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A G E N D A

KEIZER CITY COUNCIL WORK SESSION

Monday, March 29, 2021

6:00 p.m.

Robert L. Simon Council Chambers

930 Chemawa Road NE

Keizer, Oregon 97303

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - **City Council Rules of Procedure**
 - **City Council Orientation/On-Boarding – Mayor Cathy Clark**
- 4. ADJOURN**

City of Keizer Mission Statement

Keep City Government Costs And Services To A Minimum By Providing City Services To The Community In A Coordinated, Efficient, And Least Cost Fashion

WORK SESSION MEETING: March 29, 2021

TO: MAYOR CLARK AND COUNCIL MEMBERS
THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER
FROM: E. SHANNON JOHNSON, CITY ATTORNEY
SUBJECT: COUNCIL DRAFT RULES OF PROCEDURES

After the Council Work Session on this issue on February 22, 2021, the Work Group met on March 10, 2021. After discussion, the Work Group recommended the attached draft rules. This draft includes redline changes from the Council Work Session, as well as my suggestions and Work Group recommendations. I will review these changes at the Council Work Session.

Please review this draft carefully and do not focus only on the redline changes. At the last Council Work Session, we had proceeded through Section 14.

For your convenience, I have also attached the current Rules of Procedure.

RECOMMENDATION:

After reviewing the draft, direct staff to present it to Council at the next Council meeting or refer the matter back to the Work Group for consideration.

Please contact me if you have any questions. Thank you.

CITY OF KEIZER



CITY COUNCIL RULES OF PROCEDURE

Adopted by Council Resolution _____ on _____



CITY OF KEIZER COUNCIL RULES OF PROCEDURE

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SECTION 1 - AUTHORITY

1.1 Authority - The Charter of the City of Keizer provides that the Council shall adopt rules for the government of its members and proceedings. The following rules shall be in effect upon their adoption by the Council until they are amended or new rules are adopted. These rules shall be presented to all Council members during the first work session in January of odd-number years following general elections. Within 30 days of taking office, each appointed or elected Council member shall sign that they have reviewed and received a copy of these rules. The City Recorder shall retain the signature copy. As used herein, the term "Council" includes the Councilors and the Mayor. The term "Council members" shall include the Mayor.

SECTION 2 - GENERAL RULES

2.1 Open Meetings – All meetings will be held in accordance with the Oregon public meeting requirements of Oregon law. No final action by the Council shall have legal effect unless the motion, and the vote by which it is disposed of, take place at a proceeding that is open to the public.

2.2 Ethics – All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

- A. Disclosing confidential information.
- B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.

2.3 Quorum – A majority of the members currently serving on the Council, excluding vacant seats, shall constitute a quorum, but no less than three Council ~~members~~ may meet and compel attendance of absent members as prescribed by Council rules.

2.4 Rules of Order – Robert's Rules of Order Newly Revised, 12th Edition shall govern all Council proceedings unless they conflict with these rules. The Council President will act as parliamentarian with support from the City Attorney when present.

2.5 Suspension of Rules – The vote to suspend the Rules of Procedure (including Robert's Rules of Order Newly Revised, 12th Edition) requires a two-thirds majority vote of those members of the Council who are present, except as set forth in Section 6.1(j). If the motion is carried by a two-thirds vote, then the rules are suspended for that item only.

2.6 Address by Council Members – Every Council member desiring to speak to an issue will address the Presiding Officer and upon recognition, will confine remarks to the issue under debate. Council members questioning, seeking clarification, or soliciting a recommendation from staff will direct the concern to the City Manager. The City Manager may respond as requested or redirect the inquiry to a member of the staff.

2.7 Seating Capacity and Safety Requirements – The safe occupancy and seating capacity of the Council chambers as determined by the fire marshal shall be posted within the Council chambers. The limitations on occupancy and seating shall be complied with at all times. Aisles and emergency exits shall be kept clear at all times.

2.8 Building Access – For building security purposes, Council members shall abide by applicable employee building access policies, including, but not limited to the allowance of visitors in the employee-only sections of City Hall.

2.9 Personnel Policies and Other Regulations – Certain personnel policies are applicable to Council members. Copies of the personnel policies and other rules or policies that apply to Council members will be provided to Council members prior to taking office and when amended.

