disaster. Emergency interim successors exercise the powers and duties of the office. The period of succession can last for up to thirty (30) day until the Council member is again available to serve or until the process to fill a vacancy is completed.

Each Council member is required to provide a list of at least three (3) emergency interim successors, in the order of succession, per [Ogden Code § 12-15-10](#). The list of successors is provided to the Emergency Management Coordinator within thirty (30) days after being sworn into office and by February 1<sup>st</sup> of each year if there are changes. Emergency interim successors should be familiar with the duties and requirements of a Council member. All successors must take an oath of office at their succession, which is administered by the City Recorder's office or others authorized by state law.

## **XIV. City Council Meetings – General Information**

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All meetings are conducted and noticed in conformance with the Utah Open and Public Meetings Act, per [Utah Code § 52-4](#). All regular meetings are held on the third floor of the



Ogden City Municipal Building, 2549 Washington Boulevard, unless otherwise designated and noticed.

## **Agenda Preparation and Distribution**

The City Council Executive Director coordinates with Council Leadership to review and plan for upcoming agenda items. Future agendas reflect these discussions unless other feedback is received from leadership. In the event that a time-sensitive situation arises and Council Leadership is unavailable to approve amendments, the Council Executive Director may amend an agenda and will contact each Council member as soon as possible to explain the amendment. If Council Leadership disagrees with the amendment, it may take further appropriate actions to amend the agenda, including removing the item from the agenda during the meeting.

Weekly meetings are held with Council and Administrative staff to receive and review agenda items and work session materials being proposed by the Administration for Council discussion or consideration. Some items that come before the Council are informational to keep the Council informed on topics and issues that do not require specific action. Items routine in nature and that do not require Council discussion may be included on a work session agenda as purely informational.

Council members may propose topics for Council discussion and/or consideration. Council Leadership reviews each request, determines whether proposed items are scheduled on meeting agendas and provides notification to the requesting Council member. Generally, once an item has been voted down, the same item cannot be proposed again for consideration within a twelve (12) month period without consent of at least five (5) Council members. Following the twelve (12) months, the item may be considered as a new item.

Agenda items proposed by the Administration are presented in an Administrative Transmittal and provided to the Council Executive Director. Administrative Transmittals that are complete and accurate may be scheduled for Council discussion and/or consideration. Transmittals in draft form may be submitted only for informational purposes. As a general rule, materials presented at an agenda meeting will be discussed at a future work session prior to being placed on an agenda for consideration. Items that are unforeseen or constitute an emergency will be given special consideration at the discretion of Council Leadership and the Council Executive Director.

The transmittal format is provided by Council staff. Transmittals generally include: a requesting department/division and contact, an executive summary and outline of the request, requested timeline, committee recommendations and background information. Supporting documents are submitted with each transmittal and may include: resolutions, ordinances, contracts, other legal documents, consultant reports, maps, diagrams, photos, etc.

Residents may bring a proposal or petition forward for Council consideration. These requests are received by the Council Executive Director and reviewed by Council Leadership.

## **Council Staff Review and Agenda Packets**

A Council Staff Review is completed for each agenda and work session item, unless an exception is authorized by the Council Executive Director. A Council Staff Review is distributed with Council meeting notices and agendas, along with the Administrative Transmittal and/or other work session materials as appropriate. Council staff reviews submitted proposals to ensure all supporting documents are provided, all information is materially accurate and to identify issues and questions.

The Recorder's office assigns a recorder for each meeting who is responsible for electronically preparing, posting and distributing the agenda. A recorder also attends all public meetings and prepares, posts and distributes meeting minutes as required, per [Utah Code § 10-6-137](#).

Electronic agenda packets for Council meetings and work sessions are posted on the city website and distributed via e-mail on Thursday afternoons, the week before a meeting is held, or at least two days before a meeting is held in accordance with the Utah Open and Public Meetings Act, per [Utah Code § 52-4-2](#).

## **Council Attendance and Participation**

Council members attend and participate in work session meetings and are voting members during City Council, Redevelopment Agency (RDA) and Municipal Building Authority (MBA) meetings. Council members receive notification of meeting dates, times and topics at least 24 hours in advance, with the exception of emergencies, and this is typically provided by staff the Thursday before a meeting. Council members who are unable to attend a meeting, who will arrive late, who need to be excused for more than five minutes of the meeting or who desire to participate electronically are to notify the Chair, Vice Chair and/or Council Executive Director as soon as possible.

