



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
STANDING COMMITTEE MEETING  
MONDAY, JULY 18, 2022  
5:35 PM AT COMMUNITY CENTER, 528 MAIN STREET**

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*Committee meetings will begin at the time noted above with succeeding Committee meetings starting immediately following the conclusion of the previous meeting. Time periods for individual topics represent an estimate and is based on the time of completion of the previous Committee topic.*

**Call to Order**

**Roll Call**

**Administration Committee**

1. City Council Meeting Procedures.  
(15 Minutes, Mayor Robert M. Green)

**Community Relations & Planning Committee**

1. CF Rotary Memorial Plaza - West 1st Street.  
(15 Minutes, Mike Butler & Gale Bonsall)
2. Private Shared Parking Requirements.  
(30 Minutes, Planning & Community Services Manager Karen Howard)

**Public Works Committee**

1. West 12th Street Speed Limit - Barnett Drive to Union Road.  
(15 Minutes, City Engineer David Wicke)



MAYOR ROBERT M. GREEN  
CITY OF CEDAR FALLS, IOWA  
220 CLAY STREET  
CEDAR FALLS, IOWA 50613  
319-273-8600  
FAX 319-268-5126

**MEMORANDUM**  
Office of the Mayor

**FROM:** Mayor Robert M. Green  
**TO:** City Council  
**DATE:** July 13, 2022  
**SUBJECT:** Two Additional Change Requests for Council Meeting Procedures

1. **Introduction.** The Administration Committee is currently considering changes to the Council Meeting Procedures. I have two additional changes that I request the Council include as part of the major update. The first is to update the standing committee names to match the departments, and the second is to include guidance for public written comments for public hearings and agenda items (in Part 10).

2. **Requested Changes.**

(1) **Rename the Standing Committees to Match Departmental Names:** My understanding is that the standing committee structures were intended to match the city’s departments. For the sake of clarity and convenience, I request that standing committee names be changed to match the Department names:

Original Title		New Title
Administration	→	Finance, Business Operations and Public Safety
Community Relations & Planning	→	Community Development
Public Works	→	Public Works (no change)

The recently agreed-to custom is for the Administration Committee to consider any referrals related to public safety. I recommend making this custom a rule by including Public Safety in the committee title, which will pre-empt any confusion or controversy regarding which committee will hear a public safety topic.

As an alternative, a new standalone Public Safety Committee could be specified, so that standing committees exactly match the departments. I am amenable to this change, but appreciate there may be extra political implications there. If the council goes that route, then I recommend the Administration Committee become the “*Finance and Business Operations Committee*”.

(2) **Add to Part 10 a rule for written communications by the public.** After sending in the original proposal, I realized that, though in public hearings we ask for any ‘written communications from the public’, we don’t describe how to do this. For this reason, I request to add the new Section 10.7 included as enclosure (1).

Encl (1) Proposed addition of 10.7 to the Council Meeting Procedures

Xc: City Administrator  
City Clerk

###

**Enclosure 1: Proposed addition of 10.7 to the Council Meeting Procedures to describe the process to submit written communications.**

Item 1.

**10.7 Written Communications.** On any matters before the city council, the public may choose to submit comments in writing (whether in letter or e-mail form). This communication should be directed to the City Clerk for inclusion in the council packet by e-mailing [cityclerk@cedarfalls.com](mailto:cityclerk@cedarfalls.com), by dropping the correspondence off at City Hall (attn: City Clerk) or by mailing it to City Clerk, Cedar Falls City Hall, 220 Clay Street, Cedar Falls IA 50613. Any public correspondence sent to the City Clerk regarding council agenda items will become a public record. Correspondence arriving before 5pm on the Monday before the council meeting will be included in the Council Packet for mayor, council and public consideration. Members of the public who file written communications may also make verbal comments at the meeting, per Rules 10.2 and 10.3 above.

**CFD 1121: City Council ~~Meeting Procedures~~~~Special Rules of Order~~***Approved XXXX, 2022 by the Cedar Falls City Council***Adopted & Amended:**

01/28/91; 04/2003; 10/2006; 12/2013, 09/15/2014; 10/06/2014; 03/07/2016; 03/06/2017;  
04/03/2017; 04/16/2018; 02/01/2021; 05/03/2021; 08/16/2021; 05/02/2022

**Purpose:**

The Cedar Falls City Council operates under the authority of state law (Iowa Code Chapter 372) and has established these special rules to ensure the orderly conduct of the council's business during its meetings. The mayor and committee chairs shall be responsible for enforcing these rules. All members are encouraged to familiarize themselves with the standing rules, to aid in their proper use, and to suggest improvements as may be needed from time to time.

**Procedure:****1. General Rules**

- 1.1. **Definitions.** In this text, "member" shall be defined as any member of the Cedar Falls City Council. "All members" shall be defined as the seven City Council seats, whether or not the seat is vacant. "A two-thirds majority" shall mean at least five of seven members.
- 1.2. **Scope of rules.** These rules shall govern the conduct of the mayor and members and shall be interpreted to ensure fair and open deliberations and decision-making as required by the Iowa Open Meetings Law (Iowa Code Chapter 21).
- 1.3. **Applicability of rules.** These rules shall apply to the council when meeting in regular council meetings, in committee, and during council work sessions. Presiding officers will endeavor to fairly apply these rules; nonetheless, nonconformance with any part of these rules shall not affect the legality of any action of the council.
- 1.4. **Reference to and applicability of Robert's Rules of Order.** The Cedar Falls City Council has adopted Robert's Rules of Order, Newly Revised (RONR), Twelfth Edition, as its underlying parliamentary procedure. In cases not provided for by the Cedar Falls Code of Ordinances, or not specifically provided for in these City Council Meeting Procedures, Robert's Rules of Order shall prevail.
- 1.5. **Consent required to suspend or amend the rules.** These rules may be temporarily suspended by consent of three-fourths of the members present, but shall not be repealed, altered or amended unless by concurrence of two-thirds of all the members.(see RONR 25:7; 25:14)
- 1.6. **Matters not covered.** Any matter of order or procedure not covered by these rules shall be referred to the presiding officer, who shall decide the matter with the assistance and advice of the city attorney in conformity with the purpose of these rules in a fair and

expeditious manner.

- 1.7. **Council prevalence in meeting decisions.** Any determination by a presiding officer may be reversed by a two-thirds majority of all members.
- 1.8. **Interpretation.** These rules supplement and shall be interpreted to conform to the statutes of the State of Iowa and the ordinances of the City of Cedar Falls.
- 1.9. **Duty to vote; conflict of interest.** Each member who is present when a question is stated by the presiding officer shall vote thereon unless directly interested in the question, in which case the member shall abstain from voting. When any member refuses to vote when not excused, the member's vote shall be recorded in the negative. (See RONR 45.4)
- 1.10. **Informational requests.** During the consideration of any matter, or in the course of a hearing, members may request and receive information, explanations or the opinions of the mayor, city administrator, city attorney, city clerk, ~~or any~~ department director, or their designee.

## 2. Time and Place of Meeting

- 2.1. **Regular Meetings.** Regular meetings of the Cedar Falls City Council shall be held the first and third Monday of each month at 7:00 P.M. in the City Hall Council Chambers, except when Monday falls on a legal holiday, then the meeting shall be held at the regular hour on the next succeeding day not a holiday; ~~provided,~~ however, council may, by resolution, reschedule any regular meeting to another date and time, or may cancel a meeting. All hearings shall be scheduled for 7:00 P.M. the day of a regular meeting. (Sec. 2-45(a))
- 2.2. **Special Meetings.** Special meetings may be called by the mayor or by any four or more members who separately file a special meeting request with the city clerk. Such request shall include the proposed agenda item(s) for the special meeting. As with regular meetings, the agenda for the special meeting shall specify the day, hour and subject of the meeting and shall be posted in City Hall and notice given to the media at least 24 hours in advance.
- 2.3. **Quorum.** A majority of all members shall constitute a quorum for transaction of business. (see Iowa Code 372.13.1)
- 2.4. **Remote Attendance.** Members may attend City Council meetings via remote means~~videoconference with at least 12 hours advance notice to the City Clerk,~~ as long as a quorum (4 members) is present in person. Members attending remotely shall provide advance notice to the City Clerk by noon on the business day prior to the meetings, unless unexpected circumstances arise. If members participate via video conference, it is preferred that Mmembers ~~shall~~ have their cameras on and remain visible throughout the meeting, ~~to verify member participation.~~ Unless otherwise

approved by the mayor, the presiding officer of council and committee meetings must be in physical attendance at the meeting.

