

**CITY OF GRANITE FALLS**

**ORDINANCE NO. 776-09**

**AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, REPEALING  
ORDINANCE NO. 307 AND ORDINANCE NO. 506 AND REPEALING AND  
REPLACING CHAPTER 2.08 OF THE GRANITE FALLS MUNICIPAL CODE  
RELATING TO CITY COUNCIL POLICIES AND PROCEDURES.**

**WHEREAS**, Granite Falls Municipal Code Chapter 2.08, Council, has not been revised or amended since 1988; and

**WHEREAS**, the City of Granite Falls finds that public business should be conducted in a fair, efficient and accountable manner; and

**WHEREAS**, the Council desires to establish rules to promote an orderly system of holding a public meeting; and

**WHEREAS**, the City Council of the City of Granite Falls finds that articulated rules and procedures will guide the Council in their actions and assist in maintaining the utmost standards of fairness and decorum in carrying out the City Council's public duties.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1:** Ordinance No. 307 and Ordinance No. 506 of the City of Granite Falls, and Granite Falls Municipal Code Chapter 2.08, Council, are hereby repealed in their entirety and replaced with a new Chapter 2.08 entitled "City Council" to read as follows:

**Chapter 2.08**

**CITY COUNCIL**

**Sections:**

2.08.010	Elections—Oath
2.08.020	Duties
2.08.030	Compensation
2.08.040	Eligibility for Other City Positions
2.08.050	Forms of Address
2.08.060	Vacancies

2.08.070	Meeting Rules
2.08.080	Special Meetings
2.08.090	Meeting Procedures
2.08.100	Enacted Ordinances, Resolutions and Motions

**2.08.010 Elections—Oath.** The five (5) members of the Council shall be elected and each serve a four-year term pursuant to RCW 29A.04.321 and RCW 29A.04.330. Each Councilmember, before entering upon the duties of the office, shall take, and file with the City Clerk, an oath of office.

**2.08.020 Duties.** The Council shall be the legislative division of the City government and shall perform such duties and have such powers as may be authorized by statute.

**2.08.030 Compensation.** The Councilmembers shall be paid compensation in the amount of \$100.00 per month. Councilmembers may be reimbursed for actual expenses incurred in the discharge of official duties upon presentation of a claim therefore and its allowance and approval by resolution of the Council.

**2.08.040 Eligibility for Other City Positions.** An elected or appointed City Councilmember shall not be allowed to hold the position of police reserve officer or city employee for the City.

**2.08.050 Forms of Address.** The Mayor shall be addressed as “Mayor (surname).” Members of the Council shall be addressed as “Councilmember (surname).”

**2.08.060 Vacancies.** If a member of the Council is absent from three (3) consecutive meetings, unless by permission of the Council, the office shall be declared vacant by the Council. Vacancies in the Council shall be filled by a majority vote of the Council. An appointed Councilmember shall hold office only until the next general election, at which time a person shall be elected to serve for the remainder of the unexpired term.

**2.08.070 Meeting Rules.**

**A. Statutory Compliance Required.** Meetings of the Council shall be conducted in accordance with the laws of the state as the same are now or hereafter shall be in force.

**B. Time and Place—Legal Holidays.** Regular meetings of the Council shall be held on the first and third Wednesdays of each month at the hour of 7:00 p.m., and a regular work session meeting on the second Wednesday of each month at the hour of 7:00 p.m. The meetings shall be held in the Council chambers of City Hall, 206 S Granite Ave., Granite Falls, Washington, and shall be open to the public. Regular meetings may be adjourned from time to time during the month, as necessity may require, by the majority vote of the Councilmembers present at any such regular meeting. Less than a quorum of the governing body may also adjourn from time to time, and if all members are absent from any regular or adjourned regular meeting, the City Clerk may declare the meeting adjourned to a stated time and place and provide notice

in accordance with RCW 42.30.080 and RCW 42.30.090. In the event a regular meeting of the Council occurs on a legal holiday, the Council shall hold its regular meeting on the next secular day following the legal holiday.

**C. Open to the Public.** All meetings of the City Council shall be open to the public, except as provided for in RCW 42.30.110 or RCW 42.30.140.