SECTION 3 – COUNCIL MEETINGS

3.1 Regular Meeting –

A. The Keizer City Council will meet in regular session on the first and third Mondays of each month at 7:00 p.m. in the Robert L. Simon Council Chambers or at another place in the City which the City Council designates. If such date falls on a legal holiday (per ~~state statute~~ORS Chapter 187), the meeting shall be held at the usual hour and place on the following day.

B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.

C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.

3.2 Work Session – The Keizer City Council may hold a work session on the second Monday of each month in the Robert L. Simon Council Chambers or at another time or place in the City in which the City Council designates. Such sessions shall allow the City Council an opportunity to review forthcoming projects of the City, determine goals for the ensuing year, receive progress reports on current programs or projects, or to hold open discussions on any City-related subject, provided that all discussions thereon shall be informal with no vote or formal action taken. Work sessions shall be open to the public; however, an opportunity for public comment will only be allowed at the discretion of the Presiding Officer or by a majority vote of the Council members present.

3.3 Special Meeting – The Mayor may call a special Council meeting at Mayor’s own discretion, and shall call a special meeting at the request of three Council members. Any special meeting shall occur as provided under state law. Special meetings of the Council may also be held at any time by the common consent of all the members of the Council.

3.4 Emergency Meeting - An emergency meeting of the City Council may be called by the Presiding Officer, at the request of three Council members, or by the City Manager on less than 24 hours’ notice provided that an actual emergency exists. The minutes of the meeting must describe the emergency justifying less than 24 hours notice and why the meeting could not be delayed. Attempts will be made to contact the media.

3.5 Executive Session – Executive sessions shall be held in accordance with Oregon law ~~—ORS 192.660~~. Matters discussed in executive session shall be exempt from public disclosure pursuant to state statutes. Executive sessions shall be closed to all persons except the City Council; persons reporting to Council on the subject of the executive session; the City Manager unless directed otherwise by the Council; City staff persons as allowed by the City Council to attend; news media representatives, unless excluded by the Public Meeting Law (e.g.; media representatives may be excluded for discussions regarding labor negotiations); and other persons authorized by the City Council to attend. No elected official who declares an actual conflict of interest on a topic to be discussed in executive session shall remain in the room during such executive session discussion.

Prior to opening an executive session the Presiding Officer or City Attorney shall:

- announce the purpose of the executive session,
- the state statute authorizing the executive session,
- and a notification to all present, including the media, that matters discussed in executive session are not to be disclosed or reported to the public.

An executive session may be held during any open meeting for which proper notice has been given or outside of any regular meeting when properly noticed. No formal or final action may be taken during an executive session, but an opinion or consensus of the Council may be gathered.

3.6 Cancellation of Meeting - Upon a majority vote of the members of the City Council present, a meeting may be cancelled when deemed appropriate. The Charter requires one regular meeting be held each month. Notice of cancellation shall be posted at City Hall, on the City’s web site and social media sites, distributed to members of the media, and to citizens requesting notice.

3.7 Notice of Meeting – The City Recorder shall provide:

- notice of the time,
- place, and
- agenda items for any gathering of the Keizer City Council.

Notice shall be posted on the City's web site, City's social media site, delivered by email, mail or otherwise to members of the media, and other interested persons upon written request. Notice shall be given at least 24 hours prior to the meeting to members of the governing body, the public and media for any special meeting, unless the meeting is considered an emergency as defined by law. Notice of executive sessions shall cite the specific law that authorizes the executive session.

3.8 – Americans With Disabilities Act – All meetings of the Council shall be held in compliance with the Americans With Disabilities Act.

3.9 – Attendance Duty - It is the duty of each member of the City Council to attend all meetings of the Council. The Charter provides in Section 7.8 that a Council office will be deemed vacant upon their absence from meetings of the Council for 60 days without like consent. Consent will be given for good cause.

Good cause shall include, but is not limited to:

- Illness;
- Family obligations;
- Employment requirements;
- Scheduled vacations; or
- Other City business

Telephonic, video or internet ("electronic") attendance does not ensure that all comments, testimony, discussions, staff information and deliberations are available fully and equally. Therefore, unless allowed as set forth below, methods of attendance other than personal onsite attendance shall not be considered "in attendance" and a Council member may not vote unless physically present at the meeting.