### 3. Meeting Agenda

- 3.1. **Preparation of agenda.** Prior to each regular council meeting the city clerk shall prepare an agenda that contains all items the council anticipates acting upon at the meeting. The order of business shall be as follows:
- a. Roll Call
  - b. Pledge of Allegiance (led by presiding officer)
  - c. Approval of Minutes
  - d. Agenda Revisions
  - e. Special Presentations (if necessary)
  - f. ~~First~~ Public Forum (5 minutes maximum per speaker)
  - g. ~~Report of Officers~~Staff Updates
  - h. Special Order of Business (primarily public and quasi-adjudicative hearings and related actions)
  - i. Old Business
  - j. New Business:
    1. Consent Calendar
    2. Resolution Calendar
    3. New ordinances that do not require public hearings
  - k. Bills and Claims
  - ~~l. Second Public Forum (3 minutes maximum per speaker, must be related to the evening's agenda.)~~
  - ~~m. Referral Requests~~Council Referrals
  - ~~n. General Discussion~~Council Updates and Announcements.
  - n. Executive Session (if necessary)
  - o. Adjournment
- 3.2. **Consent and Resolution Calendars.** In preparing an agenda, the city clerk shall separately designate items as Consent Calendar or Resolution Calendar, which may be acted upon by the council under Rules 5.13 and 5.14. These items shall consist of routine non-controversial items that in the city clerk's determination can be appropriately considered in bulk at the council meeting or a listing of resolutions which are subject to council action on that date. (see RONR 41:32)
- 3.3. **Agenda deadline.** Any member, the city administrator, city attorney, city clerk, or

department director, with the mayor's approval, may have an item included upon the agenda by requesting the city clerk to include the item by 5:00 P.M. on the Monday one week prior to the council meeting. Items requested or filed after this time shall not be included upon the agenda unless the mayor deems the item of sufficient urgency to warrant immediate council action.

- 3.4. **Published agenda.** Agendas and meeting materials shall be made available to the public at 5:00 P.M. on the Wednesday preceding the council meeting via web link on the City website. Members will receive a printed copy of the council packet upon request.
- 3.5. **Mayor withdrawal of items.** The mayor may withdraw any item prior to the council meeting, but in withdrawing the item shall state to the council the reason therefore. An item withdrawn by the mayor may nonetheless, in the discretion of the council, be acted upon in its regular order.
- 3.6. **Council action to defer, continue or not act.** A member may not withdraw any item prior to the start of council meetings, provided however, a member wishing council to defer action or continue an item may move to continue, defer or not act on any item considered before any other action which council may consider.
- 3.7. **Public agenda requests.** Anyone from the public may request to have an item placed on the agenda by filing such request in writing with the mayor prior to 5:00 P.M. on the Monday one week prior to the regular council meeting. The mayor may either grant the request by placing it on the next agenda or deny the request for stated reasons, conveyed to the requester. Anyone may utilize the Public Forum portion of the meeting agenda to raise any issue not on the formal agenda, which issue shall then be governed by the rules set forth in Part 10 of these rules.

#### 4. Conduct of Meetings

- 4.1. **Presiding officer.** The mayor, or in the mayor's absence or incapacity the mayor pro tem, shall be the presiding officer at all council meetings. If both the mayor and mayor pro tem are absent, the most senior member in terms of council service~~Administration Committee chair~~ shall preside.
- 4.2. **Control of discussion.** The presiding officer shall control discussion of the council on each agenda item to assure full participation in accordance with these rules. (See RONR §43; 47:19).
- 4.3. **Roll call.** Before proceeding with the business of the council, committee, or work session, the city clerk shall call the roll of members present and enter those names in the minutes. The city clerk shall determine the presence of a quorum as required by law and these rules.
- 4.4. **Presiding officer to decide question of priority of business.** A question relating to the priority of business shall be decided by the presiding officer without debate.

- 4.5. **Order of consideration of agenda.** Except as otherwise provided in these rules, each agenda item shall be considered in the numerical order assigned by the city clerk. Each agenda item shall be separately announced by the presiding officer, or city clerk, for purposes of discussion and consideration. To announce an item, it shall be sufficient to identify the item by the number assigned by the city clerk, unless greater specificity is requested by some person in attendance. This rule shall not apply to consideration of items under Rule 5.16 or Rule 5.17.
- 4.6. **Presiding officer to recognize speaker.** When two or more members rise at once to speak at a council meeting, the presiding officer shall name the member who is to speak. (See RONR 42:2)
- 4.7. **Speaking on questions restricted.** No member shall speak more than twice on one question before the council without leave of the council, nor more than once in any case until every member choosing to speak shall have spoken.
- 4.8. **Motions to be seconded; when to be written.** No motion shall be put or debated unless seconded. When a motion is seconded, it shall be stated by the presiding officer before debate and every motion shall be reduced to writing if required by the presiding officer or any member.
- 4.9. **Gaining the floor.** Every member, previous to speaking, shall address the presiding officer, and say, "Mister / Madam Chair" and shall not proceed with remarks until recognized and named by the presiding officer.
- 4.10. **Order of consideration of agenda.** Except as otherwise provided in these rules, each agenda item shall be considered in the numerical order assigned by the city clerk. Each agenda item shall be separately announced by the presiding officer, or city clerk, for purposes of discussion and consideration. To announce an item, it shall be sufficient to identify the item by the number assigned by the city clerk, unless greater specificity is requested by some person in attendance. This rule shall not apply to consideration of items under Rule 5.16 or Rule 5.17.
- 4.11. **Order required while others are speaking.** While a member is speaking, no other member shall hold any private discourse or interrupt except as allowed for a Point of Order (Rule 4.18) and Point of Privilege (Rule 4.19).
- 4.12. **Order required when question is being put.** While the presiding officer is putting the question, no one shall walk across or out of the council chambers.
- 4.13. **Discussion.** A member shall speak only after being recognized by the presiding officer. A member recognized for a specific purpose shall limit remarks to that purpose. A member, after being recognized, shall not be interrupted except by the presiding officer to enforce these rules.
- 4.14. **Limit on remarks.** Each member shall limit remarks to a reasonable length as determined by the presiding officer.



- 4.15. **Presiding officer's right to enter into discussion.** The presiding officer may enter into any discussion.
- 4.16. **Presiding officer's right to speak last.** The presiding officer has the right to close debate.
- 4.17. **Closing debate.** Discussion, including public participation, shall be closed on any item by the presiding officer with the concurrence of a majority of members. Except as provided by Rule 5.8, a call for the vote shall not close discussion if any member of the council still wishes to be heard or the presiding officer determines the continued participation of the public will be helpful to the council.
- 4.18. **Bringing a Point of Order.** At any time during a meeting, a member may interrupt to declare a "Point of Order" to address a perceived discrepancy or a violation of these rules. The presiding officer shall determine the best action based on the point made, without debate.
- 4.19. **Bringing a Point of Privilege.** At any time during a meeting, a member may interrupt to declare a "Point of Privilege" to address an urgent matter relating to the rights of the members or the assembly, including ability to hear speakers and room comfort. The presiding officer shall determine the best action based on the point made, without debate.
- 4.20. **Calling member to order; appeal.** A member called to order while speaking at a council meeting shall immediately cease speaking unless permitted to explain. If there is no appeal, the decision of the presiding officer shall be conclusive, but if the member appeals the decision of the chair, the council shall decide the question without debate.

## **5. MotionsCouncil Action**

- 5.1. **Motions.** At any appropriate place on the agenda, any member may make a motion for the council to act upon any matter if the motion is relevant to the matter under consideration.
- 5.2. **Motion required.** All action requiring a vote shall be first moved by a member and seconded by another member.
- 5.3. **Consideration out of agenda order.** With the consent of the council, any agenda item may be considered out of its listed order on the agenda at the request of a member.
- 5.4. **Recording names of moving members.** The city clerk shall record the name of the member making each motion and second.
- 5.5. **No motions by presiding officer.** The presiding officer may suggest a motion, but may not make a motion. A member acting as presiding officer may second a motion.
- 5.6. **Majority vote required for adoption.** No resolution or ordinance shall be adopted

without a concurrence of a majority of all of the members of the council by call of the ayes and nays that shall be recorded. Passage of a motion requires a majority vote of a quorum of the council. As used in this section, “all of the members” refers to all of the seats of the council including a vacant seat and a seat where the member is absent, but does not include a seat where the member declines to vote by reason of a conflict of interest.

**5.7. Preferential motions.**

a. When a question is under debate the only motions in order shall be:

- |         |                                |
|---------|--------------------------------|
| First   | To adjourn.                    |
| Second  | The previous question.         |
| Third   | To lay on the table.           |
| Fourth  | To postpone to a certain time. |
| Fifth   | To adjourn to a certain day.   |
| Sixth   | To refer.                      |
| Seventh | To amend.                      |

b. Such motions shall be given precedence in the order herein arranged, the first three (3) to be decided without debate.

**5.8. Calling the previous question.** When a member desires to cease debate and to vote on the pending question, the member shall request the floor and state: “I move to call the previous question.” If seconded, then the council shall then vote, without debate, on whether ~~or to~~ call the question. If carried by a two-thirds majority of members present, all proposed amendments and all further motions, debates and public participation shall be excluded, and the original motion shall immediately be voted on.

**5.9. Debate of motions to table, amendment.** A motion to lay a question on the table simply is not debatable, but a motion to lay on the table and publish, or with any other condition, is subject to amendment and debate.

**5.10. Motions postponed to a certain time.** When a motion is postponed to a certain time, the proposed date shall be specified as part of the motion.

**5.11. Precedence of motions to refer to committee.** A motion to refer to a standing committee shall take precedence over a similar motion for a special committee.

**5.12. Motions to amend.** Amendments shall be governed by the following:

- A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be entertained.
- An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different subject shall not be in order.

