



**AGENDA  
CITY OF CEDAR FALLS, IOWA  
STANDING COMMITTEE MEETING  
MONDAY, JUNE 20, 2022  
5:50 PM AT COMMUNITY CENTER, 528 MAIN STREET**

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**Call to Order**

**Roll Call**

**Administration Committee**

1. Council Meeting Rules of Order (Administrative Policy No. 7)  
(60 Minutes, Mayor Robert M. Green)



MAYOR ROBERT M. GREEN  
CITY OF CEDAR FALLS, IOWA  
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**MEMORANDUM**  
Office of the Mayor

**FROM:** *Robert M. Green*  
Mayor Robert M. Green  
**TO:** City Council  
**DATE:** June 14, 2022  
**SUBJECT: Proposal for Changes to Admin Policy #7 – Council Meeting Procedures**

On June 7, 2022, the City Council referred to the Administration Committee a potential update to the current Admin Policy #7, specifically for adding rules regarding the referrals process, but also other changes more generally.

Over the past five years as a council member and as mayor, I have noted several discrepancies and irregularities in the existing policy. In at least one case, a rule contradicts another. The city attorney and I have conferred about problems and vague language in Admin Policy #7, and have combined several years of notes into a proposed rewrite of the policy to address these issues.

Though the proposed document appears far-reaching in its changes, in many cases it simply spells out what the council is already doing through custom. In some cases however, the city attorney and I believe that the custom ought to be declared as a council standing rule. Most of the edits in this document are of this nature. After his review of these proposed changes, the city attorney can attest that the vast majority of proposed edits do not alter existing practice, but simply define them in a much clearer and more logical, orderly manner for readability and ease of reference.

In the upcoming Administration Committee meeting, you may choose to adopt all, part, or none of these recommended edits. I have included an attachment detailing all significant changes to the existing document, to ease discussion and council consensus for each proposed change. Final action on any changes would require a two-thirds majority vote during a regular meeting per Rule 57 / Rule 1.5.

I don't make these recommendations lightly, appreciating that many of the rules have been established for decades. That said, I also believe that the sitting City Council and I have the responsibility to ensure that the council's standing rules are current, well-organized, and well-stated for those who follow us. It is in this spirit that I humbly propose this significant restructuring of the existing Admin Policy #7, and am grateful for your consideration.

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## Proposed changes

- 1. Title and Numbering:** Change “*City Council Meeting Procedures*” to “*City Council Special Rules of Order*” to match standard parliamentary language for this kind of document (see Robert’s Rules 2:15 – 2:18). It also incorporates the numbering format of the new city-wide Municipal Directives Index, changing from “#7” to “CFD 1121” or just “1121”. “Admin Policy #7” has been a misnomer because these rules of order have never been an administrative policy; instead, these rules are a key standalone Council directive wholly separate from the admin policies and as approved by the City Council. As I understand it, all other admin policies are approved by the City Administrator, so this change will help clarify that all Admin Policies are the responsibility of the Administrator.
- 2. Format:** Adopts the standard policy template for city directives, which includes a header on each page (with directive number, directive title, City of Cedar Falls, and page X of Y). It uses no footer, and replaces emphasized underlined text with bold text (as underlines are reserved solely for hyperlinks and edits in “track changes” mode).
- 3. Organization:** The contents are reorganized into topical parts 1 through 10, with each part starting a new numbered list. This will enable a much easier addition of new rules to each part, without having to re-number all the rules that come after it, or to incongruously add the new rule to the end of the entire document.
- 4. Rule 1.7** spells out at the start of the rules that a two-thirds majority of members (so, five members) can overrule a presiding officer’s decision in meetings. This is an important consideration for all the other rules, and would be in-line with the fact that a two-thirds majority of council is required to override a mayor’s veto (See Sec 2-187(b)(3) of the city code). I believe a supermajority override is a valuable facet of a “strong mayor” governing style. The two-thirds requirement has also been added to Rule 8.5, Rule 10.2(b), Rule 10.2(c), 10.3(b) and 10.4(b), which relate to overruling presiding officer decisions on validity of referrals and time limits for speakers. Other mentions of “two thirds” exist in the Standing Rules, but they already existed previously.
- 5. Rule 2.4** provides additional guidelines for remotng-in for council meetings. In order to ensure that the technology is set up for the meeting, at least 12 hours of advance notice should be given. Cameras would also be required to be turned on, and the chairs (and mayor) should be in physical attendance.
- 6. Rule 3.1(b)** adds the Pledge of Allegiance to the regular council meeting. The Pledge of Allegiance is an important American civic custom which helps to provide a common sense of purpose and unity at the start of civic meetings across the country. All other area city councils (Waterloo, Waverly, and Hudson), as well as the Black Hawk County Board of Commissioners, begin their meetings with the Pledge, and I strongly believe that the Cedar Falls City Council should be doing the same. With this addition, no person (including councilors) will be required to recite the Pledge, but all who desire to will have the opportunity to do so.
- 7. Rule 3.1(g)** would rename “Staff Updates” to “Report of Officers” and shift this segment to the meeting’s start. Shifting this report toward the start of the meeting will allow important city information to be disseminated when the most number of attendees / viewers are likely

to be watching. Should the council have questions or need additional information from the Administrator or Directors later in the meeting, these matters can be brought up under General Discussion. I have spoken with the City Administrator and Directors, and they have no concerns about this change.