Agendas and staff reports are prepared for all Council members to receive the same information relative to items scheduled for discussion and/or consideration. Council members are encouraged to review and study all provided information, prepare and ask questions, receive public comment, explain Council actions to the public and/or the Administration, share individual Council member opinions or positions.

During meetings, Council members are referred to individually as Council Chair, Vice Chair, or Council Member and the Mayor by his/her title of Mayor.

## **Regular Meetings**

Meetings are held on Tuesdays at 6:00 p.m. in the Council Chambers, unless otherwise designated. Regular meetings of the City Council are held on the first, third and fourth Tuesdays of each month, regular meetings of the RDA Board are held on the second Tuesday of each month and meetings of the MBA Board are held periodically as needed. Typically, no meetings are held on fifth Tuesdays, unless there is a pressing item and Council Leadership and/or Council members have agreed to hold an additional meeting.

The Council generally prepares its regular meetings agendas in the following order, however, this order may be modified as needed per Council Leadership or the Council Executive Director:

1. **Roll Call** – The names of those present and absent are identified.
2. **Opening Ceremony**
  - a. **Pledge of Allegiance** – The Vice Chair may lead meeting attendees in the Pledge of Allegiance or invite another Council member or someone from the audience to do so.
  - b. **Moment of Silence** – The Chair requests a moment of silence and resumes the meeting once this has occurred.
3. **Recognition** – A Council member is invited by Council Leadership to read and present a recognition item. As needed, the Council considers approval of this recognition. The Chair asks the recognized individual(s) to come forward to receive the recognition, shake hands with Council members and the Mayor, have photos taken and to provide comment if desired.
4. **Request to be on the Agenda** – An individual or group may request time or be invited to present information during a City Council meeting. Individuals are given up to ten (10) minutes to present, unless otherwise specified by Council Leadership.
5. **Approval of Minutes** – The Council considers approving minutes from prior meetings.
6. **Common Consent** – Items listed under Common Consent require no further discussion or are routine in nature. Every item under Common Consent is adopted by a single motion. Prior to the motion, any Council member may make a motion to have any item removed to permit discussion on that item. A removed item is considered as the next item on the agenda, unless a motion is made and approved to schedule a work session or future consideration.
7. **Public Hearings** – These consist of items that require legal advertisement under State Law and/or any other items that the council deems necessary, i.e. the Capital Improvement Plan (CIP). A brief presentation is provided to describe what is under consideration, and if the proposal has been submitted by an applicant or petitioner, he or she is then invited to make a presentation. The Council Chair will open the public hearing, with individual comments limited to three (3) minutes. After all input has been received, the Chair shall call for a motion to close the public hearing. This will then be followed by Council member comments and consideration of an action.
8. **Reports from the Planning Commission** – Planning or Administrative staff review recommendations from the Planning Commission. Items that have previously had a Public Hearing, during a Planning Commission meeting or otherwise, there will be opportunity for public input, with comments limited to three (3) minutes.
9. **Reports from the Administration** – The Mayor or his/her representative present information regarding items on the agenda. Public input may be offered at the discretion of Council Leadership, with comments limited to three (3) minutes.
10. **Old Business** – This consists of items which have been considered previously by the Council and are presented for further discussion or action. Public input may be offered at the discretion of Council Leadership, with comments limited to three (3) minutes.
11. **New Business** – This consists of the introduction of new items or issues for Council discussion. Public input may be offered at the discretion of Council Leadership, with comments limited to three (3) minutes.
12. **Public Comments** – Any individual may address the Council for up to three (3) minutes with any concerns or ideas relative to the city.

13. **Mayor and Council Member Comments** – Any Council member and the Mayor or his/her representative may address the Council on matters of city business.
14. **Closed Executive Session** – Consideration to adjourn into a Closed Executive Session pursuant to the provisions of § 52-4-205(1) of the Utah Open and Public Meetings Act. The Council Chair will ask the City Attorney whether the purpose of the Closed Executive Session is permissible by state law. After confirmation of this, the Chair entertains a motion and second to adjourn to closed session. Council approval is taken by a roll call vote.
15. **Adjournment** – Adjournment requires a motion, second and voice vote of the Council.

