

City Council Procedural Rules for the City of  
Eldridge (adopted in Resolution No. 2024-03)

Part I. General Provisions

Rule 1. Scope of Rules. These rules shall govern the conduct of the Council and shall be interpreted to ensure fair and open deliberations and decision making.

Rule 2. Robert's Rules of Order Adopted. The rules of parliamentary practices comprised in the current edition of "Robert's Rules of Order", as amended, shall govern the sessions of the City Council in all cases in which they are applicable and where they are not inconsistent with the standing rules of the City Council or the laws of the State of Iowa. Iowa Code Chapter 372.13(5) provides that the City Council may determine its own rules of procedure and shall maintain records of its proceedings consistent with state law. The following set of rules shall be in effect upon adoption by the Council until such time as they are amended, or new rules adopted. The Iowa Open Meetings Law, Chapter 21 of the Code of Iowa, is the governing law of public meetings held by the City of Eldridge.

Rule 3. Matters Not Covered. Any matter or order or procedure not covered by these rules shall be referred to the Presiding Officer (typically the Mayor or Mayor Pro Tem), who shall decide the matter with the assistance and advice of the City Attorney or his or 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 only by a majority vote of the Council.

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

Part II. Time and Place of Meeting

Rule 5. Regular Meetings. Regular City Council meetings shall be held on the first and third Monday of each month excluding holidays, at Eldridge Community Center, starting at 7:00 o'clock p.m., Central Standard Time. Committee of the Whole meetings shall be held on the first Monday of each month excluding holidays, at Eldridge Community Center, starting at 6:00 o'clock p.m., Central Standard Time.

Rule 6. Special Meetings. Special meetings (Formal or Work Session) may be called by the Mayor or by any two Council Members. A call for a special meeting shall be communicated to the City Clerk in writing unless the announcement of the special meeting is made at a regular meeting. If the call for the meeting was not made at a regular meeting, the following shall apply:

- Notice of the calling of a special Council meeting shall be in writing and shall include the time and place of said meeting, the business to be conducted at said meeting, and the person or persons calling said meeting.
- Notice shall be served on each Council Member at least twenty-four (24) hours prior to the time of said meeting by delivering a copy thereof to the Council Member electronically at the email address as shown by the records of the City Clerk.
- Provisions for the call, notice, or time of service may be waived if the entire Council shall consent in writing thereto.

- Provisions of the method of service may be waived by the individual Council Member affected thereby.

Rule 7. Quorum. A majority of all Members elected to the City Council shall constitute a quorum for transaction of business.

### Part III. Agenda

Rule 8. Preparation of Agenda. Prior to each regular or special Council meeting the City Clerk shall publish an Agenda which contains all items the Council anticipates acting upon at the meeting.

Rule 9. Agenda Items. The Mayor, at least two Council Members, the City Administrator, the City Attorney, or the City Clerk may have an item included upon the Agenda by requesting the City Clerk to include the item.

### Part IV. Conduct of Meetings

Rule 12. 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 14.

Rule 13. Roll Call. Before proceeding with the business of the Council, the City Clerk shall call the roll of Council Members present and enter those named in the minutes.

Rule 14. 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 Council Members equally possess the greatest seniority then the eldest person among them shall preside.

Rule 15. Control of Discussion. The Presiding Officer shall control discussion of the Council on each Agenda item to assure full participation by the Council in accordance with these rules. Councilmembers shall adhere to the following rules of conduct:

- When a Councilmember is about to speak, he or she shall address the Mayor, confine himself or herself to the question under discussion, and avoid personalities.
- If any Councilmember in speaking or otherwise, transgresses the rules of the Council, the Mayor or any member may call him or her to order, in which case the Councilmember so called to order shall immediately refrain from continuing except to proceed in order. An appeal may be made to the Council on the ruling shall stand unless nullified by a majority vote of the Councilmembers present.
- The Councilmember who made the motion has the first right to speak on the motion.
- No Councilmember shall be recognized to speak twice on the same matter until every Councilmember desiring to comment on the matter has spoken.
- When two or more Councilmembers request at the same time to speak on a question, the Mayor shall name the Councilmember who was first to speak. The others shall be given the opportunity to speak next.
- While a Councilmember is speaking, other members shall not hold private discussions or in any manner to disrupt the proceeding or interrupt the speaker.