**D. Presiding Officer.** The Mayor shall preside at meetings of the Council and be the chief executive and administrative officer of the City in accordance with RCW 35A.12.100. In case of the Mayor's absence or temporary disability, the Council, by majority vote, shall appoint a Mayor Pro Tempore from its membership. The Mayor is referred to as "Presiding Officer" from time to time in this chapter.

(1) Preservation of Order. The Presiding Officer shall preserve order and decorum, confining Councilmembers to debate the question under discussion.

(2) Powers. The Mayor shall:

a. report to the City Council concerning the affairs of the City and its financial and other needs, and shall make recommendations for Council consideration and action;

b. prepare and submit to the Council a proposed budget as required by Chapter 35A.33 RCW;

c. have general supervision of the administration of the City and of all City interests;

d. be the official and ceremonial head of the City and shall represent the City on ceremonial occasions, except that, when illness or other duties prevent the Mayor's attendance, the Mayor Pro Tem or other Councilmember or suitable person may be designated by the Mayor to represent the City on such occasion.

**E. Quorum.** Attendance of a majority of the members of the Council shall constitute a quorum thereof.

**F. Attendance/Excused Absences.** If absence is anticipated, a Councilmember shall contact the Presiding Officer, fellow Councilmember, or City Clerk prior to the meeting and state the reason for his/her inability to attend the meeting. Following roll call, the Presiding Officer, fellow Councilmember, or City Clerk shall inform the Council of the member's absence and state the reason for such absence. If there is a motion to excuse the member, this motion shall be nondebateable. Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the Clerk will make an appropriate notation in the minutes.

**G. Preparation of Agenda/Council Material.** As a guideline for advance preparation of the agenda, the City Clerk, under the direction of the Mayor, shall arrange a list of proposed matters according to the order of business, and prepare and distribute a draft agenda by 5:00 p.m. Friday, at least five (5) days before the next regular City Council meeting. Councilmembers may direct the Mayor to add items to the agenda as long as the request is received by noon Thursday at least six (6) days before the next regular City Council meeting. A copy of the preliminary agenda and supporting materials shall be distributed to Councilmembers

and Mayor and made available to other staff, the media, and City residents in advance of the meeting. At the City Council meeting, the City Council may, by majority vote of the Councilmembers present, delete any item from the agenda, or add any item to it, after stating the reasons for the change.

**H. Public Notice of Preliminary Meeting Agendas.** The public shall be notified of the preliminary agenda for forthcoming Council meetings by the City Clerk posting a copy of the preliminary agenda at City Hall, the post office, and the library by 5:00 p.m. at least two days prior to the scheduled meeting. The preliminary agenda may also be posted on the City website as an additional form of notification.

**I. Minutes.** The City Clerk shall be ex officio clerk of the Council and shall keep the minutes and records as required by state law, of all Council proceedings including public hearings, regular meetings, and special meetings, and perform such other duties in the meeting as may be required by the Council or Mayor. The minutes kept shall identify the general discussion of the issue in summary form and complete detail of the official action or consensus reached, if any.

**2.08.080 Special Meetings.** Special meetings of the Council may be called by the Mayor or upon the written request of three (3) Councilmembers; provided that:

**A.** Notice of the special meeting shall be prepared in writing by the City Clerk. The notice shall contain information designating the time, location, and the subject or agenda of the meeting; and

**B.** Notice shall be delivered to each Councilmember, the Mayor, and the business office of each local newspaper, radio and/or television station which has on file a written request for notice of special meetings. The notice must be delivered at least twenty-four (24) hours prior to the start of the special meeting.

**C.** The notices provided in this section may be dispensed with or disregarded within the circumstances provided by RCW 42.30.080, that is:

(1) any member who, at or prior to the time the meeting convenes, files with the City Clerk a written waiver of notice;

(2) any member who was actually present at the meeting at the time it convenes; and

(3) in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

**2.08.090 Meeting Procedures.**

**A. Rules of Order.** Rules of order and questions of parliamentary procedure not otherwise specified by statute, ordinance or resolution shall be governed by *Robert's Rules of Order Newly Revised – 10<sup>th</sup> Edition* or any revisions or amendments thereto.

(1) A Councilmember desiring to speak shall address the Presiding Officer and, upon recognition by Presiding Officer, shall speak to the issues in a civil manner, respecting the

viewpoints of others and avoiding personalities, focusing on the issue at hand, sharing their own motives and reasons for supporting or not supporting an item for discussion, in a polite and courteous manner towards each other and the public.