- c. Motions to strike and insert. On a motion to strike out and insert, the paragraph to be amended shall first be read as it stands, then the words proposed to be struck out and those to be inserted, and finally the paragraph as it would stand if so amended.
- 5.13. **Withdrawal of a motion.** After a motion or resolution is stated by the presiding officer, it shall be deemed to be in the possession of the council, but may be withdrawn at any time before decision by the original mover by stating “Mister/Madam Chair, I ask permission to withdraw the motion”. If any amendment has been proposed or adopted, the main motion shall not be withdrawn without the consent of the mover of such amendment. (See RONR 33:11)
- 5.14. **Division of question containing distinct propositions.** If a question in debate contains several distinct propositions, any member may have the same divided prior to the vote thereon when the sense of it requires such division.(See RONR §27)
- 5.15. **Separate consideration.** Except as otherwise allowed by these rules, each agenda item shall be voted upon separately and shall be recorded by the city clerk.
- 5.16. **Action on Consent Calendar.** Items on the Consent Calendar shall be acted upon by voice vote in a single motion without separate discussion, unless the presiding officer, a member, or the public requests that a specific item be considered separately.
- 5.17. **Action on Resolution Calendar.** Items on the Resolution Calendar shall be acted upon by roll call vote in a single motion without separate discussion, unless the presiding officer, a member, or the public requests that a specific item be considered separately.
- 5.18. **Announcement of Items in the Consent and Resolution Calendars.** Items in the consent and resolution calendars may be announced by having the full titles read, summarized, or solely by stating the number assigned to the item by the city clerk. Any item in the Consent Calendar or Resolution Calendar which is pulled for separate consideration shall have its full title read aloud by the presiding officer prior to entertaining a motion and a second on the measure.
- 5.19. **Recording of Resolution Calendar votes.** The city clerk shall record the yes and no votes on each resolution calendar item separately as if each item had been moved and voted upon separately. Rule 4.10 shall not apply here.
- 5.20. **Action on multiple items.** With the consent of a majority of the council, Rule 5.15 notwithstanding, the council may consider for voting purposes more than one item, but in such event the vote upon each item will be separately recorded by the city clerk noting specific yes or no votes of each member on each item.
- 5.21. **Public hearings.** Any other rule to the contrary notwithstanding, unless required by statute or necessary to conform to proceedings required for a special purpose, a hearing shall commence when declared open by the presiding officer and shall close when closed by the presiding officer or by other formal action of the council.

- 5.22. **When motions may be reconsidered; renewal of motion.** A motion may be reconsidered at any time during the same meeting at which the motion was made, or at the first meeting held thereafter. A motion for reconsideration, being once made and decided in the negative, shall not be renewed before the next meeting. (See RONR 37:9)
- 5.23. **Who may move to reconsider.** A motion to reconsider must be made and seconded by members who voted on the prevailing side, or by those who were absent and did not vote upon the motion to be reconsidered (See RONR 37.10)
- 5.24. **Reconsideration when member is absent.** Rule 5.23 notwithstanding, when less than seven members are in attendance at a meeting and an agenda item fails to receive a majority of affirmative or negative votes of those in attendance, then the agenda item shall, upon the request of any member in attendance at the meeting, be placed by the city clerk on the agenda for the next council meeting, and continued thereafter upon the agenda for subsequent meetings until it shall receive a majority of affirmative or negative votes of those in attendance. An ordinance continued under this rule shall not be considered to have been read or considered for its first or any subsequent passage until it receives four affirmative votes.
- 5.25. ~~General Discussion~~ **Council Updates and announcements.** Members may use this time during a Council meeting to ask for updates from staff on projects or issues and to make announcements to the public and to council on civic matters. The presiding officer shall ensure that such discussion remains in compliance with the Iowa Open Meetings Law (Iowa Code Chapter 21); as a safeguard, no motions will be entertained at this time. Matters requiring deliberation by council for final action shall instead be submitted for inclusion on a future regular council or committee meeting agenda to ensure transparency and public participation.
- 5.26. **When motion to adjourn is in order.** A motion to adjourn the council shall be in order except:
- a. When a member is in possession of the floor.
  - b. While the members are voting.
  - c. When adjournment was the last preceding motion.
  - d. When it is decided that the previous question shall be taken.
- 5.27. **Amendment, debate of motions to adjourn.** A motion to adjourn simply cannot be amended, but a motion to adjourn to a given time may be and is open to debate. (see RONR §21).

## 6. Standing and Special Committees

- 6.1. **Purpose of committees.** Committees exist to allow members to consider certain topics in detail prior to final consideration in the regular council meeting.

- 6.2. **Powers of committees.** Committees are only empowered to make recommendations to the City Council; all final actions pertaining to a referred item must be determined by the City Council at a regular or special meeting called for that purpose. (see RONR §50)
- 6.3. **Referral by council or mayor.** Committees may receive referrals through an approved referral request as described in Part 8 of these rules, or as determined by the mayor.
- 6.4. **Standing committees.** The following shall be the Council’s standing committees:
- a. Finance, Business Operations and Public Safety Administration.
  - b. Public Works.
  - c. Community Development Relations and Planning.
  - d. Committee of the Whole.
- 6.5. **Appointment of committee members.** All standing committees shall be appointed by the mayor annually at the first regular meeting of the council in January of each year, or as soon thereafter as practicable. Special committees shall be appointed by the mayor unless otherwise directed by the council. The first person named on each committee shall be the chair. (Sec. 2-68) **Absence of Committee Chair.** In the absence of the committee chair, the Mayor Pro-Tem may preside if such action is approved by the designated chair or by the mayor.
- 6.6. **Number of committee members.** The standing committees of the council shall consist of all seven members. All special committees shall consist of five members each, unless some other number is specified. (Sec. 2-69)
- 6.7. **Motion to recommend; continuance.** After any presentations and initial discussion, members may move to recommend a course of action to the City Council; this will typically be a recommendation for council approval or disapproval of a certain action or resolution. Members may also move to continue the discussion in a future committee meeting prior to making a recommendation to the City Council.
- 6.8. **Procedure for committees to report.** Standing and special committees of the council to whom referrals are made shall report the state of facts and the committee’s recommendation through the approved committee minutes unless another form of report is specified by the council.
- 6.9. **Acceptance of final report discharges special committees.** On the acceptance of a final report from a special committee of the council, the committee shall be considered discharged without a vote, unless otherwise ordered.

## 7. Ordinance Adoption

- 7.1. **Ordinances to be presented in writing.** All ordinances shall be presented in writing before being considered by the council. (Sec. 2-125)
- 7.2. **Consideration and passage of ordinances.** Ordinances must be considered and voted

upon for passage at three separate council meetings, unless this requirement is suspended by a recorded vote of not less than three-fourths of all of the members of the council. (Sec. 2-126)

- 7.3. **Procedure for passage of ordinances.** The following procedure shall be followed by the council in the passage of all ordinances:
- a. A motion to pass the ordinance upon its first consideration or a motion to suspend the rules requiring ordinances to be considered at three (3) separate council meetings.
  - b. In the event the ordinance is passed upon its first consideration, the ordinance shall be given the second and third considerations either in adjourned meetings of the meeting of its passage on first reading, or at some following special or regular meetings of the council.
  - c. In the event that a motion to suspend the rules has passed, a motion shall be made to adopt the ordinance upon its third and final consideration.
  - d. Upon the passage of the third and final consideration of the ordinance, the mayor shall declare the ordinance duly passed and adopted.
- 7.4. **Contents of amendments to ordinances.** An amendment to an ordinance must specifically repeal the ordinance, or the section, subsection, paragraph, or subpart to be amended, and must set forth the ordinance, section, subsection, paragraph, or subpart as amended. (Sec. 2-127)

## **8. ~~Referral Requests~~ Council Referrals**

- 8.1. **Referral initiation.** During the Council Referrals ~~Requests~~ portion of a regular council meeting, any member may move to refer any topic or question to a council standing committee, city board or commission, or to staff for further consideration, using the process outlined in Rules 8.2 and 8.4.
- 8.2. **Council Referrals requests—presented in writing.** Except for the exigent circumstances in Rule 8.4, all council referral requests shall be provided to the City Clerk in writing no later than 5:00 pm on the Monday prior to the next regular council meeting. The ~~request correspondence~~ shall contain sufficient information ~~the entire proposed motion to be made at the meeting. Sufficient explanation~~ to enable the council to determine if the request merits referral to a council standing committee, a city board or commission, or to staff for further consideration.
- 8.3. **Referral discussion.** Upon a motion and second, the council may choose to discuss the referral in question. The presiding officer shall ensure that the deliberation is focused on the desirability of referral approval, rather than the merits of the proposed initiative.
- 8.4. **Moving an exigent referral.** In some cases, a council agenda item or other discussion

may necessitate an immediate referral to committee without the prior documentation or notice to the council as required by Rule 8.2. In these instances, a member may move an exigent referral.