8. **Rule 3.1(l)** would add a second public forum to allow the public to comment or ask questions related to items that were passed or not passed during the evening's agenda. I will leave it to the council to deliberate and decide on the wisdom of such an addition.
9. **Rule 3.1(m)** changes "Council Referrals" to "Referral Requests" to clarify that only the whole council can actually make or approval a referral to a committee; members can only make the request to the whole council for consideration.
10. **Rule 3.1(j)** renames "Council Updates" to "General Discussion and Announcements" to more clearly describe the purpose of this time on the Agenda. Council members are using this time to make announcements and to engage staff with questions.
11. **Rule 3.2** clearly labels both the Consent and Resolution Calendars, since at no other point in the document or proceedings is the term 'Consent Agenda' used.
12. **Rule 3.4** clarifies where the published agenda and meeting materials will be published to, and also specifies that members may request a printed copy of the packet.
13. **Rule 4.1** changes the "third next person" for leading a council meeting from the "most senior member" to the Chair of the Administration Committee. The Administration Committee chair should have numerous opportunities to preside over meetings, and should be fairly comfortable chairing city council meetings in an emergency.
14. **Rule 4.3** adds a requirement for a roll call to be held at the start of work sessions.
15. **Rule 4.4** changes "mayor" to "presiding officer" in many instances; this style change is carried throughout the rest of the document. This is a logical change to account for the fact that the chairs of committees must also conform to many of the Standing Rules while leading their meetings (for instance, under Rule 4.7). Where the document still refers to "mayor", it's in the sense of a power or responsibility that is reserved solely to the actual mayor.
16. **Rule 4.11** clarifies that members can interrupt at any time for a point of privilege and point of order.
17. **Rule 4.18 and 4.19** describes points of order and points of privilege, since these are fairly common actions that can be taken by members.
18. **Rule 5.18** is an actual change to procedure, specifying that the items in the Consent and Resolution Calendars don't need to be read by title, only stated by number. I'm requesting this change because the items (1) are already listed in the agenda, (2) are displayed on the screen and (3) don't seem to be paid attention to by anyone in attendance, and even if they do pay attention, it's too late to call out the item for separate discussion anyway. This is the point where the public checks out. For the sake of meeting efficiency, I recommend ending this needless practice entirely.

19. **Rule 6.1** explains the purpose of the committees.
20. **Rule 6.2** describes the power of the committees.
21. **Rule 6.3** briefly notes how referrals to committees occur.
22. **Rule 6.5** establishes that the Mayor Pro Tem may chair a committee meeting in the absence of the designated chair. This is only intended as a contingency if the committee truly must meet. Otherwise, committees should only be meeting when the chair is able to attend.
23. **Rule 6.7** describes how committees can recommend or continue discussion.
24. **Rule 6.8** establishes that for most cases, the only 'report' of the committees back to the council will be the minutes of the committee meeting. If the council wishes, it can instead require a more formal report, but I anticipate that would happen very rarely.
25. **Part 8** is an entirely new text for how Council Referral requests would be handled. Rule 8.1 through 8.6 would require that referrals be presented in writing and included in the Council Packet for consideration. Exceptions are provided for in Rule 8.4 in case something comes up in the meeting that requires an immediate referral. This wording (which has been reviewed and cleared by the city attorney) should address the concerns of members by putting this previous custom into an actual rule.
26. **Part 9** is also a new text, which explains the purpose of Work Sessions and how they're generally to be conducted. Since work sessions are open meetings under Iowa law, I believe it's important to include them in the Standing Rules and explain a bit about how they operate. There's still plenty of room for unwritten customs as council & mayor see fit.
27. **Part 10** has been reorganized to consolidate all rules about public participation into one section, for public convenience. After edits are accepted, Part 10 will fit onto a single sheet of paper (front and back) and will eliminate the need for a separate handout to be created / provided at council meetings.
28. **Rule 10.1(b)** is a new rule, but a usual parliamentary practice I've been following already – speakers have to always address the chair, for the sake of decorum (so that a speaker won't get risk drawing a council member or staff into an argument) . It's a very good practice, so I just want to ensure it's written and everyone is on the same page.
29. **Rule 10.2(a)** establishes that the public will have the opportunity to comment on any item where a vote is taken. This is basically what we already do, but I believe it's important enough that it should be upgraded from a custom to a rule.
30. **Rule 10.2(c)** already allowed the presiding officer to establish a fixed total time limit, but I've reworded it to so that doing this is more collaborative – rather than the presiding officer deciding it and then having to be overruled by disagreeing members, the fixed time limit would be established by consensus in the first place. Just a more agreeable way to get to the same result.
31. **Rule 10.2(d)** resolves the city attorney's First Amendment concerns with the previous language. This was his proposed phrasing, and I understand and agree with his

sentiments here. Interestingly, I gave “three strikes” to a speaker, but the rules specify that speakers are supposed to be barred from speaking after the first instance. I’ll follow this stricter rule in the future.

- 32. Rule 10.3(c)** provides more clarity to the rule against campaigning at the speaker podium, and also specifically adds a specific prohibition in the Standing Rules on bringing campaign materials to the meeting space. There is already a city policy prohibiting this, but I want to have a council approved prohibition on materials as well, since council members may be the ones in violation of the policy.
- 33. Rule 10.7** ensures that the public knows that they can record any open meeting with their own devices. This probably will now only be relevant for work sessions, since we already record and broadcast the other meeting types. The text also notes that the presiding officer can provide reasonable direction so that the recording isn’t somehow disruptive to the meeting. I think that’s important to include, just to that it’s clear we have some discretion on how the recording will be conducted.



# Administrative Policy No. 07

**Subject:** City Council Meeting Procedures

**Adopted:** 01/28/91 **Amended:** 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

## Introduction:

Ordinance No. 566, adopted on March 25, 1927, establishes the rules of conduct for Cedar Falls City Council meetings and the passage of motions, resolutions and ordinances.

## Purpose:

This policy is intended to describe the steps necessary to comply with the rules of conduct described by ordinance.

