

ORDINANCE NO. 405

AN ORDINANCE AMENDING THE RULES OF PROCEDURE FOR COUNCIL MEETINGS AND REPEALING PRIOR ORDINANCE NO. 373

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

Section 1. Regular Meetings. The Council shall meet in regular session on the second Monday of each month, in the Meeting Room of the Drain Civic Center at a time set by Council. A meeting may be cancelled with the concurrence of a majority of the Council, but in no event shall there be less than one meeting per month.

Section 2. Regular Meetings Falling on Holidays. If the regular meeting date of the Council falls on a legal holiday, as defined by ORS Chapter 187, the Council meets on the following day in the Meeting Room of the Drain Civic Center and the meeting shall be a regular meeting.

Section 3. Special Meetings. Special meetings of the Council may be called at any time, on the request of three members of the council, by the Mayor or by the president of the Council in the Mayor's absence, by giving notice of the meeting to the Council members and the public in a manner and for a time as circumstances may permit, but with a view to obtaining the largest possible attendance of council members.

Section 4. Study/Work Sessions. Study/work sessions of the Council shall be held in accordance with state statutes whenever special circumstances require such a session, and the session shall be called by either the Mayor, City Administrator, or Council members.

Section 5. Open Meetings. All meetings, other than executive sessions, shall be open to the public.

Section 6. Executive Sessions. Executive sessions may be held during regular or special meetings, so long as the requirements of the public meetings law (ORS 192.610 to 192.690) are met. No final decision shall be made during executive session.

Section 7. Adjournment. Any meeting may be adjourned to a certain time, place, and date, but not beyond the next regular meeting.

Section 8. Quorum. A majority of the members of the Council constitutes a quorum for the transaction of Council business, except that a lesser number may meet and compel attendance of absent members. If a quorum is not present, the City Administrator shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required. If the absent member(s) do not appear after the notice, the members present shall adjourn to a certain time, place, and date.

Section 9. Order of Business. The order of business at each Council meeting shall be in accordance with the agenda prepared by the City Administrator.

Section 10. Items to Act on Generally. Normally, only those items on the agenda shall be acted on by the Council. Matters deemed to be emergencies or of an urgent nature by the Mayor, a Council member, the Administrator, or City Attorney may be submitted for Council consideration and action.

Section 11. New Business. The Mayor or a Council members may bring before the Council, any new business under the “Other Business From” portion of the agenda. These matters need not be specifically listed on the agenda, but formal action on the matters shall be deferred until a subsequent Council meeting, unless deemed urgent.

Section 12. Journal/Minutes. The Council shall keep a written journal or minutes of it’s proceedings in accordance with statutory requirements (ORS 192.650). The minutes must include, at a minimum:

- 1) all members of the Council present;
- 2) all motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- 3) the results of all votes and votes of all members by name;
- 4) the substance of any discussion and any matter and;
- 5) a reference to any document discussed at the meeting.

Section 13. Reading of Minutes. Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, the minutes may be approved without reading, if copies have been previously furnished to each of the Council members.

Section 14. Committees. The following standing committees shall be appointed by the City Council.

- 1) Planning Commission – shall consist of an odd number of members and with staggered terms, which are established by ordinance or by resolution.
- 2) Budget Committee – established by state statute. The committee is made up of the governing body and an equal number of appointed members.
- 3) Civic Center Committee – shall consist of an odd number of members and with staggered terms, which are established by ordinance or resolution.
- 4) Cemetery Committee – shall consist of an odd number of members and with staggered terms, which are established by ordinance or resolution.

Section 15. Public Members Addressing the Council.

- 1) Any public member desiring to address the Council, shall stand and wait to be recognized by the presiding officer. After recognition, the person’s name and address shall be stated for the record and the remarks shall be limited to the question under discussion. All remarks and questions shall be addressed to the presiding officer and not to any individual Council members, staff member or other person. No person shall enter into any discussion without being recognized by the presiding officer.

2) Any public members addressing the Council shall be limited to “five minutes” unless further time is granted by the presiding officer, or as the presiding officer directs otherwise. No public member shall be allowed to speak more than once upon any one subject, until every other public member choosing to speak thereon has spoken.

3) After a motion has been made, or after a public hearing has been closed, no public member shall address the Council without first securing permission from the majority of the Council.

Section 16. Voting. The Mayor shall preside at Council meetings and may vote on all questions before the council. Every Councilor shall vote when a question is taken, unless Council excuses the member for a special reason; but no members shall be permitted to vote on any subject in which a member has a direct pecuniary interest. Two members may demand the ayes and nays on any question. If not otherwise controlled by charter provision, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.

Section 17. Passage of Resolutions. Each resolution shall be read only once before being voted on, and that reading may be by title only unless any member of the Council requests the resolution be read in full. A resolution is effective immediately upon passage.

Section 18. Passage of Ordinances. Each ordinance shall be adopted as provided by City Charter.

Section 19. News Media The provisions of this ordinance shall not be construed to prevent news media representatives from performing their duties so long as the manner of performances are not unreasonably disruptive of the meeting.

Section 20. Public Notice. Except in a case of an actual emergency, public notice of all meetings must be given at least twenty four (24) hours in advance.

1) This notice shall be reasonably calculated to give actual notice to interested persons of the time and place for holding the meeting.

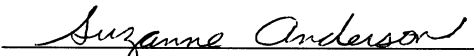
2) Notice shall be deemed to be sufficient if it is published in a newspaper of general circulation in the City or posted in a conspicuous place in City Hall, and notify by phone or fax directly to news media and members of the public who have requested notice of meetings.

3) In a case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances. The minutes of the meeting must describe the emergency, which justified calling the meeting.

Section 21. Robert's Rules of Order. Robert's Rules of Order Revised shall be used as the guideline for conduct of Council meetings, except in those cases where specific provisions contrary to Robert's Rules are provided in this ordinance or by City Charter.

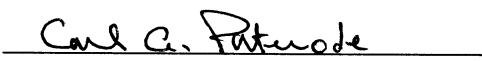
Section 22. Repeal. Ordinance No. 373, adopted January 12, 1998 and all ordinances, including Ordinances No. 285 & 269, or resolutions relating to the time, place, and procedures for calling regular meetings, special meetings, or work sessions, of the City Council in conflict herewith are hereby repealed.

**PASSED BY CITY COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY,
OREGON THIS 13TH DAY OF AUGUST, 2007.**



Suzanne Anderson, Mayor

ATTEST:



Carl A. Patenode, City Administrator