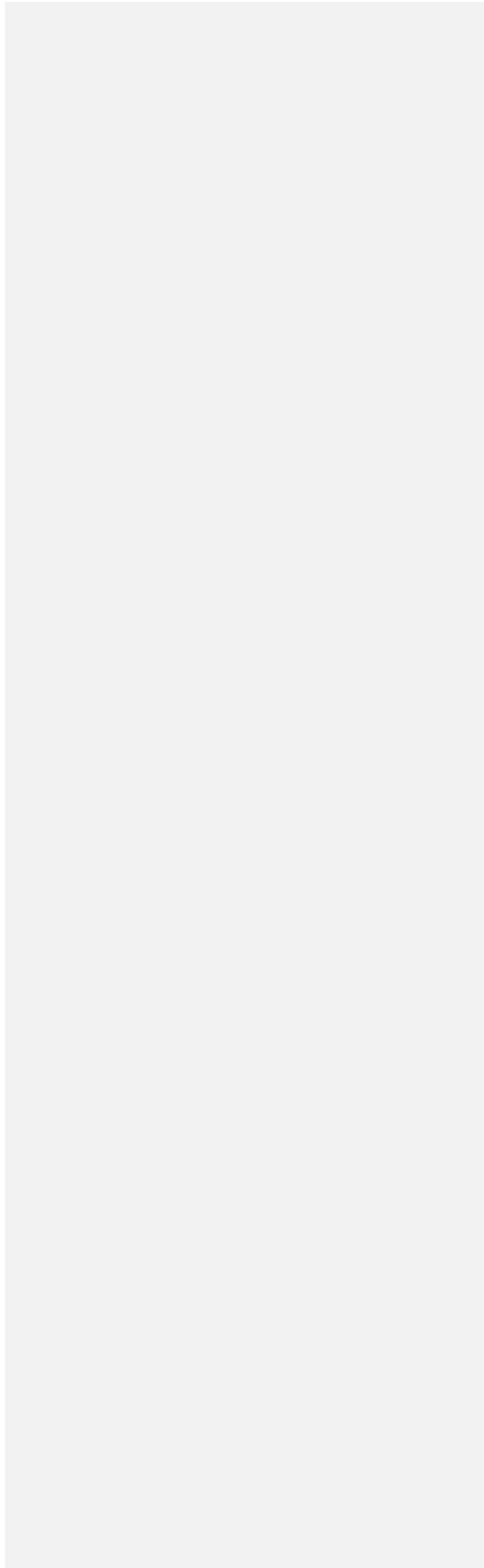
- 8.5. **Validity of an exigent referral.** The presiding officer shall determine the validity of an exigent referral. Referrals not deemed exigent shall be ruled out of order by the presiding officer. This determination may be overruled by a two-thirds majority vote of all members per Rule 1.7.
- 8.6. **Referrals at work sessions.** In addition to the above processes, the City Council may directly refer topics to committee via consensus during a work session.
- 8.7. **Withdrawal of referrals.** The requesting member may withdraw a requested referral from the council agenda at any time.

## 9. Council Work Sessions

- 9.1. **Purpose of Work Sessions.** From time to time the mayor or city council may direct that a work session be held for informal study and discussion of a topic prior to formal council action. Additionally, a work session may be used to facilitate a meeting between the Cedar Falls City Council and other ~~entities~~ organizations.
- 9.2. **Session Agenda.** Work sessions shall be preceded by ~~include~~ a published agenda, which shall include the meeting location and time, in accordance with all applicable provisions of the Iowa Open Meetings Law (Iowa Code Chapter 21).
- 9.3. **Parliamentary procedure not applicable.** Unlike council meetings and committee meetings, council work sessions are not required to ~~will not~~ follow the regimentation of parliamentary procedure.
- 9.4. **Direction to staff by consensus.** No votes shall be taken at a work session, but council consensus shall be gauged in order to provide direction to staff for further staff action.
- 9.5. **No final action during work sessions.** In no case shall a work session consensus be construed as a final council decision for action. Each action consented to during a work session shall then be placed on the agenda for a future council meeting, committee meeting, or work session (as appropriate) for further consideration.
- 9.6. **Mayor and/or facilitator responsibilities.** The mayor or a trained expert shall serve as the work session facilitator to ensure that the council has sufficient information and guidance to develop a consensus (if needed) on the topic at hand.
- 9.7. **Public participation in work sessions.** The public is encouraged to observe the deliberations of the council during work sessions, but public comment will not be solicited or allowed during these meetings.

9.7.9.8. Recording work sessions. All work sessions shall be recorded.

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## 10. Public Participation

### 10.1. General Considerations.

- a. **Identification of the Speaker.** Any person desiring to speak in Public Forum or public comment shall first be recognized by the presiding officer and then shall step to the podium, state their name, address, and group affiliation (if any) for the public record, and will speak clearly into the microphone.
- b. **Speakers to address the presiding officer.** Speakers shall be required to direct their comments to the presiding officer only, and not to individual members or staff. (See RONR 43:22).

### 10.2. Public comment during public hearings and on agenda items.

- a. While an item is being considered for action at a council or committee meeting, the public will be granted an opportunity to comment prior to a vote by the members.
- b. Speakers shall be limited to speaking once, for up to five minutes, unless additional time is granted by the presiding officer or by motion and approval of a two-thirds majority of members. The presiding officer will advise the speaker when one minute remains.
- c. Total speaker input on any subject under consideration can be limited to a fixed period by the presiding officer. A majority vote of the council may extend the time limitations of this rule, with the approval of a two-thirds majority of all members. (See RONR 43:16)
- d. Speaker comments must remain civil and be directed to the subject under consideration. The presiding officer shall rule on the relevance of speaker comments. Speakers making comments that could be construed to be obscene, integral to illegal conduct, inciting imminent lawless action, threatening or slanderous remarks towards another party shall be ruled out of order and barred by the presiding officer from further comment at the current meeting. (See RONR 9:29)

### 10.3. Speaking during ~~first~~ public forum.

- a. **Applicability.** Anyone may address the presiding officer during the ~~First~~ Public Forum segment of the agenda, regarding any issue not on the agenda. The topic must be related to City operations or business, as determined by the presiding officer. No formal action on the subject presented by the speaker may be taken by the council, other than a referral to City staff or a council committee or placement on an upcoming council agenda, in accordance with as restricted by State law statute. The presiding officer may seek information from city staff in response to comments or questions by the public.

- b. **Time limit.** Speakers shall be limited to speaking once, for up to five minutes, unless additional time is granted by the presiding officer or by motion and approval of a two-thirds majority of members. The presiding officer will advise the speaker when one minute remains.
- c. **Campaigning prohibited.** Public Forum is not to be used as a platform to promote individuals running for elected office or ballot measures at any governmental level. ~~;~~ Such conduct will result in the speaker being barred from further comment at the current meeting. Campaign materials for specific candidates, political parties or ballot measures at any governmental level are also prohibited from display to ensure good order during council meetings.

~~10.4. Speaking during second public forum.~~

- ~~a. **Applicability.** Anyone may address the presiding officer during the Second Public Forum segment of the agenda, regarding any item which was included on the meeting's agenda. No formal action on the subject presented by the speaker may be taken by the council, other than a referral to City staff or a council committee or placement on an upcoming council agenda, as restricted by State statute.~~
- ~~b. **Time limit.** Speakers shall be limited to speaking once, for up to three minutes, unless additional time is granted by the presiding officer or by motion and approval of a two-thirds majority of members. The presiding officer will advise the speaker when one minute remains.~~

~~10.5-10.4~~ **City employees not to speak on employment matters.** Employees and collective bargaining groups will not be recognized to speak about employment-related issues to avoid violating adopted ~~personnel~~ policies, ~~Iowa law, and Iowa~~ collective bargaining agreements and State and Federal laws. ~~Employees and collective bargaining groups should utilize the processes specifically defined and granted by Iowa Code, collective bargaining agreements, and adopted City personnel policies.~~

~~10.6-10.5~~ **Visual Aids.** Any visual aids that a speaker desires to have displayed in public forum during public comment must be submitted to the City Clerk by 10:00 a.m. on the day of the Council meeting for the presiding officer's review and approval.

10.6. **Recording.** The public may use cameras or recording devices at any open council session. The presiding officer may make and enforce reasonable rules for the conduct of council meetings to assure those meetings are orderly, and free from interference or interruption by spectators. (See Iowa Code 21.7)

10.7. **Written Communications.** On any matters before the city council, the public may choose to submit comments in writing (whether in letter or e-mail form). This communication should be directed to the City Clerk for inclusion in the council packet by e-mailing cityclerk@cedarfalls.com, by dropping the correspondence off at City Hall (attn.: City Clerk) or by mailing it to City Clerk, Cedar Falls City Hall, 220 Clay Street, Cedar Falls, IA 50613. Any public correspondence sent to the City Clerk regarding

council agenda items will become a public record. Correspondence arriving before 5 pm on the Monday before the council meeting will be included in the council packet for mayor, council and public consideration. Members of the public who file written communications may also make verbal comments at the meeting, per Rules 10.2 and 10.3 above.

# CFD 1121: City Council Meeting Procedures

*Approved XXXX, 2022 by the Cedar Falls City Council*

## Adopted & Amended:

01/28/91; 04/2003; 10/2006; 12/2013, 09/15/2014; 10/06/2014; 03/07/2016; 03/06/2017; 04/03/2017; 04/16/2018; 02/01/2021; 05/03/2021; 08/16/2021; 05/02/2022

## Purpose:

The Cedar Falls City Council operates under the authority of state law (Iowa Code Chapter 372) and has established these special rules to ensure the orderly conduct of the council's business during its meetings. The mayor and committee chairs shall be responsible for enforcing these rules. All members are encouraged to familiarize themselves with the standing rules, to aid in their proper use, and to suggest improvements as may be needed from time to time.