This provision is automatically waived at any time a federal, state or local emergency declaration affecting all or a part of the City is in effect. Council members shall notify the City Recorder if they will appear in person or electronically. In such case, no quorum is required to be physically present so long as the required quorum is physically and/or virtually present.

In addition, this provision is waived if two-thirds of the Council members present deem it important that a Council member appear electronically. A quorum must be physically present. A motion to suspend the rules is not required.

3.10 – Excused Absence – When any Council member cannot attend a meeting of the Council, the member shall notify the Presiding Officer prior to the meeting. If there are no objections from other Council members, the Presiding Officer may announce the absence is for good cause and the absence shall be listed in the minutes as excused. If the City Council determines the absence is not for good cause, the absence shall be listed in the minutes as unexcused.

SECTION 4 – THE PRESIDING OFFICER

4.1 Mayor – The Mayor shall preside at all regular, work sessions, special meetings and executive sessions of the City Council and shall be the recognized head of the City for all ceremonial purposes. The Mayor shall have all duties and privileges of any Council member, and shall not be denied any right or privilege by reason of their position as Presiding Officer. In the absence of the Mayor, the Council President shall serve as the Presiding Officer. If both the Mayor and the Council President are absent from the meeting, the following procedure shall be utilized to determine who is the Presiding Officer for that meeting:

1. The City Recorder shall call the Council to order and call the roll of the members.
2. Those members of Council present shall elect, by majority vote, a temporary Presiding Officer for the meeting.
3. Should either the Mayor or the Council President arrive, the temporary Presiding Officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
4. The Presiding Officer shall retain all rights and privileges of a member of Council when acting in this capacity.

4.2 Council President – The Council shall elect a Council President from its members by a vote of not less than four (4) Council members. This shall occur at the first meeting of the Council in each odd-numbered year or before the position has been vacant for sixty (60) days. Any Councilor may be nominated, including the current Council President. In the event that no candidate receives a majority vote, a second vote will be conducted. The first place candidates shall be nominated. If there is only one first place candidate, such candidate and all second place candidates shall be nominated. If no candidate receives a majority vote, the candidates in the second vote will draw lots to determine the Council President.

When the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor. The Mayor may assign other duties to the Council President. If the Council President wishes to do so, they may initiate a motion for all prepared resolutions, orders and ordinances and the consent calendar unless another Councilor has requested to do so or initiates the action. The Council President shall retain all rights and privileges of a member of Council when acting in this capacity.

~~**4.3 Sergeant at Arms** – The Sergeant at Arms will be the Council President. It will be the duty of the Sergeant at Arms to assist the Presiding Officer, as appropriate, to maintain the order and decorum at all meetings. The Council President may appoint a designee to act as the Sergeant at Arms. In the absence of the Council President, the Presiding Officer will be the Sergeant at Arms.~~

SECTION 5 – DECORUM AND ORDER

5.1 Presiding Officer – During Council meetings, the Presiding Officer shall enforce the rules of the Council. In addition, the Presiding Officer has the authority to preserve decorum and decide all points of order, subject to appeal to the Council. The Presiding Officer shall enforce order and the rules set forth herein.

5.2 Council Members –

A. During Council meetings, Council members shall preserve order and decorum, confine themselves to questions or issues then under discussion, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these Rules.

B. Council members shall not engage in personal attacks and shall not impugn the motives of any speaker at any time.

C. Council members shall at all times when dealing with members of the public, other Council members or staff conduct themselves in a manner appropriate to the dignity of their office.

D. Council may determine by simple majority the appropriateness of a particular event or action. However, no Council member will be required to take part in an event or action that they believe inappropriate or undignified.

E. The Mayor is the official spokesperson for the Council. Unless specifically authorized by the Mayor or the Council, Councilors shall not make any representations on behalf of the City. However, nothing shall prevent the Mayor or a Councilor from expressing their own individual thoughts and opinions when specifically identified as not a representation of the City or the Council's position.

5.3 Staff and Public – Members of the administrative staff, employees of the City and other persons attending Council meetings shall observe the same rules of procedure,

decorum and good conduct applicable to the members of the Council. This shall include written communications.