Rule 16. 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, for purposes of discussion and consideration. Except as otherwise ordered by the Mayor or a majority of City Council, the order of the Agenda may be as follows:

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Presentations, Proclamations, Guest Speakers
5. Public Comment
6. Mayor's Agenda – Approval of City Council Meeting Minutes, Approval of Bills Payable, Liquor & Tobacco License Approvals and Renewals
7. Old Business
8. New Business
9. Department Updates
10. Committee & Board Reports
11. Closed Session, If Needed
12. Potential Action from Closed Session
13. Adjournment

Rule 17. Presiding Officer's Right to Speak Last. The Presiding Officer has the right to close debate and speak last on any item.

#### Part V. Public Participation

Rule 18. Public's Right to Address Council. Persons other than Council Members shall be permitted to address the Council during the Public Comment portion of the Agenda.

Rule 19. Manner of Addressing Council. Any person desiring to address the Council shall state their name, the city or town where they reside, and any group they represent.. They shall also legibly write their full name and city or town of residence on the attendance log. At all public hearings, each speaker who has a special right to object by virtue of their address shall be required to provide their address and group affiliation (if any).

Rule 20. Time Limit on Public Comments. Persons wishing to address Council shall be limited to no more than three minutes speaking time per Agenda item on which the public is allowed to speak, unless additional or less time is determined by the Presiding Officer, based on the number of persons wishing to speak and/or the length of the Council meeting. Total public input on any agenda item can be further limited to a fixed period by the Presiding Officer. A majority vote of the Council may alter the time limitations of this rule. For planning and zoning matters, applicants and/or their representatives shall not be subject to this time limitation but may instead have reasonable time limits imposed by the Presiding Officer.

Rule 21. Rules of Conduct. The following rules are adopted for the conduct of those attending Council meetings:

- Only persons recognized by the Presiding Officer will be allowed to speak. The Council wishes to hear from members of the public as part of respectful, civil debate and ensure that members of the public do not feel bullied or intimidated. These rules are intended to promote an orderly and dignified system of conducting a public meeting, to give every interested person an opportunity to be heard, and to ensure that no individual is deprived of their right to petition their government. Applause is permitted following proclamations and special recognitions.
- All remarks must be addressed to the Council as a body, and not toward any City employee, Council Member, Mayor, or City Administrator individually.
- Public comment is intended so that members of the public may be heard by Council. In order to comply with open meetings laws and proper meeting procedure, Council cannot engage in discussion or debate until the appropriate time for Council discussion. However, once the commenter has finished speaking, Council may ask staff to respond to a concern or question posed by the public, or to follow up with the speaker.
- Persons may address each discussion/agenda item only once.
- Organized groups that wish to make a presentation longer than the public comment period time allows must contact the City Clerk ahead of time and request to be added to the agenda as a separate agenda item.
- No person shall be permitted to enter the demarcated area in front of or behind Council Members without the permission of the Presiding Officer.

Rule 22. Failure to Follow Council Rules. To enable the Council to transact the business of the City and conduct efficient meetings, persons other than Council Members who violate these rules and/or fail to follow the direction of the Presiding Officer on more than one occasion during a Council meeting shall face sanctions, including the following:

- A verbal warning; or
- Not being recognized to speak at the remainder of the same Council meeting; or
- Being directed to leave the Council meeting; or

The Presiding Officer is empowered to make the determination of when violations have occurred, and to impose the appropriate sanction, which will normally be progressive in nature. Steps may be skipped if the violation is sufficiently egregious. Failure to adhere to sanctions imposed are grounds for additional sanctions.

## Part VI. Council Action

Rule 23. Motion Required. All action requiring a vote shall be moved by a Council Member.

Rule 24. Motion to Reconsider. A motion to reconsider must be made by a Council Member who was on the prevailing side in the original action.

Rule 25. Call for Vote. At the conclusion of discussion, the Presiding Officer shall call for a vote, provided however, a majority of the Council may require a vote at any time.

Rule 26. Consideration Out of Order. With the consent of a majority of Council, any Agenda item may be considered out of order at the request of a Council Member.