## Procedure:

### 1. General Rules

- 1.1. **Definitions.** In this text, “member” shall be defined as any member of the Cedar Falls City Council. “All members” shall be defined as the seven City Council seats, whether or not the seat is vacant. “A two-thirds majority” shall mean at least five of seven members.
- 1.2. **Scope of rules.** These rules shall govern the conduct of the mayor and members and shall be interpreted to ensure fair and open deliberations and decision-making as required by the Iowa Open Meetings Law (Iowa Code Chapter 21).
- 1.3. **Applicability of rules.** These rules shall apply to the council when meeting in regular council meetings, in committee, and during council work sessions. Presiding officers will endeavor to fairly apply these rules; nonetheless, nonconformance with any part of these rules shall not affect the legality of any action of the council.
- 1.4. **Reference to and applicability of Robert’s Rules of Order.** The Cedar Falls City Council has adopted Robert’s Rules of Order, Newly Revised (RONR), Twelfth Edition, as its underlying parliamentary procedure. In cases not provided for by the Cedar Falls Code of Ordinances, or not specifically provided for in these City Council Meeting Procedures, Robert’s Rules of Order shall prevail.
- 1.5. **Consent required to suspend or amend the rules.** These rules may be temporarily suspended by consent of three-fourths of the members present, but shall not be repealed, altered or amended unless by concurrence of two-thirds of all the members.(see RONR 25:7; 25:14)
- 1.6. **Matters not covered.** Any matter of order or procedure not covered by these rules shall be referred to the presiding officer, who shall decide the matter with the assistance and advice of the city attorney in conformity with the purpose of these rules in a fair and

expeditious manner.

- 1.7. **Council prevalence in meeting decisions.** Any determination by a presiding officer may be reversed by a two-thirds majority of all members.
- 1.8. **Interpretation.** These rules supplement and shall be interpreted to conform to the statutes of the State of Iowa and the ordinances of the City of Cedar Falls.
- 1.9. **Duty to vote; conflict of interest.** Each member who is present when a question is stated by the presiding officer shall vote thereon unless directly interested in the question, in which case the member shall abstain from voting. When any member refuses to vote when not excused, the member's vote shall be recorded in the negative. (See RONR 45.4)
- 1.10. **Informational requests.** During the consideration of any matter, or in the course of a hearing, members may request and receive information, explanations or the opinions of the mayor, city administrator, city attorney, city clerk, department director, or their designee.

## 2. Time and Place of Meeting

- 2.1. **Regular Meetings.** Regular meetings of the Cedar Falls City Council shall be held the first and third Monday of each month at 7:00 P.M. in the City Hall Council Chambers, except when Monday falls on a legal holiday, then the meeting shall be held at the regular hour on the next succeeding day not a holiday; provided, however, council may, by resolution, reschedule any regular meeting to another date and time, or may cancel a meeting. All hearings shall be scheduled for 7:00 P.M. the day of a regular meeting. (Sec. 2-45(a))
- 2.2. **Special Meetings.** Special meetings may be called by the mayor or by any four or more members who separately file a special meeting request with the city clerk. Such request shall include the proposed agenda item(s) for the special meeting. As with regular meetings, the agenda for the special meeting shall specify the day, hour and subject of the meeting and shall be posted in City Hall and notice given to the media at least 24 hours in advance.
- 2.3. **Quorum.** A majority of all members shall constitute a quorum for transaction of business. (see Iowa Code 372.13.1)
- 2.4. **Remote Attendance.** Members may attend City Council meetings via remote means, as long as a quorum (4 members) is present in person. Members attending remotely shall provide advance notice to the City Clerk by noon on the business day prior to the meetings, unless unexpected circumstances arise. If members participate via video conference, it is preferred that members have their cameras on and remain visible throughout the meeting. Unless otherwise approved by the mayor, the presiding officer of council and committee meetings must be in physical attendance at the meeting.

### 3. Meeting Agenda

- 3.1. **Preparation of agenda.** Prior to each regular council meeting the city clerk shall prepare an agenda that contains all items the council anticipates acting upon at the meeting. The order of business shall be as follows:
- a. Roll Call
  - b. Pledge of Allegiance (led by presiding officer)
  - c. Approval of Minutes
  - d. Agenda Revisions
  - e. Special Presentations (if necessary)
  - f. Public Forum (5 minutes maximum per speaker)
  - g. Staff Updates
  - h. Special Order of Business(primarily public and quasi-adjudicative hearings and related actions)
  - i. Old Business
  - j. New Business:
    1. Consent Calendar
    2. Resolution Calendar
    3. New ordinances that do not require public hearings
  - k. Bills and Claims
  - l. Council Referrals
  - m. Council Updates and Announcements.
  - n. Executive Session (if necessary)
  - o. Adjournment
- 3.2. **Consent and Resolution Calendars.** In preparing an agenda, the city clerk shall separately designate items as Consent Calendar or Resolution Calendar, which may be acted upon by the council under Rules 5.13 and 5.14. These items shall consist of routine non-controversial items that in the city clerk's determination can be appropriately considered in bulk at the council meeting or a listing of resolutions which are subject to council action on that date. (see RONR 41:32)
- 3.3. **Agenda deadline.** Any member, the city administrator, city attorney, city clerk, or department director, with the mayor's approval, may have an item included upon the agenda by requesting the city clerk to include the item by 5:00 P.M. on the Monday one week prior to the council meeting. Items requested or filed after this time shall not be included upon the agenda unless the mayor deems the item of sufficient urgency to warrant immediate council action.

- 3.4. **Published agenda.** Agendas and meeting materials shall be made available to the public at 5:00 P.M. on the Wednesday preceding the council meeting via web link on the City website. Members will receive a printed copy of the council packet upon request.
- 3.5. **Mayor withdrawal of items.** The mayor may withdraw any item prior to the council meeting, but in withdrawing the item shall state to the council the reason therefore. An item withdrawn by the mayor may nonetheless, in the discretion of the council, be acted upon in its regular order.
- 3.6. **Council action to defer, continue or not act.** A member may not withdraw any item prior to the start of council meetings, provided however, a member wishing council to defer action or continue an item may move to continue, defer or not act on any item considered before any other action which council may consider.
- 3.7. **Public agenda requests.** Anyone from the public may request to have an item placed on the agenda by filing such request in writing with the mayor prior to 5:00 P.M. on the Monday one week prior to the regular council meeting. The mayor may either grant the request by placing it on the next agenda or deny the request for stated reasons, conveyed to the requester. Anyone may utilize the Public Forum portion of the meeting agenda to raise any issue not on the formal agenda, which issue shall then be governed by the rules set forth in Part 10 of these rules.

## 4. Conduct of Meetings

- 4.1. **Presiding officer.** The mayor, or in the mayor's absence or incapacity the mayor pro tem, shall be the presiding officer at all council meetings. If both the mayor and mayor pro tem are absent, the most senior member in terms of council service shall preside.
- 4.2. **Control of discussion.** The presiding officer shall control discussion of the council on each agenda item to assure full participation in accordance with these rules. (See RONR §43; 47:19).
- 4.3. **Roll call.** Before proceeding with the business of the council, committee, or work session, the city clerk shall call the roll of members present and enter those names in the minutes. The city clerk shall determine the presence of a quorum as required by law and these rules.
- 4.4. **Presiding officer to decide question of priority of business.** A question relating to the priority of business shall be decided by the presiding officer without debate.
- 4.5. **Order of consideration of agenda.** Except as otherwise provided in these rules, each agenda item shall be considered in the numerical order assigned by the city clerk. Each agenda item shall be separately announced by the presiding officer, or city clerk, for purposes of discussion and consideration. To announce an item, it shall be sufficient to identify the item by the number assigned by the city clerk, unless greater specificity is requested by some person in attendance. This rule shall not apply to consideration of

- items under Rule 5.16 or Rule 5.17.
- 4.6. **Presiding officer to recognize speaker.** When two or more members rise at once to speak at a council meeting, the presiding officer shall name the member who is to speak.(See RONR 42:2)
  - 4.7. **Speaking on questions restricted.** No member shall speak more than twice on one question before the council without leave of the council, nor more than once in any case until every member choosing to speak shall have spoken.
  - 4.8. **Motions to be seconded; when to be written.** No motion shall be put or debated unless seconded. When a motion is seconded, it shall be stated by the presiding officer before debate and every motion shall be reduced to writing if required by the presiding officer or any member.
  - 4.9. **Gaining the floor.** Every member, previous to speaking, shall address the presiding officer, and say, “Mister / Madam Chair” and shall not proceed with remarks until recognized and named by the presiding officer.
  - 4.10. **Order of consideration of agenda.** Except as otherwise provided in these rules, each agenda item shall be considered in the numerical order assigned by the city clerk. Each agenda item shall be separately announced by the presiding officer, or city clerk, for purposes of discussion and consideration. To announce an item, it shall be sufficient to identify the item by the number assigned by the city clerk, unless greater specificity is requested by some person in attendance. This rule shall not apply to consideration of items under Rule 5.16 or Rule 5.17.
  - 4.11. **Order required while others are speaking.** While a member is speaking, no other member shall hold any private discourse or interrupt except as allowed for a Point of Order (Rule 4.18) and Point of Privilege (Rule 4.19).
  - 4.12. **Order required when question is being put.** While the presiding officer is putting the question, no one shall walk across or out of the council chambers.
  - 4.13. **Discussion.** A member shall speak only after being recognized by the presiding officer. A member recognized for a specific purpose shall limit remarks to that purpose. A member, after being recognized, shall not be interrupted except by the presiding officer to enforce these rules.
  - 4.14. **Limit on remarks.** Each member shall limit remarks to a reasonable length as determined by the presiding officer.
  - 4.15. **Presiding officer's right to enter into discussion.** The presiding officer may enter into any discussion.
  - 4.16. **Presiding officer's right to speak last.** The presiding officer has the right to close debate.