## Procedure:

### Part I. General Provisions

Rule 1. Scope of rules. These rules shall govern the conduct of the council and shall be interpreted to insure fair and open deliberations and decision-making.

Rule 2. Applicability of Robert's Rules of Order. In all cases not provided for by the Cedar Falls code of Ordinances, or not specifically provided for in these rules, Robert's Rules of Order shall govern all points of order arising during a city council meeting, but failure to comply with such rules shall not affect the legality of any action of the council in any manner or to any extent.

Rule 3. 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 or his/her representative in conformity with the purpose of these rules in a fair and expeditious manner. The decision of the presiding officer may be reversed by a majority vote of the council.

Rule 4. Interpretation. These rules are intended to supplement and shall be interpreted to conform to the statutes of the State of Iowa and the ordinances of the City of Cedar Falls.

## Part II. Time and Place of Meeting

Rule 5. 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))

Rule 6. Special meetings. Special meetings may be called by the mayor or by any four or more councilmembers. To call for a special meeting any four or more councilmembers may separately file a request with the city clerk. Such request shall include the agenda item(s) for the special meeting. 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 24 hours in advance. (Sec. 2-45(b))

Rule 7. Quorum. A majority of all members elected to the City Council shall constitute a quorum for transaction of business. (Sec. 2-46)

## Part III. Agenda

Rule 8. Preparation of agenda. Prior to each 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) Approval of Minutes.
- b) Agenda Revisions.
- c) Public Forum.
- d) Special Presentations, if necessary.
- e) Special Order of Business, primarily public hearings and related actions.
- f) Old Business.
- g) New Business:
  - 1) Consent Calendar.
  - 2) Resolution Calendar.
  - 3) New ordinances that do not require public hearings.
- h) Bills and Payroll.
- i) City Council Referrals.
- j) City Council Updates.
- k) Executive Session, if necessary.
- l) Adjournment.

Rule 9. Consent Agenda. 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 Rule 61. 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.

Rule 10. Hearings and Special Order of Business. The city clerk shall prepare as a separate portion of the agenda a schedule of hearings and special presentations or items of business.

Rule 11. Agenda deadline. Any member of the council, the city administrator, city attorney, city clerk, or departmental director, with the mayor's approval, may have an item included upon the agenda by requesting the city clerk to include the item by noon on the Thursday preceding the council meeting. Agendas will be available to the public at 4:00 P.M. on the Friday preceding the council meeting. Council packets will be assembled and distributed to councilmembers, department directors, mayor, city administrator, city attorney and official newspaper by 5:00 P.M. on the Friday preceding the council meeting, and the public may request copies of materials related to council items on the Monday of the council meeting during normal office hours unless otherwise prescribed by public notice.

Rule 12. Extra items. Items requested or filed after noon on the Thursday preceding a council meeting shall not be included upon the agenda unless the mayor shall deem the item of sufficient urgency to warrant immediate council action.

Rule 13. Sponsor required. The city clerk shall not place upon the agenda any matter for reconsideration unless sponsored by the mayor, a councilmember who voted on the originally prevailing side or a council member who was absent at the time of the original action (Rules 40, 52 and 53 also address motions to reconsider). The renewal of a previous motion that is still applicable shall be placed upon the agenda of a subsequent council meeting upon the sponsorship of any member of the council.

Rule 14. 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.

Rule 15. Council action to defer, continue or not act. A member of the council may not withdraw any item prior to the start of council meetings, provided however, a council member wishing council to defer action or continue an item has a right to have a motion to continue, defer or not act on any item considered before any other action which council may consider.

Rule 16. Public agenda requests. Someone from the public may request to have an item placed on the agenda by filing such request in writing with the mayor prior to noon on the Thursday preceding 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 X.

Any visual aids that a speaker desires to have displayed during City Council or Committee meetings must be submitted to the City Clerk by 10:00 a.m. on the day of the Council meeting for Mayor review and approval.

#### Part IV. Conduct of Meetings.

Rule 17. Roll call. Before proceeding with the business of the council, the city clerk shall call the roll call of councilmembers 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.

Rule 18. Call to order. The mayor or mayor pro tem shall call the meeting to order at the appointed hour. In the absence of the mayor or mayor pro tem, the city clerk shall call the meeting to order and a temporary presiding officer shall then be selected under Rule 19.

Rule 19. 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 council member present shall preside. In the event two or more members equally possess the greatest seniority, then the eldest person among them shall preside.

Rule 20. 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.

Rule 21. Mayor to decide question of priority of business. A question relating to the priority of business shall be decided by the mayor without debate. (Sec. 2-104)

Rule 22. Order required when question is being put. While the mayor is putting the question, no one shall walk across or out of the council room. (Sec. 2-105)

Rule 23. Speaking on questions restricted. No councilmember 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. (Sec. 2-106)

Rule 24. Mayor to recognize speaker. When two or more councilmembers rise at once to speak at a council meeting, the mayor shall name the member who is to speak. (Sec. 2-108)

Rule 25. Calling member to order; appeal. A member of the council 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 chair shall be conclusive,

but if the member appeals the decision of the chair, the council shall decide the question without debate. (Sec. 2-109)

Rule 26. Order required while others are speaking. While a member is speaking, no member shall hold any private discourse (Sec. 2-110)

Rule 27. 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 mayor before debate and every motion shall be reduced to writing if required by the mayor or any councilmember. (Sec. 2-111)

Rule 28. Gaining the floor. Every councilmember, previous to speaking, shall address the mayor, and say, "Mr./Madam Mayor," and shall not proceed with remarks until recognized and named by the chair. (Sec. 2-107)

Rule 29. 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 61 or Rule 62.