5.4 Removal of Any Person - Any persons making disruptive or threatening remarks or acting in a disruptive or threatening manner during a meeting will forthwith be barred from further audience at that meeting pursuant to City Ordinance or Resolution~~unless permission to continue is granted by a majority vote of the Council members present. The Presiding Officer may direct the Sergeant at Arms to prevent further interruption by such person by any action necessary including the removal of that individual. In case the Presiding Officer should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, Sergeant at Arms shall be authorized to remove the person or persons, as if the Presiding Officer so directed.~~

SECTION 6 – ORDER OF BUSINESS AND AGENDA

6.1 Order of Business - The general rule to the order of business at regular meetings of the City Council will be:

- a) **Call to Order** – The Presiding Officer shall call the meeting to order.
- b) **Roll Call** – The City Recorder shall call the name of each Council member and note each Council member's attendance or absence in the record, under the guidelines as set forth in Section 3.9 and 3.10 to establish a quorum is present to conduct business.
- c) **Flag Salute** – The Presiding Officer or designee may lead the Council and audience in the Pledge of Allegiance.
- d) **Special Orders of Business** – Oaths of office, awards, proclamations, and agenda items that are of special importance to the Council may be treated as Special Orders of Business. Special Orders of Business agenda items take precedence over all other items except Flag Salute, at the discretion of the Presiding Officer.
- e) **Committee Reports** – Scheduled presentations, presentations by City committee members, and appointments to City committees.
- f) **Public Comments** – An opportunity for members of the audience shall be given to address the Council on any matter, other than those issues on the agenda scheduled for public hearing, during this portion of the meeting.
- g) **Public Hearings** – A public hearing shall be held on each matter required by state law or City policy. Written and oral testimony shall be heard prior to Council action. (Procedures for public hearings are addressed in Section 10 of these procedures.)
- h) **Administrative Action** – Items that require formal action or Council direction.

- i) **Consent Calendar** – The consent agenda shall consist of a list of routine, non-controversial matters, not typically requiring discussion, presented for Council approval by a single motion. Council members who wish to remove an item from the consent calendar shall do so prior to the motion to approve the items. Any item removed from the consent calendar shall be discussed and acted upon following approval of other consent agenda items.
- j) **Other Business** – Time provided for members of the Council or City staff to bring new or old matters before the Council. These matters need not be specifically listed on the agenda, but formal action on these matters will be deferred until a subsequent Council meeting. This rule may be suspended ONLY if the matter is deemed urgent by two-thirds majority vote of the Council members present and cannot wait until the next special or regular City Council meeting. A motion to reconsider a previous motion may be acted upon without suspension of the rules, as outlined in Section 11.6.
- k) **Staff Updates** - Time provided for City staff to briefly report on new or current projects.
- l) **Council Member Reports** - Time provided for members of the Council to **briefly** present items related to the City~~past or future events~~. Each Council member ~~should~~shall be limited remarks to 3 minutes or less. ~~The Mayor may have extra time if necessary.~~
- m) **Agenda Input** – Issues for upcoming Council meetings shall be announced by the Presiding Officer.
- n) **Adjournment** – Following completion of all matters listed on the agenda, the Presiding Officer shall declare the meeting adjourned.

The Presiding Officer may adjust the Order of Business.

6.2 Recess – If there are no objections from the Council members, the Presiding Officer may recess any meeting of the Council. The Presiding Officer shall announce the time in which the meeting shall reconvene.

6.3 Agenda Distribution – General practice will be copies of agendas and packets for regular meetings shall be distributed not later than five (5) calendar days prior to the meeting to members of the Council, staff, news media, neighborhood associations and interested citizens who have requested the agenda. Council members with questions, concerns or suggestions are encouraged to communicate those to Department Directors no later than three (3) days before the meeting.

6.4 Council Members Placing an Item on the Agenda – The City Manager may place items on an agenda; however, placing major policy matters on the agenda will be determined by Council. A Council member wishing to place an item on the agenda will advise the City Manager no later than seven (7) days prior to the regular meeting at which

the item is to be considered. Such request to add an item for Council consideration shall require consent from two or more additional Council members to add the item. In addition, in a public meeting, Council may place items on a future agenda.

6.5 Special Accommodations – All Council meeting agendas shall contain proper notice of the City's intent to conduct the meeting in accordance with the Americans With Disabilities Act and that persons needing accommodations may contact the City Recorder 48 hours prior to the meeting time to request the necessary accommodations. Such notice shall provide the telephone number and email address at which the City Recorder may be contacted.