- 4.17. **Closing debate.** Discussion, including public participation, shall be closed on any item by the presiding officer with the concurrence of a majority of members. Except as provided by Rule 5.8, a call for the vote shall not close discussion if any member of the council still wishes to be heard or the presiding officer determines the continued participation of the public will be helpful to the council.
- 4.18. **Bringing a Point of Order.** At any time during a meeting, a member may interrupt to declare a “Point of Order” to address a perceived discrepancy or a violation of these rules. The presiding officer shall determine the best action based on the point made, without debate.
- 4.19. **Bringing a Point of Privilege.** At any time during a meeting, a member may interrupt to declare a “Point of Privilege” to address an urgent matter relating to the rights of the members or the assembly, including ability to hear speakers and room comfort. The presiding officer shall determine the best action based on the point made, without debate.
- 4.20. **Calling member to order; appeal.** A member called to order while speaking at a council meeting shall immediately cease speaking unless permitted to explain. If there is no appeal, the decision of the presiding officer shall be conclusive, but if the member appeals the decision of the chair, the council shall decide the question without debate.

## 5. Council Action

- 5.1. **Motions.** At any appropriate place on the agenda, any member may make a motion for the council to act upon any matter if the motion is relevant to the matter under consideration.
- 5.2. **Motion required.** All action requiring a vote shall be first moved by a member and seconded by another member.
- 5.3. **Consideration out of agenda order.** With the consent of the council, any agenda item may be considered out of its listed order on the agenda at the request of a member.
- 5.4. **Recording names of moving members.** The city clerk shall record the name of the member making each motion and second.
- 5.5. **No motions by presiding officer.** The presiding officer may suggest a motion, but may not make a motion. A member acting as presiding officer may second a motion.
- 5.6. **Majority vote required for adoption.** No resolution or ordinance shall be adopted without a concurrence of a majority of all of the members of the council by call of the ayes and nays that shall be recorded. Passage of a motion requires a majority vote of a quorum of the council. As used in this section, “all of the members” refers to all of the seats of the council including a vacant seat and a seat where the member is absent, but does not include a seat where the member declines to vote by reason of a conflict of interest.

**5.7. Preferential motions.**

- a. When a question is under debate the only motions in order shall be:

First	To adjourn.
Second	The previous question.
Third	To lay on the table.
Fourth	To postpone to a certain time.
Fifth	To adjourn to a certain day.
Sixth	To refer.
Seventh	To amend.

- b. Such motions shall be given precedence in the order herein arranged, the first three (3) to be decided without debate.

**5.8. Calling the previous question.** When a member desires to cease debate and to vote on the pending question, the member shall request the floor and state: "I move to call the previous question." If seconded, then the council shall then vote, without debate, on whether to call the question. If carried by a two-thirds majority of members present, all proposed amendments and all further motions, debates and public participation shall be excluded, and the original motion shall immediately be voted on.

**5.9. Debate of motions to table, amendment.** A motion to lay a question on the table simply is not debatable, but a motion to lay on the table and publish, or with any other condition, is subject to amendment and debate.

**5.10. Motions postponed to a certain time.** When a motion is postponed to a certain time, the proposed date shall be specified as part of the motion.

**5.11. Precedence of motions to refer to committee.** A motion to refer to a standing committee shall take precedence over a similar motion for a special committee.

**5.12. Motions to amend.** Amendments shall be governed by the following:

- a. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be entertained.
- b. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different subject shall not be in order.
- c. Motions to strike and insert. On a motion to strike out and insert, the paragraph to be amended shall first be read as it stands, then the words proposed to be struck out and those to be inserted, and finally the paragraph as it would stand if so amended.

**5.13. Withdrawal of a motion.** After a motion or resolution is stated by the presiding officer, it shall be deemed to be in the possession of the council, but may be withdrawn at any

time before decision by the original mover by stating “Mister/Madam Chair, I ask permission to withdraw the motion”. If any amendment has been proposed or adopted, the main motion shall not be withdrawn without the consent of the mover of such amendment. (See RONR 33:11)

- 5.14. **Division of question containing distinct propositions.** If a question in debate contains several distinct propositions, any member may have the same divided prior to the vote thereon when the sense of it requires such division. (See RONR §27)
- 5.15. **Separate consideration.** Except as otherwise allowed by these rules, each agenda item shall be voted upon separately and shall be recorded by the city clerk.
- 5.16. **Action on Consent Calendar.** Items on the Consent Calendar shall be acted upon by voice vote in a single motion without separate discussion, unless the presiding officer, a member, or the public requests that a specific item be considered separately.
- 5.17. **Action on Resolution Calendar.** Items on the Resolution Calendar shall be acted upon by roll call vote in a single motion without separate discussion, unless the presiding officer, a member, or the public requests that a specific item be considered separately.
- 5.18. **Announcement of Items in the Consent and Resolution Calendars.** Items in the consent and resolution calendars may be announced by having the full titles read, summarized, or by stating the number assigned to the item by the city clerk. Any item in the Consent Calendar or Resolution Calendar which is pulled for separate consideration shall have its full title read aloud by the presiding officer prior to entertaining a motion and a second on the measure.
- 5.19. **Recording of Resolution Calendar votes.** The city clerk shall record the yes and no votes on each resolution calendar item separately as if each item had been moved and voted upon separately. Rule 4.10 shall not apply here.
- 5.20. **Action on multiple items.** With the consent of a majority of the council, Rule 5.15 notwithstanding, the council may consider for voting purposes more than one item, but in such event the vote upon each item will be separately recorded by the city clerk noting specific yes or no votes of each member on each item.
- 5.21. **Public hearings.** Any other rule to the contrary notwithstanding, unless required by statute or necessary to conform to proceedings required for a special purpose, a hearing shall commence when declared open by the presiding officer and shall close when closed by the presiding officer or by other formal action of the council.
- 5.22. **When motions may be reconsidered; renewal of motion.** A motion may be reconsidered at any time during the same meeting at which the motion was made, or at the first meeting held thereafter. A motion for reconsideration, being once made and decided in the negative, shall not be renewed before the next meeting. (See RONR 37:9)

- 5.23. **Who may move to reconsider.** A motion to reconsider must be made and seconded by members who voted on the prevailing side, or by those who were absent and did not vote upon the motion to be reconsidered (See RONR 37.10)
- 5.24. **Reconsideration when member is absent.** Rule 5.23 notwithstanding, when less than seven members are in attendance at a meeting and an agenda item fails to receive a majority of affirmative or negative votes of those in attendance, then the agenda item shall, upon the request of any member in attendance at the meeting, be placed by the city clerk on the agenda for the next council meeting, and continued thereafter upon the agenda for subsequent meetings until it shall receive a majority of affirmative or negative votes of those in attendance. An ordinance continued under this rule shall not be considered to have been read or considered for its first or any subsequent passage until it receives four affirmative votes.
- 5.25. **Council Updates and announcements.** Members may use this time during a Council meeting to ask for updates from staff on projects or issues and to make announcements to the public and to council on civic matters. The presiding officer shall ensure that such discussion remains in compliance with the Iowa Open Meetings Law (Iowa Code Chapter 21); as a safeguard, no motions will be entertained at this time. Matters requiring deliberation by council for final action shall instead be submitted for inclusion on a future regular council or committee meeting agenda to ensure transparency and public participation.
- 5.26. **When motion to adjourn is in order.** A motion to adjourn the council shall be in order except:
- a. When a member is in possession of the floor.
  - b. While the members are voting.
  - c. When adjournment was the last preceding motion.
  - d. When it is decided that the previous question shall be taken.
- 5.27. **Amendment, debate of motions to adjourn.** A motion to adjourn simply cannot be amended, but a motion to adjourn to a given time may be and is open to debate. (see RONR §21).

## 6. Standing and Special Committees

- 6.1. **Purpose of committees.** Committees exist to allow members to consider certain topics in detail prior to final consideration in the regular council meeting.
- 6.2. **Powers of committees.** Committees are only empowered to make recommendations to the City Council; all final actions pertaining to a referred item must be determined by the City Council at a regular or special meeting called for that purpose. (see RONR §50)
- 6.3. **Referral by council or mayor.** Committees may receive referrals through an approved referral request as described in Part 8 of these rules, or as determined by the mayor.

- 6.4. **Standing committees.** The following shall be the Council's standing committees:
- a. Finance, Business Operations and Public Safety.
  - b. Public Works.
  - c. Community Development.
  - d. Committee of the Whole.
- 6.5. **Appointment of committee members..** All standing committees shall be appointed by the mayor annually at the first regular meeting of the council in January of each year, or as soon thereafter as practicable. Special committees shall be appointed by the mayor unless otherwise directed by the council. The first person named on each committee shall be the chair. (Sec. 2-68) **Absence of Committee Chair.** In the absence of the committee chair, the Mayor Pro-Tem may preside if such action is approved by the designated chair or by the mayor.
- 6.6. **Number of committee members.** The standing committees of the council shall consist of all seven members. All special committees shall consist of five members each, unless some other number is specified. (Sec. 2-69)
- 6.7. **Motion to recommend; continuance.** After any presentations and initial discussion, members may move to recommend a course of action to the City Council; this will typically be a recommendation for council approval or disapproval of a certain action or resolution. Members may also move to continue the discussion in a future committee meeting prior to making a recommendation to the City Council.
- 6.8. **Procedure for committees to report.** Standing and special committees of the council to whom referrals are made shall report the state of facts and the committee's recommendation through the approved committee minutes unless another form of report is specified by the council.
- 6.9. **Acceptance of final report discharges special committees.** On the acceptance of a final report from a special committee of the council, the committee shall be considered discharged without a vote, unless otherwise ordered.