This order is intended to serve as a general template and is subject to change based on the content of each meeting. During a meeting, the Council may also, by motion and majority vote, determine to proceed with agenda items in an order contrary to what is listed on the agenda.

## Work Sessions

On Tuesdays at 4:00 p.m., or as otherwise noticed, the City Council holds its work sessions to review informational items or items that may be discussed and/or considered during City Council meetings. If discussion on one or more work session items has not concluded prior to the start time of another meeting, the work session may recess and reconvene after the subsequent meeting. If the meeting will be reconvened after the regular or special meeting, the Chair is to note this for the record prior to the recess.

Work sessions are held for the benefit of Council members to discuss issues, options and proposals, and to provide an opportunity for the Council, Council staff and Administration to ask clarifying questions to ensure a comprehensive understanding of the issue. Council members may occasionally have a question or item that would be helpful to receive clarifying information from a petitioner. If a petitioner is present and willing to provide comment, a Council member may request that the Council Chair provide an opportunity for the petitioner to address the desired clarification during a work session, with comments limited to the scope of the initial clarification. Petitioners and others may provide general comments on a proposal during regular Council meetings. If the scope of the question or clarification appears broader than the scope of the petition, Council members may consider scheduling a Fact Finding Work Session or further discussion during a regular Council meeting.

The City Council does not take formal action on items presented, and public participation is not generally allowed. All official decisions are made in regular or special Council meetings to ensure proper noticing has occurred.

The Council may periodically hold a Fact Finding Work Session where specific topics are addressed and outside groups are invited to present. Public input may be allowed during a Fact Finding Work Session, comments will be limited to three (3) minutes per person.

Scheduled work session presenters must submit information to the Council Executive Director by Tuesday of the week prior to the work session. Information presented in a work session is considered advisory to the Council. Direction, guidance or instruction may be given at work sessions if necessary to move the issue toward conclusion or if deemed appropriate by the

Council. However, the Council does not take formal action on any official item or implied approvals in work sessions.

## Closed Executive Sessions

Closed Executive Sessions are conducted in accordance with [Utah Code § 52-4-205](#). The Council staff will not schedule a Closed Executive Session unless they have received enough detail to describe what will be discussed in the closed session and have enough time to prepare a Council Staff Review, and have received authorization from the City Attorney. Closed Sessions are held in Conference Room #310, and only those who relate to the topic of discussion are allowed to attend. Once in the Closed Session, the Council Chair will verify the purpose and justification of the discussion.

All information discussed in a Closed Executive Session must be held in strict confidence and shall not be shared with anyone not invited to participate in the meeting, including city employees, family, friends and the media.

**Figure 11**

Allowable Closed Session Discussions per Utah Code § 52-4-205
1. Discussion of character, professional competence, or physical or mental health of an individual;
2. Strategy session to discuss collective bargaining;
3. Strategy session to discuss pending or reasonably imminent litigation;
4. Strategy session to discuss the purchase, exchange or lease of real property;
5. Strategy session to discuss the sale of real property;
6. Discussion regarding deployment of security personnel, devices or systems; and
7. Investigative proceedings regarding allegations of criminal misconduct.

## Special Meetings

A special meeting may be called at any time by the Chair or by a written call of a special meeting by any four Council members submitted to the Executive Director and filed with the City Recorder, which states the time and purpose of the meeting. A special meeting of the Council may also be called at any time upon the written request of the Mayor. Public notice is provided of the time and purpose of each special meeting.

## Emergency Meetings

Emergency meetings may be held to consider matters of an emergency or urgent nature, based on unforeseen circumstances per [Utah Code § 52-4-202](#). Emergency meetings may be called by either the Council Chair or by the Mayor, and an attempt must be made to notify all Council members and a majority of Council members must approve the meeting.

## Council Member Training

Council staff will provide Council member training on various topics. These trainings will generally occur once a month during work sessions or as time permits. The purpose of these training sessions is as follows:

1. To provide information on specific topics that may assist Council members in making decisions on the issues that come before them;
2. To share ideas, concerns, and experiences Council members experience in fulfilling their roles as elected officials;
3. To discuss different philosophies and approaches to governing that may help Council members become more effective;
4. To build understanding, respect and trust among Council members; and
5. To help Council staff know how they can best assist Council members in fulfilling their responsibilities.

## Meeting Minutes

Draft minutes from Council Meetings, Work Sessions, and Closed Executive Sessions are reviewed by Council members and considered for approval during City Council, RDA and MBA meetings.