SECTION 7 – WRITTEN COMMENTSCOMMUNICATIONS

7.1 Written Communications –

- a) Anonymous and unsigned written communication shall not be introduced in Council meetings.
- b) Written~~Unsolicited~~ communications to the Mayor and/or Council concerning matters on the agenda shall be forwarded to the council in the agenda packet, but shall not be individually itemized on the agenda.
- c) Written~~Unsolicited~~ communications to the Mayor and/or Council concerning matters that are not on an agenda shall be forwarded to the Mayor and/or Council members but shall not be included in the agenda packet. However, such communication shall be made available on the City's website.
- d) The City Manager may, in the City Manager's discretion, bring any matter raised by any unsolicited communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.

SECTION 8 – CONFLICT OF INTEREST OR OTHER DISQUALIFICATIONS

8.1 Conflict of Interest – In every case in which a Council member is faced with a potential conflict of interest or an actual conflict of interest as defined in state law, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the conflict, shall remove themselves from the Council Chambers and refrain from both participation in the discussion and the vote on the issue. However, if the Council member is a direct party on the issue, they will be allowed to remain in the Council Chambers.

8.2 Bias – In quasi-judicial cases, Council members should recuse themselves from any decision or discussions if they have a prejudice or prejudgment of the facts to such a

degree that the Council member is incapable of rendering an objective decision on the merits. Members of the Council should avoid voicing an opinion prior to the testimony.

8.3 Ex Parte Contact – Ex Parte communications only apply in a quasi-judicial case. Members of the Council should avoid any communication outside of the public hearing with any party, including other Council members. A site visit is not considered an ex parte contact unless there is communication with an outside party or if information is gained from the visit that could be a factor in ~~future~~ Council's decisions. Any ex parte contact, including the nature of the contact and the information obtained, should be disclosed at the beginning of the public hearing, and again at each continued public hearing.

SECTION 9 – PUBLIC COMMENT

9.1 Public Comment Generally –

A. Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public comment during each regular session of the Council.

B. Participants must use a microphone and state their name and city of residence for the record prior to addressing Council.

C. Comments will be limited to five minutes. No yielding or ceding of time is allowed.

D. The Council may request further information be presented to the Council on such date and in such manner as it deems appropriate.

E. Council members may, after obtaining the floor, address the speaker during public comment. Council members shall use restraint when exercising this option. The speaker shall be limited to three (3) minutes to answer questions. The Council may extend the time at their discretion. The Presiding Officer may intervene if a Council member or the speaker is violating the spirit of this rule.

F. Speakers may present electronic audio or visual material during the time permitted for their comment. Speakers may utilize City-provided audio or visual equipment located in the Council Chambers as a part of their comment, but must provide the materials in a readable format to City staff prior to the meeting so that it may be installed on the City's equipment to avoid a delay or disruption of the meeting.

G. Items brought before the Council from the public during public comment may be referred to the staff for appropriate action and a report returned to the Council, if requested. Such procedure should not prevent the staff, Mayor, or City Council from answering directly to a citizen inquiry at the time it is brought before the Council.

H. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.

9.2 Roster - All persons or groups wishing to address the Council during the time set for public comments shall, prior to the convening of the meeting, sign the roster provided by the City Recorder, indicating the name of the person, the address of the person, and the subject of public concern on which the person or group wishes to address the Council. Those who have not signed the roster may address the Council at the discretion of the Presiding Officer.

9.3 Complaints and Suggestions to the Council - When any citizen brings a complaint before or makes a suggestion to the Council, other than for items already on the agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

(1) If the issue is legislative, and if the Council finds such complaint or suggestion may indicate the need for a change to an ordinance or resolution of the City or the adoption of a new ordinance or resolution, the Council may refer the matter to the City Attorney, the City Manager or an advisory body for study and recommendation.

(2) If administrative, and the complaint or suggestion involves administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the City Manager, the Presiding Officer shall then refer the complaint directly to the City Manager for their review if the complaint has not already been reviewed. The Council may direct the City Manager to report to the Council when their review has been made.

9.4 Council Shall Carefully Consider All Comments – All Council members should give those presenting comments their undivided attention. Sidebar conversations should be kept to a minimum.