## 7. Ordinance Adoption

- 7.1. **Ordinances to be presented in writing.** All ordinances shall be presented in writing before being considered by the council. (Sec. 2-125)
- 7.2. **Consideration and passage of ordinances.** Ordinances must be considered and voted upon for passage at three separate council meetings, unless this requirement is suspended by a recorded vote of not less than three-fourths of all of the members of the council. (Sec. 2-126)
- 7.3. **Procedure for passage of ordinances.** The following procedure shall be followed by the council in the passage of all ordinances:

- a. A motion to pass the ordinance upon its first consideration or a motion to suspend the rules requiring ordinances to be considered at three (3) separate council meetings.
  - b. In the event the ordinance is passed upon its first consideration, the ordinance shall be given the second and third considerations either in adjourned meetings of the meeting of its passage on first reading, or at some following special or regular meetings of the council.
  - c. In the event that a motion to suspend the rules has passed, a motion shall be made to adopt the ordinance upon its third and final consideration.
  - d. Upon the passage of the third and final consideration of the ordinance, the mayor shall declare the ordinance duly passed and adopted.
- 7.4. **Contents of amendments to ordinances.** An amendment to an ordinance must specifically repeal the ordinance, or the section, subsection, paragraph, or subpart to be amended, and must set forth the ordinance, section, subsection, paragraph, or subpart as amended. (Sec. 2-127)

## 8. Council Referrals

- 8.1. **Referral initiation.** During the Council Referrals portion of a regular council meeting, any member may move to refer any topic or question to a council standing committee, city board or commission, or to staff for further consideration, using the process outlined in Rules 8.2 and 8.4.
- 8.2. **Council referrals presented in writing.** Except for the exigent circumstances in Rule 8.4, all council referral requests shall be provided to the City Clerk in writing no later than 5:00 pm on the Monday prior to the next regular council meeting. The request shall contain sufficient information to enable the council to determine if the request merits referral to a council standing committee, a city board or commission, or to staff for further consideration.
- 8.3. **Referral discussion.** Upon a motion and second, the council may choose to discuss the referral in question. The presiding officer shall ensure that the deliberation is focused on the desirability of referral approval, rather than the merits of the proposed initiative.
- 8.4. **Moving an exigent referral.** In some cases, a council agenda item or other discussion may necessitate an immediate referral to committee without the prior documentation or notice to the council as required by Rule 8.2. In these instances, a member may move an exigent referral.
- 8.5. **Validity of an exigent referral.** The presiding officer shall determine the validity of an exigent referral. Referrals not deemed exigent shall be ruled out of order by the presiding officer. This determination may be overruled by a two-thirds majority vote of all members per Rule 1.7.

- 8.6. **Referrals at work sessions.** In addition to the above processes, the City Council may directly refer topics to committee via consensus during a work session.
- 8.7. **Withdrawal of referrals.** The requesting member may withdraw a requested referral from the council agenda at any time.

## 9. Council Work Sessions

- 9.1. **Purpose of Work Sessions.** From time to time the mayor or city council may direct that a work session be held for informal study and discussion of a topic prior to formal council action. Additionally, a work session may be used to facilitate a meeting between the Cedar Falls City Council and other entities.
- 9.2. **Session Agenda.** Work sessions shall be preceded by a published agenda, which shall include the meeting location and time, in accordance with all applicable provisions of the Iowa Open Meetings Law (Iowa Code Chapter 21).
- 9.3. **Parliamentary procedure not applicable.** Unlike council meetings and committee meetings, council work sessions are not required to follow the regimentation of parliamentary procedure.
- 9.4. **Direction to staff by consensus.** No votes shall be taken at a work session, but council consensus shall be gauged in order to provide direction to staff for further staff action.
- 9.5. **No final action during work sessions.** In no case shall a work session consensus be construed as a final council decision for action. Each action consented to during a work session shall then be placed on the agenda for a future council meeting, committee meeting, or work session (as appropriate) for further consideration.
- 9.6. **Mayor and/or facilitator responsibilities.** The mayor or a trained expert shall serve as the work session facilitator to ensure that the council has sufficient information and guidance to develop a consensus (if needed) on the topic at hand.
- 9.7. **Public participation in work sessions.** The public is encouraged to observe the deliberations of the council during work sessions, but public comment will not be solicited or allowed during these meetings.
- 9.8. **Recording work sessions.** All work sessions shall be recorded.

## 10. Public Participation

### 10.1. General Considerations.

- a. **Identification of the Speaker.** Any person desiring to speak in Public Forum or public comment shall first be recognized by the presiding officer and then shall step to the podium, state their name, address, and group affiliation (if any) for the public record, and will speak clearly into the microphone.
- b. **Speakers to address the presiding officer.** Speakers shall be required to direct their comments to the presiding officer only, and not to individual members or staff. (See RONR 43:22).

### 10.2. Public comment during public hearings and on agenda items.

- a. While an item is being considered for action at a council or committee meeting, the public will be granted an opportunity to comment prior to a vote by the members.
- b. Speakers shall be limited to speaking once, for up to five minutes, unless additional time is granted by the presiding officer or by motion and approval of a two-thirds majority of members. The presiding officer will advise the speaker when one minute remains.
- c. Total speaker input on any subject under consideration can be limited to a fixed period by the presiding officer. A majority vote of the council may extend the time limitations of this rule. (See RONR 43:16)
- d. Speaker comments must remain civil and be directed to the subject under consideration. The presiding officer shall rule on the relevance of speaker comments. Speakers making comments that could be construed to be obscene, integral to illegal conduct, inciting imminent lawless action, threatening or slanderous remarks towards another party shall be ruled out of order and barred by the presiding officer from further comment at the current meeting. (See RONR 9:29)

### 10.3. Speaking during public forum.

- a. **Applicability.** Anyone may address the presiding officer during the Public Forum segment of the agenda, regarding any issue not on the agenda. The topic must be related to City operations or business, as determined by the presiding officer. No formal action on the subject presented by the speaker may be taken by the council, other than a referral to City staff or a council committee or placement on an upcoming council agenda, in accordance with State law. The presiding officer may seek information from city staff in response to comments or questions by the public.
- b. **Time limit.** Speakers shall be limited to speaking once, for up to five minutes, unless additional time is granted by the presiding officer or by motion and approval



of a two-thirds majority of members. The presiding officer will advise the speaker when one minute remains.

- c. **Campaigning prohibited.** Public Forum is not to be used as a platform to promote individuals running for elected office or ballot measures at any governmental level. Such conduct will result in the speaker being barred from further comment at the current meeting. Campaign materials for specific candidates, political parties or ballot measures at any governmental level are also prohibited from display to ensure good order during council meetings.
- 10.4. **City employees not to speak on employment matters.** Employees and collective bargaining groups will not be recognized to speak about employment-related issues to avoid violating adopted policies, collective bargaining agreements and State and Federal law.
  - 10.5. **Visual Aids.** Any visual aids that a speaker desires to have displayed in public forum during public comment must be submitted to the City Clerk by 10:00 a.m. on the day of the Council meeting for the presiding officer's review and approval.
  - 10.6. **Recording.** The public may use cameras or recording devices at any open council session. The presiding officer may make and enforce reasonable rules for the conduct of council meetings to assure those meetings are orderly, and free from interference or interruption by spectators. (See Iowa Code 21.7)
  - 10.7. **Written Communications.** On any matters before the city council, the public may choose to submit comments in writing (whether in letter or e-mail form). This communication should be directed to the City Clerk for inclusion in the council packet by e-mailing [cityclerk@cedarfalls.com](mailto:cityclerk@cedarfalls.com), by dropping the correspondence off at City Hall (attn.: City Clerk) or by mailing it to City Clerk, Cedar Falls City Hall, 220 Clay Street, Cedar Falls, IA 50613. Any public correspondence sent to the City Clerk regarding council agenda items will become a public record. Correspondence arriving before 5 pm on the Monday before the council meeting will be included in the council packet for mayor, council and public consideration. Members of the public who file written communications may also make verbal comments at the meeting, per Rules 10.2 and 10.3 above.

# Cedar Falls Rotary

100th Anniversary

# Cedar Falls Rotary- 100th Anniversary

Rotary is turning 100 in February 2024!

We were chartered during a blizzard at that time. Our meetings are at the Woman's Club, so we want to do something downtown that we all can be proud of for decades!

We hope to celebrate with a bike path between our Little Red School House and the Behrens Rapp Station on First Street, and a memorial to all of our **Essential Workers!**

The Parks and Rec Committee signed off. The Historical Society has no issues. The AMVETs had no issues with our moving their bench to a better location. We hope to compliment the Exchange Club Gazebo in the area.