The Recorder's Office is responsible for creating, posting, storing and releasing all minutes. Draft and adopted minutes from public meetings are released in accordance with the Open and Public Meetings Act and Government Records Access and Management Act, per [Utah Code § 52-4](#) and [§ 63G-2](#).

Council staff and Legal staff initially review of all draft minutes, then Council members review and consider formal adoption of the minutes. When a Council member has proposed changes to draft minutes, the proposed changes are provided to the Council Executive Director who coordinates with the Recorder's Office to make changes as needed.

Council Staff compiles and posts "Meeting Results" on the Council's website no later than the day following a regular or special Council meeting. The results include a description of all action items, the actual results (adopted, not adopted, tabled, etc.) and the number of supporting and/or opposing votes. All meeting results are indicated in colored font for clear identification.

Recordings of regular or special Council meetings are available to the public via the City Council's website or the Recorder's Office the day following a meeting.



## XV. City Council Meetings – Rules of Order and Procedure

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The Rules of Order and Procedure outline expectations for the Council Chair, Vice Chair or other designee to conduct City Council, Redevelopment Agency (RDA) and Municipal Building Authority (MBA) meetings, per [Utah Code § 10-3-606](#).

### **Establishing a Quorum**

A meeting may be called to order once a quorum is established. A majority of all Council members constitutes a quorum. No action can be taken by the Council unless there is a quorum present.

### **Meeting Discussions**

The Chair maintains order and moderates meeting discussions to ensure that those wishing to participate have the opportunity to voice their opinions. The Chair recognizes any Council member requesting to speak, make a motion or for any reason address the Council, unless a motion taking precedence is offered. Each Council member may speak at least once on any subject, and any Council member may request to have a prepared statement on any subject entered in the official minutes.

The Chair may order a recess at any time during a Council meeting, without necessity of a motion or vote of the Council. If private discourse among or between Council members or any other disturbance disrupts the Council's business, the Chair may call the meeting to order and ensure that the Rules of Procedure are upheld. All Council business shall cease until the Chair resumes the Council's business. Any Council member may also make a motion that the Council be called to order.

### **Proposals for Consideration**

Proposals initiated by or presented to the Council and requiring action may be in the form of ordinances, resolutions or proclamations. Council Leadership determines the date and time for consideration of each proposal, and each item for consideration must be in writing before a vote is taken. All applicable noticing requirements will also be met in accordance with city ordinances and state statute.

Any amendments to a proposal shall be made to the ordinance prior to its final consideration and adoption, and any such amendment will be noted in the Council minutes.

### **Public Hearings, Input and Participation**

Public participation enables the public to provide input on various items of discussion, while also informing the Council in its deliberations and decisions. The rules of order are meant to create an atmosphere where the members of the City Council and the public can attend to business efficiently, fairly and with full participation.

Comments from the public that are received prior to a meeting will be made available for Council member review prior to the meeting. Documents and written information received at the meeting will be distributed to Council members by Council staff. Members of the audience and those who are addressing the Council should not approach the dais.

### *Public Hearings*

Public hearings are legally required and noticed opportunities for public input, and comments of up to three (3) minutes are allowed. Public hearings are often relative to land use items and may be held during a Planning Commission meeting. In instances that a public hearing has already been held, public input is offered as a follow up opportunity to provide input during a City Council meeting.

**Figure 12**

General Structure for Public Hearings During a Meeting	
1.	Introduction of the issue is given by the Chair;
2.	Administrative or Council staff provides an overview;
3.	Applicant/petitioner presentation of up to ten (10) minutes, if applicable;
4.	The public is invited to comment, with comments for a public hearing of up to three (3) minutes per person;
5.	The Council closes or continues the public hearing;
6.	Council members discuss the issue amongst themselves; and
7.	Action by the Council: approve, not approve, approve with changes, or table/continue

### *Public Input*

Public input is offered for items that don't require a Public Hearing. Input may be offered for any items that Council Leadership deems appropriate and that is helpful to the Council in its decision-making process. Public input is offered relative to specific items on the agenda. Each applicant/petitioner receives up to ten (10) minutes to comment, at the Chair's discretion, and others have up to three (3) minutes each to provide comment.

### *Public Comment*

The public comment portion of the City Council meeting is set aside for members of the public to address the City Council on any issue. Each person has up to three (3) minutes to provide comment.