(2) A Councilmember, while speaking, should not be interrupted unless it be to call the Councilmember to order.

(3) Councilmembers have the right to speak more than once on the same question, provided, however, that before speaking a second time, all other Councilmembers who have not yet spoken on the question and who desire the floor must be allowed the opportunity first.

**B. Motions.** All items of business placed before the Council that require the expenditure of Council and/or administration resources shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent “approval by default” of a failed negative motion.

**C. Order of Business – Regular Meetings – First and Third Wednesdays.** The accepted order of business of all the regular meetings of the Council held on the first and third Wednesdays of each month shall be transacted as shown in the following list, provided, however, that during a Council meeting the Council may, by majority vote, rearrange the order of the items on the agenda, or postpone any item, or add any item to the agenda, to conduct the business before the Council more expeditiously or in a manner desired by the Council. This accepted order of business may also be changed periodically from the format shown as follows:

- (1) Call to Order
- Flag Salute
- Roll Call
- Approval of Minutes
- Public Comment / Non-agenda Items
- Consent Agenda
- New Business
- Current Business
- Approval of Payroll, Claims and Transfers
- Mayor’s Comments (5 minutes)
- Council Comments (15 minutes)
- Staff Reports
- Executive Session (if requested)
- Adjourn

(2) All subjects on the current agenda under public comment, and public comment on items not on the agenda, are limited to three (3) minutes per individual unless revised by the City Council by majority vote (see Section 2.08.090(C)(4) below).

(3) In the event of single subject group comment, a spokesperson shall be designated to speak on behalf of the group and be limited to five (5) minutes. However, at the discretion of the Council by majority vote, additional time allocation for a spokesperson may be allowed. Groups that qualify for this special treatment shall submit to the Mayor, prior to comment, a list of present group constituents or others in agreement so that duplication shall not occur.

(4) The City Council desires to allow a maximum opportunity for public comment. However, the business of the City must proceed in an orderly, timely manner. At any

time, the Council, at its sole discretion, may set such reasonable limits by majority vote as are necessary to prevent disruption of other necessary business.

(5) **Subjects not on the current agenda.** Any member of the public may request time to address the Council after first stating their name, address or neighborhood (at the option of the speaker), and the subject of their comments. The Presiding Officer may then allow the comments subject to the time limitations set forth in this section. Following such comments, the Presiding Officer may place the matter on a future agenda, or refer the matter to City staff or a Council committee for follow up.

(6) **Subjects on the current agenda.** Any member of the public who wishes to address the Council on an item on the current agenda shall make such request to the Presiding Officer at the time when comments from the public are requested **during the agenda item discussion**. As an option, the Presiding Officer may invoke a sign-in procedure. The Presiding Officer shall rule on the appropriateness of public comments as the agenda item is reached and shall rule on a specific individual or group time limit for public comment. The Presiding Officer may change the order of speakers so that comment is heard in the most logical groupings.

(7) Comments shall be made from the microphone at the lecturn, first giving the speaker's name and address or neighborhood (at the option of the speaker). No comments shall be made from any other location, and anyone making "out of order" or disruptive comments shall be subject to removal from the meeting.

(8) There will be no demonstrations (i.e. clapping or cheering) before, during, or at the conclusion of anyone's presentation.

(9) Any ruling by the Presiding Officer may be overruled by a vote of a majority of members present.

(10) **Adjournment.** No meeting shall be permitted to continue beyond 10:30 p.m., without the approval of a simple majority of council members present and eligible to vote. The Council shall be deemed to have approved an extension of the meeting beyond 10:30 p.m. unless a member requests a vote to whether to extend or adjourn. A new time limit must be established before taking a council vote to extend the meeting. The items not acted upon or considered shall be deferred to the next regular council meeting, as old business, unless the Council, by a majority vote of Councilmembers present, determines otherwise.

(11) **Mayor and Councilmember Comments and Concerns.** The agenda shall provide a time when the Mayor ("Mayor's Comments") or any Councilmember ("Council Comments") may bring before the Council any business that he/she feels should be deliberated upon by the Council or added to future agenda. These matters need not be specifically listed on the agenda, but formal action on such matters shall be deferred until a subsequent Council meeting, except that for those items that need immediate Council action or approval, such action or approval may be taken upon a vote of a majority of all Councilmembers present.