## Part VII. Miscellaneous

Rule 27. Motions. At any appropriate place on the Agenda any Council Member may make a motion for the Council to act upon any matter if the motion is germane to the matter under consideration.

Rule 28. Waiver of Ordinance Readings.

A Council Member may move the final passage of an ordinance, with waiver and suspension of the requirement that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed, by reciting the following motion:

"I move that the rule requiring that ordinances must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the second consideration and vote be waived, and that the ordinance be voted on for final passage at this time."

Rule 29. Suspension of Rules. These rules or any part hereof, may be suspended for a specific purpose by a two-thirds majority of the Council.

Rule 30. 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 public 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 31. Informal Requests. A Council Member, 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 City Administrator, City Attorney, City Clerk or any City employee.

Rule 32. Electronic Participation. Unless it has been determined that the Council meeting must be entirely electronic, Council Members are encouraged to be physically present for all Council meetings. However, it is the policy of this Council to secure electronic participation by absent Council Members whenever it is physically feasible where such participation is necessary or desirable because of statutory voting requirements or the importance of the subject matter to the public. Notwithstanding this policy, unless the meeting is entirely electronic, in accordance with Iowa Code section 21.8 as amended, a majority of Council Members must be physically present for all Council meetings. Council Members intending to participate electronically shall alert the City Clerk to their intent as soon as practical.

Although it is not required, Council may permit members of the public to participate by electronic means. All pertinent rules herein apply to those participating remotely.

Rule 33. Abstentions. Pursuant to Section 380.4 of the State Code, in the absence of a conflict of interest, a Council Member who abstains is included for purposes of determining whether a measure has passed. Legal significance or effect must be given to a Council Member's abstention when the abstention is not required by a conflict of interest in order to prevent frustration or abuse of the legislative process. So, in order to assure that a Council Member must vote "no" in order to defeat a measure and may not do so by inaction, an abstention for reasons other than a conflict of interest shall be deemed a vote with the majority or, in cases of a tie vote, a vote in the affirmative. For purposes of this rule, the statement of a Council Member that the Council Member declines to vote by reason of a conflict of interest is conclusive.

#### Part VIII. Open Meetings Law

Rule 34. Governance. All meetings conducted by the City Council shall be held in accordance with the Iowa Open Meetings Law, Chapter 21 of the Iowa Code, and as amended.

Rule 35. Closed Sessions. Closed sessions of City Council shall be held in accordance with Chapter 21.5 of the Iowa Code. Closed sessions may only be held on an affirmative vote of two-thirds (2/3) of the members of Council or all of the members present at the meeting.

Rule 36. Items for Discussion. The City Council shall not discuss any business during a closed session which is not directly related to the specific reason announced as justification for the closed session.

Rule 37. Action Taken from Closed Session. Final action by the City Council on any matter discussed in closed session shall be taken in open session unless some other provision of the Iowa Code expressly permits such actions to be taken in closed session.

Rule 38. Allowable Exclusions from Open Session. Closed Meetings of the Council may be held for any of the following reasons:

- To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition of the City's possession or continued receipt of federal funds.
- To discuss application for letters patent.
- To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.
- To discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings if the City is the licensing or examining board.
- To discuss the decision to be rendered in a contested case conducted according to the provisions of Iowa Code Chapter 17A.

- To avoid disclosure of specific law enforcement matters, such as current or proposed investigations or inspection or auditing techniques or schedules, which if disclosed would enable law violators to avoid detection.
- To avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which if disclosed would facilitate disregard of requirements imposed by law.
- To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
- To discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The minutes and the audio recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.
- To discuss information contained in records in the custody of the City that are confidential records pursuant to section 22.7, subsection 50

Rule 39. Absence from Meetings. No Councilmember shall be absent from any meeting of the Council without having notified the Mayor, City Clerk, or City Administrator in advance, giving the reasons for his or her absence. The Council may compel the attendance of any Councilmember if reasons for absence are deemed insufficient.

Rule 40. Council Committee Appointments. No Councilmember shall refuse to serve on any Committee to which he or she is appointed unless due to an identified conflict of interest.