Individuals participating in the public comment portion of a meeting may not use PowerPoint presentations, but printed overhead materials are appropriate. This is to improve the effectiveness of presentations and to avoid disruptions. Those wishing to provide a PowerPoint presentation may instead make a request to be on the agenda.

This aligns with Administrative Policy, which requires virus scanning prior to uploading electronic files from an outside source.

### *Request to be on the Agenda*

Anyone from the public may request or be invited to make a presentation during a City Council meeting. Individuals will be given ten (10) minutes to make a presentation, unless otherwise specified by Council Leadership.

Requests to be on an agenda must be submitted in writing through the Council's website, email, fax or mail. Requests are addressed to the Council Executive Director and should include a summary of the request and the name, address, telephone number and email address of the individual wishing to make a presentation.

Council Leadership will determine if a request is approved to be placed on an agenda, and Council staff will provide notification of whether or not a request has been approved. If approved, the presentation will be scheduled for a specific date, no earlier than seven days after the submitted request to be on the agenda. Topics not approved for presentations may be addressed during the public comments portion of a City Council meeting. There are also a few topics that will not be considered for presentation during a Council meeting.

**Figure 13**

Topics Not Considered for Placement on Meeting Agendas	
1.	Political candidates seeking a forum or political platform.
2.	Organizations/individuals supporting or opposing political campaigns or ballot measures.
3.	Religious organizations or representatives seeking a forum for religious proselyting.
4.	Individuals/organizations wishing to criticize Administrative staff. Such concerns should be discussed with the Mayor or Chief Administrative Officer.
5.	Individuals/organizations whose sole purpose is to entertain.
6.	Individuals/organizations who have previously presented an issue to the Council and no new ideas are being proposed.
7.	Presentations related to potential or pending litigation with the city.

#### *Public Requests for City Information*

If a member of the public wishes to receive copies of official City records, these are handled through the Recorder's Office. Any supplemental materials distributed during a public meeting will be available on the City's website within 24 hours.

### **Presentations**

The City Council is committed to reading and absorbing all of the information provided to them in preparation for meetings. This information plays a significant role in the decision making process. The volume, complexity and sensitivity of this information require that presentations be concise, accurate, professional and understandable.

Materials being presented during Council meetings or work sessions, including overheads, PowerPoint presentations, maps, etc., are to comply with the Presentation Guidelines outlined in the [Council Office Policy Manual](#).

### **Comments and Questions from Council Members**

Council members may at any time request of the Chair an opportunity to provide a comment, clarify a question or to receive additional input from Council staff, Administration or petitioners. Generally the public comment portion of the meeting is designed for constituents to speak and the City Council to listen. However, there may be times when a Council member requests of the Chair to ask a question or make a brief remark relative to public comment.

If a Council member comment or question is relative to public comment, one additional minute may be provided for the public commenter to offer a response or to clarify a prior statement.

## **Amending a Meeting Agenda**

A Council member may make a motion to modify the order of items for discussion and/or consideration outlined in a meeting agenda. This can occur at the first of the meeting or immediately prior to discussion of the item desired to be moved. If seconded, the Council has a voice vote to determine whether the order of the agenda is then modified.

A Council member who wishes to have an item removed from the agenda can also make a motion that a specific item be removed from the agenda. If seconded, the Council has a voice vote to determine whether the item is then removed from the agenda.

## **Motions**

Following the presentation and discussion of an item, the Chair invites Council members to make a motion. A Council member may move that an action be considered by the Council. The Chair recognizes the motion and asks for a second. If the motion is seconded by another Council member, the Chair invites discussion regarding the proposed motion. If the motion is not seconded then it fails and other motions may be made and considered. Once a motion is made and seconded, the Chair then calls for a vote.

A motion may be withdrawn or modified by the sponsoring Council member, with the consent of the seconding Council member. When a motion is under consideration, the Chair will only entertain the following procedural motions to adjourn, recess, table, extend or amend a proposal. Passage of a procedural motion requires the affirmative vote of a majority of the members present.