Rule 30. Discussion. A councilmember shall speak only after being recognized by the presiding officer. A councilmember recognized for a specific purpose shall limit remarks to that purpose. A councilmember, after being recognized, shall not be interrupted except by the presiding officer to enforce these rules.

Rule 31. Presiding officer's right to enter into discussion. The mayor (or other presiding officer) may enter into any discussion.

Rule 32. Limit on remarks. Each councilmember shall limit his or her remarks to a reasonable length.

Rule 33. Presiding officer's right to speak last. The presiding officer has the right to close debate and speak last on any item.

Rule 34. Closing debate. Discussion, including public participation, shall be closed on any item by the presiding officer with the concurrence of a majority of the council. Except as provided by Rule 46, 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.

#### Part V. Public Participation

Rule 35. Public's right to address council. Persons other than councilmembers

shall be permitted to address the council only upon items listed on the agenda, unless excluded under Part X.

Rule 36. Manner of addressing council. A person desiring to address the council shall first be recognized by the presiding officer and then shall step to the podium, state his or her name, address, and group affiliation (if any) and speak clearly into the microphone.

Rule 37. Time limit on speaker remarks. Speakers shall be limited to five minutes speaking time per item, unless additional time is granted by the presiding officer. The presiding officer will advise the speaker when one minute remains. Total speaker input on any subject under council 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.

Rule 38. Remarks of speaker to be germane. Speaker comments must remain civil and be directed to the subject under consideration. The presiding officer shall rule on the germaneness of speaker comments. Speakers making comments that could be construed to be a personalized attack, impertinent or slanderous remarks towards another party shall be barred by the presiding officer from further comment before the council during the meeting.

#### Part VI. Council Action

Rule 39. Motion required. All action requiring a vote shall be moved by a member of the council.

Rule 40. Motion to reconsider. A motion to reconsider must be made by a council member who was on the prevailing side in the original action or by a councilmember absent at the time of the original action.

Rule 41. Rule 40 of these Rules notwithstanding, when less than seven members of the council 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 councilmember 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. In the event an item continued under this rule is consideration of an ordinance, the ordinance shall not be considered to have been read or considered for its first or any subsequent passage unless it shall receive four affirmative votes.

Rule 42. 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 of the

council” 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 councilmember declines to vote by reason of a conflict of interest. (Sec. 2-107)(Sec. 2-128)

Rule 43. 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 indefinitely.
  - 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. (Sec. 2-116)

Rule 44. 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. (Sec. 2-117(a))

Rule 45. 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. (Sec.2-117(b))

Rule 46. Putting the previous question; call for vote. When a council member desires to make a motion to cease debate and to proceed to a vote on the pending question, the member shall make a motion as follows: "Shall the main question be now put?" If this is carried, all proposed amendments and all further motions, debates and public participation shall be excluded, and the question put without delay. This motion requires a two-thirds vote of the council members present for it's adoption. (Sec. 2-118)

Rule 47. 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. (Sec. 2-119)

Rule 48. Indefinite postponement of motions. When a motion is postponed indefinitely, it shall not be taken up again during the same meeting. (Sec. 2-120)

Rule 49. 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. (Sec. 2-121)

Rule 50. Motions to amend.

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. (Sec. 2-122)

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. (Sec. 2-122)

Rule 51. 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. (Sec. 2-123)

Rule 52. When motion 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. (Sec. 2-124 (a))

Rule 53. Who may move to reconsider. A motion to reconsider must be made and seconded by the members who voted on the prevailing side, or by those who were absent and did not vote upon the motion to be reconsidered. (Sec. 2-124 (b))

Rule 54. Withdrawal of motions. After a motion or resolution is stated by the mayor, it shall be deemed to be in the possession of the council, but may be withdrawn at any time before decision, but if any amendment has been proposed or adopted, it shall be withdrawn without the consent of the mover of such amendment. (Sec. 2-113)

Rule 55. Duty to vote; conflict of interest. Each councilmember who is present when a question is stated from the chair of the council shall vote thereon unless he/she is directly interested in the question, in which case he/she shall not vote. In case any member refuses to vote when not excused, his/her vote shall be recorded in the negative. (Sec. 2-115)

Rule 56. Applicability of Robert's Rules of Order. In all cases not herein provided for, Robert's Rules of Order shall govern all points of order arising not governed by these rules, but failure to comply with such rules shall not affect the legality of any action of the council in any manner or to any extent. (Sec. 2-129)

Rule 57. Consent required to suspend, amend rules. The foregoing rules may be temporarily suspended by consent of three-fourths of the councilmembers present, but shall not be repealed, altered or amended unless by concurrence of two-thirds of all the councilmembers elected. (Sec. 2-130)

Rule 58. No motions by presiding officer. If the presiding officer is a

councilmember, they shall not make a motion.

Rule 59. 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. (Sec. 2-114)

Rule 60. 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.

Rule 61. Action on Consent Agenda. Except as herein provided, the Consent Agenda comprised of the Consent and Resolution Calendars shall be considered in bulk and voted upon in single motion or resolution. Each councilmember shall advise the presiding officer of any matter on the Consent Agenda upon which he/she wishes to speak or to vote no. At the time of consideration of the Consent Agenda, the presiding officer shall announce the items upon which councilmembers have indicated they wish to speak or vote no; items upon which any councilmember wishes to speak shall be considered separately and not as a portion of any motion calling for action upon the remainder of the Consent Agenda. The city clerk, on all matters contained in the Resolution Calendar shall record the yes and no votes on each item separately as if each item had been moved and voted upon separately. Rule 29 shall not apply here.

Rule 62. Action on multiple items. With the consent of a majority of the council, Rule 60 hereof 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 councilmember on each item.