**D. Order of Business – Regular Work Session Meetings – Second Wednesday.** The accepted order of business of all the regular work session meetings of the Council held on the second Wednesday of each month shall be transacted as shown in the following list, provided, however, that during a Council meeting the Council may, by majority vote, rearrange the order of the items on the agenda, or postpone any item, or add any item to the agenda, to conduct the business before the Council more expeditiously or in a manner desired by the Council. This accepted order of business may also be changed periodically from the format shown as follows:

- (1) Call to Order
  - Roll Call
  - Discussion Topics:
  - Executive Session (if requested)
  - Adjourn

(2) No public comment shall be taken or permitted by the City Council at any point during regular work session meetings held on the second Wednesday of each month.

**E. Citizens' Comments.** For meetings which include Public Comment as an agenda item, time shall be set aside for the Council to hear from the public, subject to Section 2.08.090(C)(2) above.

(1) No member of the public shall be heard until recognized by the Presiding Officer. Any member of the public interrupting City Council proceedings, approaching the dais without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing the City Council, may be charged with disorderly conduct (RCW 9A.84.030, a misdemeanor) and, at the direction of the Presiding Officer or the majority of the Council, may be removed from Council chambers.

(2) All remarks shall be made to the City Council as a body and not to an individual Councilmember or to the Presiding Officer.

(3) Each person who addresses the City Council shall not make personal, impertinent, slanderous or profane remarks to any Councilmember, the Presiding Officer, City staff, or general public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of any City Council Meeting shall, at the discretion of the Presiding Officer or a majority of the Council, be removed from the Council chambers and be barred from further audience before the Council during that Council meeting.

(4) **Warning.** The Presiding Officer shall request that a person who is breaching the rules of decorum be orderly and silent. If, after receiving a warning or warnings from the Presiding Officer, a person persists in disturbing the meeting, the Presiding Officer or a majority of the Council shall order him/her to leave the Council meeting. If such person does not remove himself, the Presiding Officer or a majority of the Council may order any law enforcement officer to remove the person from Council chambers. Any person who resists removal by the law enforcement officer shall be charged with a violation of this section.

**F. Voting.** The votes during all meetings of the Council shall be transacted as follows:

(1) Unless otherwise provided for by statute, ordinance, or resolution, all votes shall be taken by voice, except that at the request of the Mayor or any Councilmember, a roll call vote shall be taken by the City Clerk. The order of the roll call vote shall be determined by the City Clerk.

(2) In the event the Presiding Officer has called for both aye and nay votes, in addition to abstentions, silence of a Councilmember during a voice vote shall be counted and recorded as an affirmative vote.

(3) In case of a tie vote on any proposal or question, the proposal or question shall fail, unless the Mayor exercises his/her authority to cast a vote to break the tie in favor of the proposal or question. The Mayor shall have a vote only in the case of a tie in the votes of the

Councilmembers that does not relate to the passage of an ordinance, grant or revocation of a franchise or license, or resolution for the payment of money.

(4) The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the Council.

(5) The passage of any public emergency ordinance (an ordinance that takes effect immediately), such as an ordinance for provisions for emergencies or expenditures necessary for the protection, public health, public safety, public property, or public peace shall require the affirmative vote of at least a majority plus one (1) of the whole membership of the Council. Public emergency ordinances may not levy taxes; grant, renew or extend a franchise; or authorize the borrowing of money.

(6) The passage of any motion or resolution shall require the affirmative vote of at least a majority of the Councilmembers who are present and eligible to vote, unless otherwise authorized or required by provisions of Washington State law, the Granite Falls Municipal Code, or this ordinance (see 2.08.090(E)(2) above).

(7) A motion or request by a Councilmember (with or without a second) to “call the question” (or similar words indicating an intent to terminate further debate and take a vote on a pending motion) allows a vote on the pending motion to immediately take place, unless any Councilmember requests that the motion to “call the question” be put to a vote, in which case, debate is only terminated if adopted by a two-thirds vote of the Councilmembers present.