Motions take precedence in the order moved. Any substitute motion or amendment must relate to the same subject as the original ordinance, item or resolution under consideration. If a motion has already been made and seconded, then a substitute motion is considered after consideration of the original motion. An affirmative vote on a motion negates any further consideration of additional motions. Motions outlining changes to a proposed ordinance shall specify the precise wording of the change. If the requested changes are complex, a vote on the matter may be tabled to a date certain to allow Staff to craft appropriate language for consideration and adoption by the Council at that future date. [Utah Code § 10-3-704](#) requires all ordinances have a preamble which gives the reasons for the ordinance and outlines legislative intent or findings.

## **Tabling**

If a Council member wishes to table an item in order to receive additional information, a motion may be made to table the item to a date certain. The maker of the motion to table an item shall specify the information requested and how this additional information will help the Council make a more informed decision. The motion must be seconded and a majority vote is required for the tabling to be approved.

## **Extending**

If an item cannot be tabled to a date certain due the complexity of the issue, the unknown amount of staff time required to complete the work, or other factors that make it difficult to identify a date certain, the item may be extended. The maker of the motion to extend an item should specify the information requested and/or the issues to be addressed, and how this additional information will help the Council make a more informed decision.

The vote to extend must be a majority vote to be approved. If approved, Council staff will present at the next regularly scheduled meeting a proposed process for resolution of the issue, an estimated timeline and a communication plan to inform all interested parties.

## **Conflicts of Interest and Disclosure**

Council members and all others who serve the city in any capacity must perform their duties in accordance with Utah's ethics laws, per [Utah Code § 67-16](#). A Council member who becomes aware of a conflict of interest or who is concerned about voting on a motion shall notify the Council Chair as soon as possible.

Council members who have a conflict relative to any matter or ordinance coming before the City Council shall declare this immediately upon introduction of the item by the Chair. Disclosure of this is made a part of the meeting record. Any Council member who has an immediate or direct interest, financial or otherwise, in any item pending before the Council must disclose this fact to the Council. This disclosure is to occur when initial discussion begins on an item or as soon as the conflict is realized, and then the Council member is encouraged to recuse himself/herself and leave the room until after discussion occurs and/or a vote is taken.

Every Council member who is present when a proposal is being considered is called upon to vote, but no Council member is obliged to vote upon any motion unless present when his/her name is called. If a Council member feels uncomfortable voting on a motion, the Council member may indicate "abstain" when voting occurs as that particular item is considered.

## **Voting**

Voting occurs after a successful motion and second, and following any discussion that takes place on the proposed item. Voting is done in the form of "yes" or "aye," "no" or "nay," and "abstain." The names of those voting for, against or who have abstained are included in the Council minutes. A roll call vote is required for all ordinances and to enter a Closed Executive Session. This may also occur to adopt resolutions or for other votes as appropriate. "Roll call" means that each Council member verbally gives his/her vote when called upon by the Recorder. The Chair has the discretion to call for a "roll call" vote on any agenda item being considered.

If a "roll call" vote is not required or desired, a "voice vote" occurs and the Council is invited to vote simultaneously. If any nay voice votes occur, the Chair must verbally identify the names

of those Council members voting nay. Voice votes may be used to adopt minutes, meeting adjournment, tabling and setting public hearings.

The minimum number of votes required to pass any ordinance or resolution, or to take any action by the Council, unless otherwise prescribed by law, is a majority of all voting members of the Council (i.e., 4 votes). An expression of "abstain" during voting shall not be considered as an affirmative or a negative vote. Notwithstanding, a Council meeting may be adjourned by a majority vote of those present.

## **Tie Votes**

In the case of a tie vote, the motion shall fail. Any Council member may change his or her vote prior to the closing of the vote by the Chair. A Council member desiring to explain his/her vote may make their comments prior to calling for a "roll call" or "voice vote" or after the vote is finalized.

No Council member is allowed to vote on any motion unless he or she is present when the vote is taken and when the result is announced, either physically or via electronic means pursuant to [Utah Code § 52-4-207](#).

## **Reconsideration**

Any Council member who has voted with the majority of members voting on a question may move to reconsider the question at the same meeting, or at either of the next two available Council meetings. If a question has failed by a tie vote, members who voted for or against the question may move to reconsider. Members who did not, for whatever reason, vote on the question may not request reconsideration. To pass, a motion to reconsider requires a majority of all voting members of the council (i.e., 4 votes).