Rule 63. Consideration out of order. With the consent of the council, any agenda item may be considered out of order at the request of a councilmember.

Rule 64. Recording names of moving members. The city clerk shall record the name of the councilmember making each motion. (Sec. 2-112)

Rule 65. Consideration of matters not on agenda. Except as to matters that by law require the publication of notice before consideration by the council, any member of the council may, at the close of the regular agenda, bring a matter not on the agenda to the council's attention. Council may act upon such matter only if it does not conflict with the Iowa Open Meetings Law or may direct such matter be included upon a later agenda.

#### Part VII. Miscellaneous

Rule 66. Motions. At any appropriate place on the agenda, any member of the council may make a motion for the council to act upon any matter if the motion is germane to the matter under consideration.

Rule 67. Applicability of rules. These rules shall apply to the council when meeting in any form.

Rule 68. 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.

Rule 69. Informal requests. A member of the council, before or during the consideration of any matter, or in the course of a hearing, may request and receive information, explanations or the opinions of the mayor, city administrator, city attorney, city clerk or any departmental director.

### Part VIII. Committee Structure

Rule 70. Appointment of committees; standing committees enumerated. All standing committees shall be appointed by the mayor and all special committees shall be appointed by the mayor unless specifically directed by the council. All standing committees of the council 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, and the first person named on each committee shall be the chair of such committee. (Sec. 2-68)

The following shall be the standing committees:

- a) Administration.
- b) Committee of the Whole.

Except for matters which the Cedar Falls Code of Ordinances, or the express provisions of these rules, specifically direct be submitted to the Administration Committee, or except as otherwise directed by the council, it is the desire and intent of the council that all matters which are referred, or which are to be referred, to a committee of the council, shall be referred to the council's Committee of the Whole.

Rule 71. Number of committee members.

The standing committees of the council shall consist of all seven members, with the Mayor serving as non-voting chair of the committee of the whole. All special committees shall consist of five members each, unless some other number is specified. (Sec. 2-69)

Rule 72. Procedure for committees to report. Standing and special committees of the council to whom references are made, in all cases, shall report in writing the state of facts, with their opinion, which opinion shall be summed up in the form of an order, resolution or recommendation, unless otherwise ordered by the council. (Sec. 2-71)

Rule 73. City clerk to forward papers to committees employed. The city clerk



shall forward all the papers to the appropriate committees and officers as soon as possible after the reference shall have been made. (Sec. 2-70)

Rule 74. 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. (Sec. 2-72)

#### Part IX. Ordinance Adoption

Rule 75. Ordinances to be presented in writing. All ordinances shall be presented in writing before being considered by the council. (Sec. 2-125)

Rule 76. 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)

Rule 77. 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.

Rule 78. 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)

#### Part X. Public Participation Procedures

The City of Cedar Falls encourages the attendance and participation of the public at its meetings. Public participation is permitted through the four following areas:

- 1) Anyone may address the council during the Public Forum segment of the agenda regarding any issue not on the agenda that is an issue exclusively related to City operations or business. 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. Public Forum is not to be used as a platform for individuals running for elected office at any governmental level.

- 2) A speaker may address the council on any public hearing item specifically listed on the council agenda during that portion of the public hearing when the presiding officer is soliciting public input.
- 3) A speaker may address the council on any item listed under Old or New Business or under the Consent or Resolution Calendars of the council agenda.
- 4) Anyone may request an item be placed on the council agenda by filing such a request in writing with the mayor prior to noon on the Thursday preceding a regularly scheduled council meeting. The request shall then be processed in accordance with Rule 16 of the adopted City Council Meeting Procedures.

However, to avoid violating adopted personnel policies, Iowa law, and Iowa collective bargaining laws, employees and collective bargaining groups will not be recognized to speak about employment related issues during City Council meetings. Employees and collective bargaining groups should utilize the processes specifically defined and granted by Iowa Code and adopted City personnel policies.

Public participation through any of the four areas described above shall be in compliance with the following rules:

- 1) Anyone desiring to address the council shall first be recognized by the presiding officer and then shall step to the podium, state his or her name, address, and group affiliation, if applicable, the item of city council business to which the person desires to speak, and speak clearly into the microphone.
- 2) Each speaker shall be limited to five minutes speaking time per item, unless additional time is granted by the presiding officer. The presiding officer will advise the speaker when one minute remains. Total speaker input on any subject under council consideration may be limited to a fixed period of time by the presiding officer. A majority vote of the council may extend the time limitations imposed by this rule.
- 3) Speaker comments must remain civil and be directed to the subject under consideration. The presiding officer shall rule on the germaneness of speaker comments. Any speaker making comments that could be construed to be a personalized attack, impertinent, or slanderous remarks towards another party shall be barred by the presiding officer from further comment before the council during the council meeting.
- 4) No issue raised by a speaker under the rules of this Part X shall be debated by the City Council.

(Previously #91-0001)

# CFD 1121: City Council 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.

1.1.1.2. **Scope of rules.** These rules shall govern the conduct of ~~the council~~ 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 any form~~ 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.

1.2.1.4. **Reference to and aApplicability 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 all cases not provided for by the Cedar Falls Code of Ordinances, or not specifically provided for in these City Council Standing Rules of Order, Robert's Rules of Order shall govern all points of order arising during a city council meeting.

1.3.1.5. **Consent required to suspend or, amend the rules.** These ~~foregoing~~ rules may be temporarily suspended by consent of three-fourths of the ~~council~~ members present, but shall not be repealed, altered or amended unless by concurrence of two-thirds of all the ~~council~~ members ~~elected.~~ ~~(Sec. 2-130)~~ (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 ~~or his/her representative~~ in conformity with the purpose of these rules in a fair and expeditious manner.