SECTION 10 – PUBLIC HEARINGS

10.1 Public Hearings - A public hearing shall be held on each matter required by state law, City policy or as directed by the City Council. The Presiding Officer shall preside over the hearing and announce the type of hearing and the guidelines for the hearing. The Presiding Officer shall declare the hearing to be open and invite the City Manager or member of the staff to present the staff report together with any petitions, letters, or written comments on the matter.

10.2 Testimony for Non-Land Use Hearings – Members of the audience may present oral testimony on the matters scheduled for public hearing. The Presiding Officer will call forth members of the audience who have signed up to present testimony under the guidelines specified at the opening of the hearing. If appropriate, the Presiding Officer may first ask those persons in favor of the matter to come forward, with those speaking in opposition coming after.

Except as stated otherwise, all testimony will be limited to five minutes per person. The Presiding Officer may further limit testimony if a speaker persists in being threatening and disorderly, or abusive, following a warning to that effect from the Presiding Officer. Upon being recognized by the Presiding Officer, any member of the Council or the City staff may ask questions of any speaker, subject to the same provisions set forth in Section 9.1(E). Upon closure of the hearing, no further testimony will be allowed unless the Council allows written testimony to be submitted by a date certain.

10.3 Quasi-Judicial Land-Use Proceedings –

A. Scope of Review. All quasi-judicial land use proceedings shall be new (de novo).

B. Conflicts of Interest.

1. A member of the Council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City Charter.

b. The member was not present during the public hearing; provided however, the member may participate and vote if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

C. Ex Parte Conflicts/Bias

1. Members of the Council shall reveal the nature of any ex parte contacts or bias with regard to the proceeding at the commencement of any quasi-judicial land use proceeding.

If such contact/bias impairs the member's impartiality, the member shall state this fact and abstain from participation and voting in the matter.

D. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the Council shall be based on the applicable standards and criteria as set forth in the City's Development Code, the City's Comprehensive Plan, and, if applicable, any other land use standards and criteria imposed by state law or administrative rule.

2. The proponent, any opponents, and/or City staff may submit to the Council a set of proposed written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

E. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The City Attorney shall read the land use hearing disclosure statement, which shall include:

a. A list of the applicable criteria;

b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. Call for ex parte contacts/bias/conflict of interest. The City Attorney shall inquire whether any member of the Council has had ex parte contacts, has bias, or has an actual or potential conflict of interest. Any member of the Council announcing an ex parte contact or conflict shall state for the record the nature of the contact or conflict. [See Section 10.3\(B\) and \(C\).](#)

3. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

4. Presentation of the Case.

a. Applicant's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.
- e. Rebuttal. Ten minutes total. Rebuttal may be presented by the applicant. The scope of rebuttal is limited to matters which were introduced during the hearing by parties other than the applicant.

5. Close of hearing. Subject to state law, the Presiding Officer shall close the hearing if there are no further questions from Council. The Record may be left open pursuant to state law. The timeframe for submittals to the Record shall be clearly announced prior to close of the hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

6. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

7. Findings and Order/Ordinance. The Council ~~shall~~may approve or ~~deny~~reject the ~~application~~proposal.

- a. The Council shall adopt findings to support its decision.
- b. The Council may incorporate findings proposed by the applicant, the opponent or staff in its decision.

F. Continuances. Council shall grant continuances as required by state law. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. Any continuance requested by the applicant shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

10.4 Legislative Land Use Matters –

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

- 1. Call for abstentions. Inquire whether any member of the Council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.
- 2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

3. Presentation of the Case.

- a. Persons in favor. Five minutes per person.
- b. Persons opposed. Five minutes per person.
- c. Other interested persons. Five minutes per person.

4. Close of hearing. No further information shall be received after the close of the hearing, except for written materials allowed by Council to be submitted prior to the close of the Record.

5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

6. Reopening hearing. Prior to adoption of an Ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

10.5 Attorney Representation – Any person attending a hearing has the right to be represented by an attorney.

10.6 Appeal Fee – An appeal fee established by the City Council shall be required to defray costs incidental to the proceedings and shall be paid at the time of filing an appeal. The appeal fee shall be determined by the City Council.

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| SECTION 11 – ORDINANCES, ORDERS, RESOLUTIONS, AND MOTIONS |
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11.1 Form – All Ordinances, Orders, and Resolutions shall be presented to the Council.