Align Architecture has provided the attached, with our hope to name the area Rotary Plaza. Materials will be paid for by Rotary fundraising and will be granite and steel. We are working with local business and contractor to accomplish this during 2023 and have a dedication late that year or early 2024.

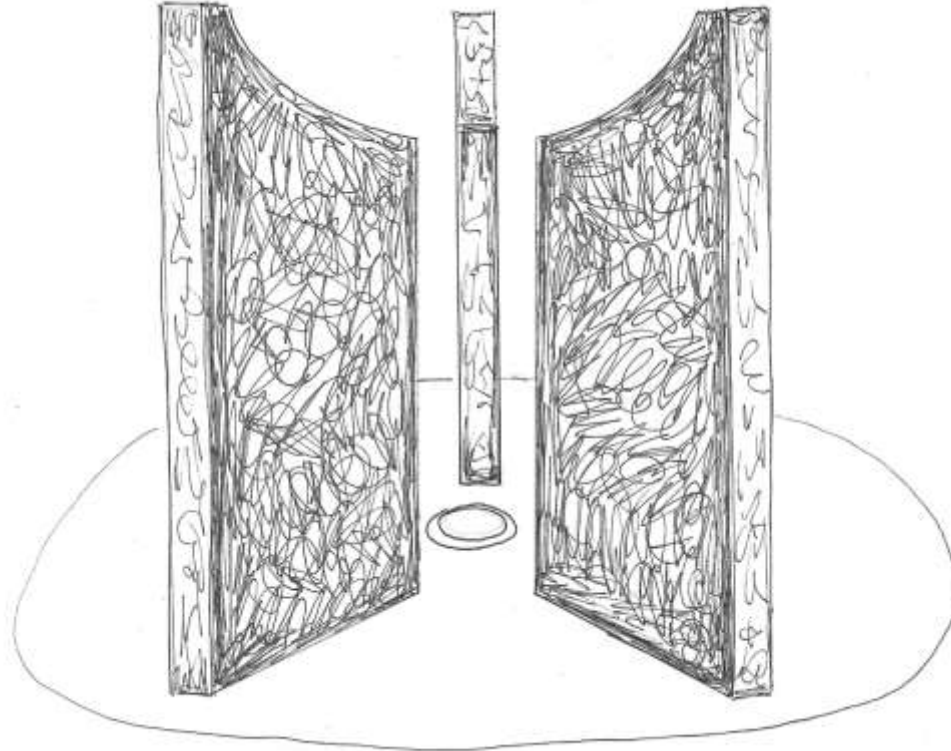
# Location Proposed



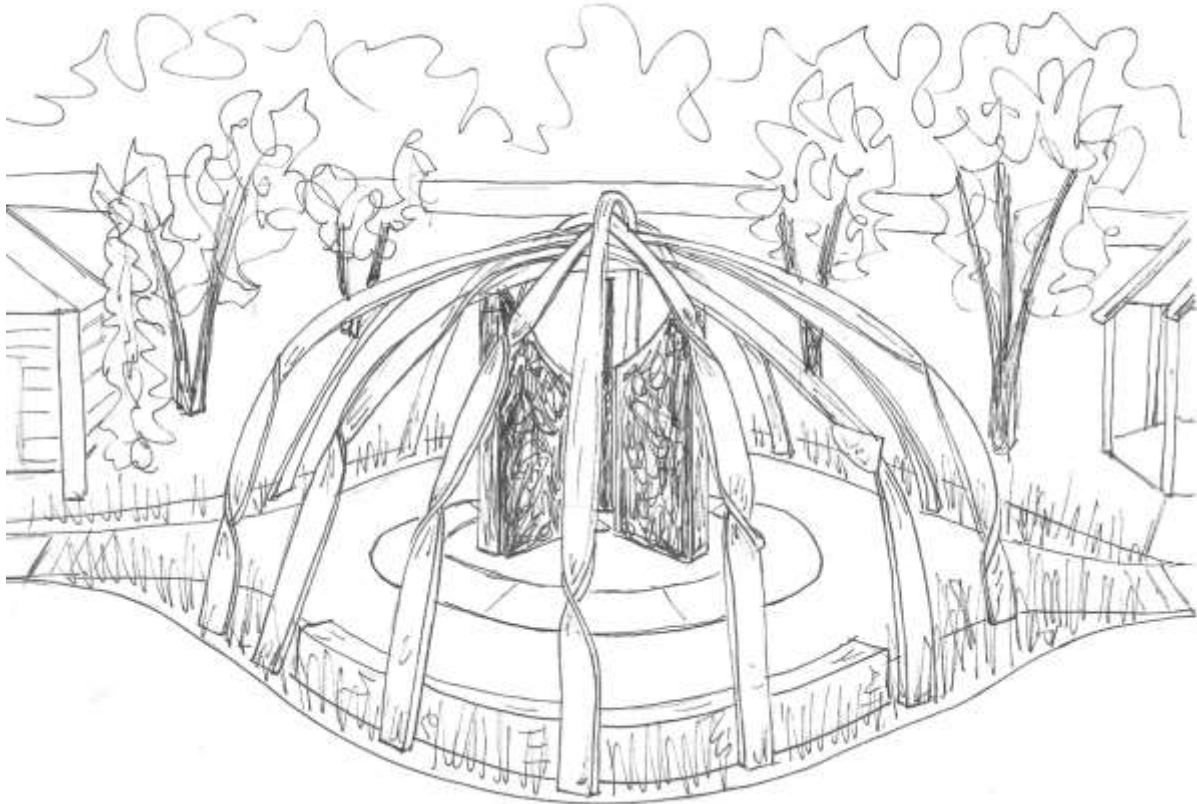
# Project Idea



# Project Images



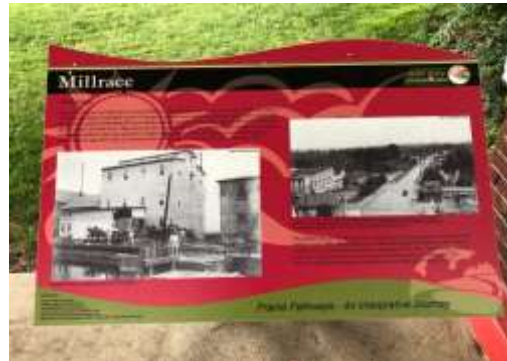
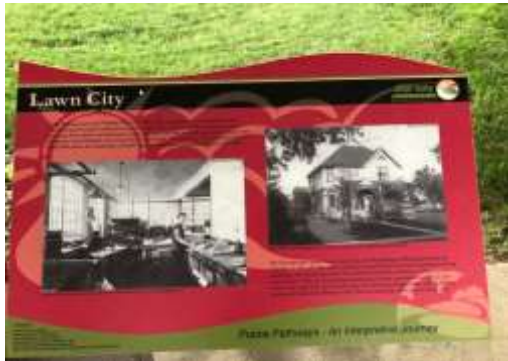
# Project Images





# Property Impacts

- Will avoid any part of levee
- 2-3 trees may need to be removed, trimming may be needed
- Relocate Prairie Pathway signs & a bench





# Next Steps & Timeline

August 2022	Agreement with City
Mid 2022-Spring 2023	Fundraising
Early 2023	Project Plans finalized
Spring/Summer 2023	Construction begins
Fall 2023	Completion

# Request

We request Council move to direct staff to work with CF Rotary on a project agreement for City Council consideration.

# City Council Committee Meeting

July 18, 2022



# Council Referral to Discuss Rules for Shared Parking in Downtown

## Points to Discuss:

- Review off-site shared parking options
- Review on-street parking as shared parking
- Review time of day rules for shared parking

# Downtown Shared Parking Requirements:

Item 2.

*(City Code Section 26-196)*

## Minimum Shared Parking Requirements

- Commercial upper stories
  - ✓ No shared parking for <5000sf non-residential gross floor area (GFA)
  - ✓ 1.25 spaces per 1000sf for  $\geq$  5000 sf non-residential GFA
- Residential in mixed-use or multi-unit buildings
  - ✓ .25/bedroom
- No shared parking requirement for non-residential uses on the ground floor, e.g. retail, restaurant, office, institutional

# Downtown Shared Parking Requirements:

*(City Code Section 26-196)*

Item 2.

## Shared Parking - Location Standards

Options to provide flexibility for the property owner:

- On the project site;
- On a different property within 600 feet walking distance of the project site (this is only allowed for Urban General (UG), UG2, and Storefront areas, not in the Neighborhood areas);
- On-street parking directly abutting the project site may be counted toward the shared parking requirement.

These rules are similar to what was allowed within the previous CBD Overlay.

- Parking on a separate site was allowed.
- On-street parking counted toward the “visitor parking” requirement.

# Downtown Parking Requirements:

*(City Code Section 26-196)*

Item 2.

## Shared Parking - Time Restrictions (UG, UG2, Storefront)

If the owner desires to place time or hour of the day restrictions on the shared parking, the restrictions must be reviewed and approved according to the following rules:

- It is available to the public at least 12 hours out of any 24-hour period;
- At least 8 of those hours must be during either business or nighttime hours depending on whether the primary use will be for commercial or residential uses.

## Shared Parking – Time Restrictions (Neighborhood Frontages)

- No time restrictions allowed. Shared parking must be available for visitor parking 24 hours per day.

# Council Referral to Discuss Private Shared Parking

## Action:

Discuss whether to petition the Planning & Zoning Commission to amend one or more of the time and location rules for shared parking.