~~4.4.1.7.~~ **Council prevalence in meeting decisions.** Any determination by a presiding officer may be reversed by a two-thirds majority of all members.

~~4.5.1.8.~~ **Interpretation.** These rules ~~are intended to~~ 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 ~~council~~ member who is present when a question is stated ~~from the chair of the council~~ by the presiding officer shall vote thereon unless ~~he/she is~~ directly interested in the question, in which case ~~he/she~~ the member shall ~~not vote~~ abstain from voting. ~~In case~~ When any member refuses to vote when not excused, ~~his/her~~ the member's vote shall be recorded in the negative. ~~(Sec. 2-115) (See RONR 45.4)~~

~~4.6.1.10.~~ **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.

## 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~~ councilmembers. ~~To call for a special meeting any four or more councilmembers may~~ who separately file a special meeting request with the city clerk. Such request shall include the proposed agenda item(s) for the special meeting. ~~The~~ 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. ~~(Sec. 2-45(b))~~

**2.3. Quorum.** A majority of all members ~~elected to the City Council~~ shall constitute a quorum for transaction of business. ~~(Sec. 2-46) (see Iowa Code 372.13.1)~~

~~2.3.2.4.~~ **Remote Attendance.** Members ~~of the City Council~~ may attend City Council meetings via videoconference with at least 12 hours advance notice to the City Clerk, as long as a quorum (4 members) is present in person. Members 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

~~a.c.~~ Approval of Minutes

~~b.d.~~ Agenda Revisions

~~e.e.~~ Special Presentations (if necessary)

f. First Public Forum (5 minutes maximum per speaker).

~~d.g.~~ Report of Officers

~~e.h.~~ Special Order of Business -(primarily public and quasi-adjudicative hearings and related actions)

~~f.i.~~ Old Business

~~g.j.~~ New Business:

1. Consent Calendar
2. Resolution Calendar
3. New ordinances that do not require public hearings

k. Bills and Payroll Claims

~~h.l.~~ Second Public Forum (3 minutes maximum per speaker, must be related to the evening's agenda.)

~~i.m.~~ City Council Referral Requests

~~j.~~ City Council Updates, General Discussion and Announcements.

~~k.n.~~ Executive Session -(if necessary)

~~l.o.~~ Adjournment

3.2. **Consent Agenda 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. Hearings and Special Order of Business.~~ The city clerk shall prepare as a separate

~~portion of the agenda a schedule of hearings and special presentations or items of business.~~

**3.3. Agenda deadline.** Any member ~~of the council~~, 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 ~~5:00 P.M. on the Monday one week prior to a council meeting~~this time shall not be included upon the agenda unless the mayor ~~shall deem~~s 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. Sponsor required. The city clerk shall not place upon the agenda any matter for reconsideration unless sponsored by the mayor, a councilmember who voted on the originally prevailing side or a council member who was absent at the time of the original action (Rules 40, 52 and 53 also address motions to reconsider). The renewal of a previous motion that is still applicable shall be placed upon the agenda of a subsequent council meeting upon the sponsorship of any member of the council.~~

~~3.6-3.5.~~**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.

~~3.7-3.6.~~**Council action to defer, continue or not act.** A member ~~of the council~~ may not withdraw any item prior to the start of council meetings, provided however, a ~~council~~ member wishing council to defer action or continue an item ~~has a right to have a motion~~may move to continue, defer or not act on any item considered before any other action which council may consider.

~~3.8-3.7.~~**Public agenda requests.** ~~Any~~Someone 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 ~~X10~~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 council member~~Administration Committee chair

~~present shall preside. In the event two or more members equally possess the greatest seniority, then the eldest person among them shall preside.~~

4.2. ~~**Call to order.** The mayor or mayor pro tem shall call the meeting to order at the appointed hour. In the absence of the mayor or mayor pro tem, the city clerk shall call the meeting to order and a temporary presiding officer shall then be selected under Rule 19.~~

4.1. **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).

4.2.4.3. **Roll call.** Before proceeding with the business of the council, committee, or work session, the city clerk shall call the roll ~~call~~ of ~~council~~ 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.

4.3.4.4. ~~**Mayor Presiding officer to decide question of priority of business.**~~ A question relating to the priority of business shall be decided by the mayor presiding officer without debate. ~~(Sec. 2-104)~~

4.4.4.5. **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 ~~61-5.16~~ or Rule ~~62-5.17~~.

4.5.4.6. ~~**Mayor Presiding officer to recognize speaker.**~~ When two or more ~~council~~ members rise at once to speak at a council meeting, the mayor presiding officer shall name the member who is to speak. ~~(Sec. 2-108)(See RONR 42:2)~~

4.6.4.7. **Speaking on questions restricted.** No ~~council~~ 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. ~~(Sec. 2-106)~~

4.7.4.8. **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 mayor presiding officer before debate and every motion shall be reduced to writing if required by the mayor presiding officer or any member. ~~(Sec. 2-111)~~

4.8.4.9. **Gaining the floor.** Every ~~council~~ member, previous to speaking, shall address the mayor presiding officer, and say, "~~Mr./Madam Mayor,~~" "Mister / Madam Chair" and shall not proceed with remarks until recognized and named by the chair presiding officer. ~~(Sec. 2-107)~~

**4.9.4.10. 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 ~~64-5.16~~ or Rule ~~62-5.17~~.

**4.10.4.11. 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). ~~(Sec. 2-110)~~

**4.11.4.12. Order required when question is being put.** While the ~~mayer-presiding officer~~ is putting the question, no one shall walk across or out of the council ~~room~~ chambers. ~~(Sec. 2-105)~~

**4.12.4.13. Discussion.** A ~~council~~ member shall speak only after being recognized by the presiding officer. A ~~council~~ member recognized for a specific purpose shall limit remarks to that purpose. A ~~council~~ member, after being recognized, shall not be interrupted except by the presiding officer to enforce these rules.