(8) Telephonic Attendance. A Councilmember may attend a Council meeting via telephone once per calendar year. Telephonic attendance of a Councilmember shall not constitute a quorum of the Council. In order to attend a Council meeting via telephone, a Councilmember shall inform the City Clerk no later than three (3) working days before the meeting in order for a telephone connection to be arranged, whereby the voice of the Councilmember can be identified, the Councilmember can hear all that is spoken at the meeting, and all persons at the meeting can hear the Councilmember speak. To attend a Council meeting by telephone, a Councilmember shall have received in advance all materials for the meeting. Telephone attendance of a Councilmember for purposes of voting on a quasi-judicial matter at a Council meeting is prohibited.

**G. Committees.** All special committee members shall be appointed by the Mayor with the approval of the Council.

**H. Reading of Minutes.** Unless a reading of the minutes of a previous Council meeting is requested by a Councilmember, such minutes may be approved without reading; provided that the City Clerk has furnished each Councilmember with a written copy of the minutes prior to the present meeting.

**2.08.100      Enacted Ordinances, Resolutions and Motions.**

**A.** *An enacted ordinance* is a legislative act prescribing general, uniform, and permanent rules or regulations relating to the operation and corporate affairs of the municipality. Council action shall be taken by ordinance when required by law, or where such conduct is enforced by penalty.



**B. *An enacted resolution*** is an administrative act which is a formal statement of policy concerning matters of special or temporary character. Council action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired.

**C. *An enacted motion*** is a form of action taken by the Council to direct that a specific action be taken on behalf of the municipality. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law, and where such motion is not in conflict with existing State or Federal statutes, City ordinances, resolutions or these rules.

**D. Resolutions.** A resolution may be put to its final passage on the same day on which it was introduced. The title of each resolution shall, in all cases, be read prior to its passage; provided, should a Councilmember request that the entire resolution or certain of its sections be read, such requests shall be granted.

**E. Ordinances.** The procedures for consideration and adoption of ordinances are as follows:

(1) An ordinance may be put to its final passage on the same day on which it was introduced by passage of a Councilmember's motion for First and Final Reading and Adoption of the ordinance. However, Council may invoke two (2) separate readings of the ordinance at separate Council meetings to facilitate public understanding of and/or comment on the ordinance. At each reading, the title of an ordinance shall, in all cases, be read prior to its passage; provided that should a Councilmember request that the entire ordinance or certain of its sections be read, such request shall be granted.

(2) Any ordinance repealing any portion of the Granite Falls Municipal Code shall also repeal the respective portions of the underlying ordinance(s).

**F. Reconsideration.** Any action of the Council shall be subject to a motion to reconsider, including final action on applications for legislative changes in land use status, but excluding a reconsideration of any action previously reconsidered. Motions to adjourn, motions to suspend the rules, an affirmative vote to lay on the table or to take from the table, or a vote electing to office one who is present and does not decline are not subject to a reconsideration motion. Reconsideration can be requested only by motion of a member of the prevailing side of the original motion. A motion to reconsider must be made at the next regular City Council meeting for action to be reconsidered. A motion to reconsider is debatable only if the action being reconsidered is debatable. Upon passage of a motion to reconsider, the subject matter is returned to the table anew for any action the Council deems advisable.

**Section 2: Repealer.** Ordinance No. 307 and Ordinance No. 506 of the City of Granite Falls are hereby repealed in their entirety. All ordinances or parts of ordinances in conflict herewith are expressly repealed.

**Section 3: Severability.** If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.


**Section 4: Publication and Summary.** This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City.

**Section 5: Effective Date.** This Ordinance shall be in full force and effect five (5) days after publication of the summary consisting of the title.


Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 6<sup>th</sup> day of MAY, 2009, and signed in authentication of its passage this 6<sup>th</sup> day of MAY, 2009.

  
LYLE ROMACK, Mayor

ATTEST:

  
DARLA REESE, City Clerk

APPROVED AS TO FORM:

  
W. J. Zecher Jr. City Attorney

DATE OF FIRST READING:	<u>4-15-09</u>
DATE OF SECOND READING:	<u>5-6-09</u>
DATE OF PUBLICATION:	<u>5-9-09</u>
EFFECTIVE DATE:	<u>5-14-09</u>

COPY TO CPC: \_\_\_\_\_