## **Veto**

The Mayor can veto a tax levy, budget appropriations or ordinance that has been approved by the Council. In the event the Mayor vetoes a Council approved action, a written explanation is provided to the Council in writing within 15 days. This item is scheduled for reconsideration by the Council at its next regularly scheduled meeting. After considering the Mayor's objections, if the Council feels justified in its original action it can override the Mayor's veto with a supermajority vote (at least 5 votes). If the Mayor does not return an item with an explanation within 15 days, the Council's original action takes effect without the Mayor's signature. A veto override typically includes a motion indicating that the item has been vetoed by the Mayor and that the item again be approved and adopted by the City Council.

## **Decorum and Civility**

The Council's meetings are a place for people to feel comfortable participating in city government. The Council desires to maintain an environment where everyone feels safe in expressing their opinions, views and concerns. Clapping, shouting and booing during meetings



are not permitted; except, when invited by the Council Chair, clapping is permitted in support of a special recognition, citation or honor of an individual or organization by Ogden City.

Comments may be made without interruption, subject to uniform time constraints and civility standards. These standards are not intended to regulate the content of any message, but rather to deter behavior that may be disruptive or impede the orderly conduct of meetings.

Only one person is permitted to speak at a time and each speaker must be recognized by the Council Chair before proceeding to speak. Comments made by a presenter should be directed to the Council. Anyone engaging in discussions beyond the topic before the Council is to be directed to stop by the Chair.

The City Council values all opinions and points of view as long as they are presented in a civil manner. The Council will not tolerate: personal attacks, rudeness, disrespectful comments, insults, name-calling or belittling comments.

Any person making personal, impertinent or slanderous remarks while addressing the Council, or who otherwise continues to violate the decorum, order or procedure of any meeting after a reasonable warning or admonishment, may be considered disorderly and be expelled pursuant to [Utah Code § 10-3-608](#).

The City Council Chair will determine the action(s) to be taken in a Council meeting with regard to disruptive individuals or groups.

### **Privilege to Address the Council**

Any Council member may request time on a meeting agenda to address the Council on behalf of the public on any matter the Council member deems appropriate. The Mayor or his/her representative may also request time to address the Council. Council Leadership recognizes requests that are received and determines the length of time allotted to address the Council. No one may address the Council without first receiving the recognition of the Chair.

### **Personal Privilege and Protest**

Any Council member may, as a matter of personal privilege, speak for up to ten (10) minutes on matters that may collectively affect the Council, its rights, its dignity and the integrity of its proceedings, or the rights, reputation and conduct of its individual members in their official capacities only.

Any Council member has the right to protest any action of the Council, stating the reasons therefore, and have the same entered in the minutes, provided such reasons do not dispute the motives or character of any Council member.

## XVI. Amendments to Rules and Norms

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### Amendments to Rules and Norms

Any Council member or Council staff may propose amendments, revisions or additions to these Rules and Norms.

- a) Each proposed amendment, revision or addition is to be in written form, and copies shall be provided to each Council member.
- b) Amendments, revisions or additions shall be considered by Council resolution and shall be noticed on a Council agenda in conformance with the Utah Open and Public Meetings Act.
- c) A supermajority vote (5 of 7) of all Council members is required for passage and adoption of an amendment revision, or addition to these Rules and Norms.
- d) The Council's Rules and Norms are posted on the Council's website and made available to the public, per [Utah Code § 10-3-606](#).

## XVII. City Council Rules and Norms – Adoption

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Revisions approved by vote of the City Council on:

### Combined Rules and Norms

01/08/19 | Resolution 2019-      
10/16/18 | Resolution 2018-18

### Rules

01/17/17 | Resolution 2017-2  
03/08/16 | Resolution 2016-8  
03/24/15 | Resolution 2015-4  
01/06/14 | Resolution 2014-1  
12/21/10 | Resolution 2010-25  
12/15/09 | Resolution 2009-32  
09/23/08 | Resolution 2008-21  
1/9/1992 | Resolution 6-92

### Norms

01/17/17 | Resolution 2017-2  
06/14/16 | Resolution 2016-19  
03/08/16 | Resolution 2016-8  
11/25/14 | Resolution 2014-19  
01/06/14 | Resolution 2014-1  
09/25/12 | Resolution 2012-17  
06/19/12 | Resolution 2012-17  
12/20/11 | Resolution 2011-26  
12/21/10 | Resolution 2010-25  
12/15/09 | Resolution 2009-32  
09/23/08 | Resolution 2008-22  
11/2003 | Resolution 2003-48