**4.13.4.14. Limit on remarks.** Each ~~council~~ member shall limit ~~his or her~~ remarks to a reasonable length as determined by the presiding officer.

**4.14.4.15. Presiding officer's right to enter into discussion.** The ~~mayer (or other~~ presiding officer) may enter into any discussion.

**4.15.4.16. 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 ~~the council members~~. Except as provided by Rule ~~465.8~~, 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.

**4.16.4.19. 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.



4.17.4.20. **Calling member to order; appeal.** A member ~~of the council~~ 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 ~~chair-presiding officer~~ shall be conclusive, but if the member appeals the decision of the chair, the council shall decide the question without debate. ~~–(Sec. 2-109)~~

## 5. **Council Action**Motions

5.1. **Motions.** At any appropriate place on the agenda, any member ~~of the council~~ may make a motion for the council to act upon any matter if the motion is ~~germane-relevant~~ to the matter under consideration.

5.2. **Motion required.** All action requiring a vote shall be first moved by a member ~~of the council~~ and seconded by another member.

5.2.5.3. **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.

5.3.5.4. **Recording names of moving members.** The city clerk shall record the name of the member making each motion.

5.4.5.5. **No motions by presiding officer.** ~~If the~~ The presiding officer ~~is a council member,~~ they may suggest a motion, but shall not ~~may not~~ make a motion. A member acting as presiding officer may second a motion.

5.5.5.6. **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 ~~of the council~~” 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 ~~council~~ member declines to vote by reason of a conflict of interest. ~~(Sec. 2-107)(Sec. 2-128)~~

5.6.5.7. **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 <u>to a certain time</u> <del>indefinitely</del> |
| 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.

~~5.7.5.8.~~ **Putting the Calling the previous question;** ~~call for vote.~~ When a ~~council~~ member desires ~~to make a motion~~ to cease debate and to ~~proceed to a~~ vote on the pending question, the member shall request the floor and make a motion as follows state: "Shall the main question be now put" I move to call the previous question." ~~? If seconded, then the council shall then vote, without debate, on whether or call the question. If carried by a two-thirds majority of members present, if this is carried,~~ all proposed amendments and all further motions, debates and public participation shall be excluded, and the ~~question put without delay~~ original motion shall immediately be voted on. ~~This motion requires a two-thirds vote of the council members present for its adoption. (Sec. 2-118)~~

~~5.8.5.9.~~ **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. ~~(Sec. 2-119)~~

~~5.9.5.10.~~ ~~Indefinite postponement of motions~~ **Motions postponed to a certain time.** When a motion is postponed ~~indefinitely, it shall not be taken up again during the same meeting.~~ ~~(Sec. 2-120)~~ 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.

~~5.10.5.12.~~ **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. ~~(Sec. 2-122)~~
- 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. ~~(Sec. 2-122)~~
- 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. ~~(Sec. 2-123)~~

~~5.11.5.13.~~ **Withdrawal of a motions.** After a motion or resolution is stated by the ~~mayor~~ 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". ~~but if~~ any amendment has been proposed or adopted, ~~it the main motion~~ shall not be withdrawn without the consent of the mover of such amendment. ~~(Sec. 2-113).~~ (See RONR 33:11)

~~5.12.5.14.~~ **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. ~~(Sec. 2-114)~~ (See RONR §27)

~~5.13.5.15.~~ **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 Agenda Calendar.** Except as herein provided, the Consent Agenda comprised of the Items on the Consent and Resolution Calendars shall be considered in bulk and 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. Each councilmember shall advise the presiding officer of any matter on the Consent Agenda upon which he/she wishes to speak or to vote no. At the time of consideration of the Consent Agenda, the presiding officer shall announce the items upon which councilmembers have indicated they wish to speak or vote no; items upon which any councilmember wishes to speak shall be considered separately and not as a portion of any motion calling for action upon the remainder of the Consent Agenda.~~
- ~~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.~~
- ~~5.14-5.18. **Announcement of Items in the Consent and Resolution Calendars.** Items in the consent and resolution calendars may be announced 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.~~
- ~~5.15-5.19. **Recording of Resolution Calendar votes.** The city clerk, on all matters contained in the Resolution Calendar 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 29 4.10 shall not apply here.~~
- ~~5.16-5.20. **Action on multiple items.** With the consent of a majority of the council, Rule 60-5.15 hereof 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 councilmember on each item.~~
- ~~5.17. **Consideration out of order.** With the consent of the council, any agenda item may be considered out of order at the request of a councilmember.~~
- ~~5.18. **Recording names of moving members.** The city clerk shall record the name of the councilmember making each motion. (Sec. 2-112)~~
- ~~5.19. **Consideration of matters not on agenda.** Except as to matters that by law require the publication of notice before consideration by the council, any member of the council may, at the close of the regular agenda, bring a matter not on the agenda to the council's attention. Council may act upon such matter only if it does not conflict with the Iowa Open Meetings Law or may direct such matter be included upon a later agenda.~~
- ~~5.20-5.21. **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.

~~5.21-5.22.~~ **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. ~~(Sec. 2-124 (a))~~ (See RONR 37:9)

~~5.22-5.23.~~ **Who may move to reconsider.** A motion to reconsider must be made and seconded by ~~the~~ members who voted on the prevailing side, or by those who were absent and did not vote upon the motion to be reconsidered. ~~(Sec. 2-124 (b))~~ (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.

~~5.23-5.25.~~ **General Discussion 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 meeting agenda to ensure transparency and public participation.

~~5.24-5.26.~~ **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.

~~5.25-5.27.~~ **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. ~~(Sec. 2-117(b))~~ (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)

**6.1-6.3. 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.

**6.2-6.4. Standing committees.** The following shall be the Council's standing committees:

- a. Administration.
- b. Public Works.
- c. Community Relations and Planning.
- d. Committee of the Whole.

**Appointment of committee ~~members;~~ ~~standing committees enumerated.~~** 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. ~~and all s~~Special committees shall be appointed by the mayor unless specifically otherwise directed by the council. ~~All standing committees of the council 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, and T~~the first person named on each committee shall be the chair ~~of such committee.~~ (Sec. 2-68)

**6.3. Referrals.** ~~Referrals shall be made to the Administration, Public Works or Community Relations and Planning Committees, except for matters which, in the judgment of the Mayor or Council, are extraordinary or are of significant public interest, which shall be referred to the Committee of the Whole.~~

**6.5. 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)

**6.4-6.7. 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 ~~references referrals~~ are made ~~, in all cases,~~ shall report ~~in writing~~ the state of facts ~~, with their opinion, which opinion shall be summed up in the form of an order and the committee's recommendation through the approved committee minutes,~~ resolution

~~or recommendation, unless otherwise ordered by another form of report is specified by~~  
the council.

~~6.5. City clerk to forward papers to committees employed. The city clerk shall forward all the papers to the appropriate committees and officers as soon as possible after the reference shall have been made. (Sec. 2-70)~~

~~6.6.6.9. 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. (Sec. 2-72)~~

## 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

- 8.1. Referral initiation. During the Referral 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.
- 8.1-8.2. Referrals requests presented in writing. Except for the exigent circumstances in Rule 8.4, all 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 correspondence shall contain 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.
- 8.2-8.3. 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.
- 8.3-8.7. 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 organizations.
- 9.2. Session Agenda. Work sessions shall include a published agenda, 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 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 during these meetings.



## 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. Manner of addressing council. 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. Time limit on speaker remarks. Speakers shall be limited to speaking once, for up to five minutes. ~~Speakers shall be limited to five minutes speaking time per item,~~ 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, with the approval of a two-thirds majority of all members. (See RONR 43:16)
- ~~b-d.~~ Remarks of speaker to be germane. Speaker comments must remain civil and be directed to the subject under consideration. The presiding officer shall rule on the ~~germaneness~~ relevance of speaker comments. Speakers making comments that could be construed to be obscene, integral to illegal conduct, inciting imminent lawless action, threatening personalized attack, impertinent or slanderous remarks towards another party shall be ruled out of order and barred by the presiding officer from further comment ~~before the council during the meeting at the current meeting.~~ (See RONR 9:29)

### 10.3. Speaking during first public forum.

- a. Applicability. Anyone may address the ~~council~~ presiding officer during the First Public Forum segment of the agenda, regarding any issue not on the agenda, ~~that is an issue exclusively~~ 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, as restricted by State statute.

- 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 ~~for individuals~~ 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 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.
- ~~10.2. A speaker may address the council on any public hearing item specifically listed on the council agenda during that portion of the public hearing when the presiding officer is soliciting public input.~~
- ~~10.3. A speaker may address the council on any item listed under Old or New Business or under the Consent or Resolution Calendars of the council agenda.~~
- ~~10.4. Anyone may request an item be placed on the council 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 request shall then be processed in accordance with Rule 16 of the adopted City Council Meeting Procedures.~~
- ~~10.5. However, City employees not to speak on employment matters. –Employees and collective bargaining groups will not be recognized to speak about employment-related issues during City Council meetings to avoid violating adopted personnel policies, Iowa law, and Iowa collective bargaining 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. Anyone desiring to address the council shall first be recognized by the presiding officer and then shall step to the podium, state his or her name, address, and group affiliation, if applicable, the item of city council business to which the person desires to speak, and~~

~~Speak clearly into the microphone.~~

~~10.7. Each speaker shall be limited to five minutes speaking time per item, unless additional time is granted by the presiding officer. The presiding officer will advise the speaker when one minute remains. Total speaker input on any subject under council consideration may be limited to a fixed period of time by the presiding officer. A majority vote of the council may extend the time limitations imposed by this rule.~~

~~10.8. Speaker comments must remain civil and be directed to the subject under consideration. The presiding officer shall rule on the germaneness of speaker comments. Any speaker making comments that could be construed to be a personalized attack, impertinent, or slanderous remarks towards another party shall be barred by the presiding officer from further comment before the council during the council meeting.~~

~~10.5. No issue raised by a speaker under the rules of this Part X shall be debated by the City Council.~~

~~10.9-10.6. **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.~~

~~10.10-10.7. **Recording.** The public may use cameras or recording devices at any open 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)~~

# CFD 1121: City Council 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 Standing Rules of Order, 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.

## 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 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 videoconference with at least 12 hours advance notice to the City Clerk, as long as a quorum (4 members) is present in person. Members 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
  - 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
  - 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
  - n. General Discussion and Announcements.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 Administration Committee chair shall preside.
- 4.2.
- 4.3. **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).**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. Motions

- 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.
- 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 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 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 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 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. Administration.
  - b. Public Works.
  - c. Community 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

- 8.1. **Referral initiation.** During the Referral 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. **Referrals requests presented in writing.** Except for the exigent circumstances in Rule 8.4, all 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 correspondence shall contain 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 organizations.
- 9.2. **Session Agenda.** Work sessions shall include a published agenda, 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 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 during these meetings.

## 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, 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, as restricted by State statute.
- 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 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. **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 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. **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.

- 10.7. **Recording.** The public may use cameras or recording devices at any open 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)