11.2 Signing Of Official Documents - The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days after their passage. After the Council approves a bond of a City officer or a bond for a license, contract, or proposal, the Mayor shall endorse the bond. The Council President shall perform these functions whenever the Mayor is unable to perform the functions herein.

11.3 Enactment of Ordinances – All ordinances will be enacted pursuant to Section 4 of the Keizer City Charter except that if the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor pursuant to Section 3.3 of the Keizer City Charter, including, but not limited to, signing of ordinances, resolutions and other documents.

11.4 Motion – Any Council member making a motion to be considered by the Council shall state the motion with clarity, specificity, and brevity so the matter is clearly understood.

11.5 Procedures In Handling Parliamentary Motions –

- a) To make a motion, a Council member must be recognized by the Presiding Officer at a time when there is no other business on the floor. The Council member then may state the motion by saying "I move" and stating the action to be taken ~~adoption of an ordinance..." or "I move approval of a resolution..."~~.
- b) Another Council member seconds the motion. This can be done without being recognized by the Presiding Officer. If no member seconds the motion, it does not come before the meeting; it "dies" for lack of a second and the Presiding Officer calls for the next item of business. There is no discussion allowed prior to the second, except that any member may request clarification of the motion. A second does not necessarily mean that the member favors the motion. It can be that the member simply wants the motion brought on the floor for discussion.
- c) The Presiding Officer states the question on the motion. This procedure is necessary for the motion to come before the Council. ~~Prior to this step, the Presiding Officer can suggest changes in the motion and the mover can change or withdraw it.~~ No debate can take place until the Presiding Officer states the motion is on the floor. Mover may withdraw the motion at any time up to the vote. It is unnecessary for the Presiding Officer to ask the member who seconded the original motion to withdraw the second. Withdrawal of the motion by general consent takes precedence to the second.
- d) Any Council member may request a friendly amendment to the motion. If the mover and the second accept and there is no objection by any Council member, the motion goes forward as amended. If there is an objection, or the friendly amendment is not accepted by both the mover and the second, a formal motion to amend may be made.
- e) Debate then takes place on the motion. The original mover is entitled to the floor first. **Each member has the right to speak and to rebut any other speakers, but should not have the floor the second time until all who wish have spoken once.** Unless it is decided otherwise, each speaker is limited to five (5) minutes each time.
- f) The Presiding Officer then puts the question to a vote. When the debate appears to have closed, the Presiding Officer asks "are you ready for the question?" If no one claims the floor, the Presiding Officer restates the motion and calls for a vote.

11.6 Motion for Reconsideration - Unless specifically governed by other provisions of the codes, ordinances, or other regulations of the City, any Council member who voted with the majority or who was not present at the time of the vote, may move for reconsideration of an action at the same or at the next regular meeting of the Council. A vote of reconsideration requires a majority vote of those Council members present. A vote for reconsideration shall take place at the same meeting when there is no other business on the floor or at the next regular meeting of the Council under the Other Business portion of the meeting. A motion for suspension of the rules is not required. After a matter has been reconsidered, it shall not preclude the issue from being raised in the future, but not before the next regular meeting.

SECTION 12 – VOTING

12.1 Voting - Unless a different voting requirement applies, the concurrence of a majority of the members of the Council in attendance, voting when a quorum of the Council is present shall decide any question before the Council. The Presiding Officer will have a vote on all questions before the Council. It is considered inappropriate for members to explain their action during the voting ~~ence the vote has been called for and until after the vote has been taken.~~

12.2 Abstentions – Any Council member abstaining should state the reason for the abstention. Abstentions should not be used if the member does not believe enough information is available. An abstention does not count as either an affirmative or negative vote and shall not be counted toward the number of votes required to pass or reject a motion.

12.3 Methods of Voting - The standard is the voice vote, however the Presiding Officer may decide the type of vote unless directed otherwise by a majority of the Council.

- **Voice Vote**: This is the standard method when no more than a majority vote is required. The ayes are called for first and then the nays.
- **Show of Hands**: This can be used as an alternative to a voice vote, in verifying an inconclusive voice vote or when a two-thirds vote is required for adoption.
- **Vote by Written Ballot**: This is another method that is normally used only in cases of elections or a matter where initial confidentiality is needed. Each Council member shall place their signature on the ballot and the results (including each Council member's specific vote) must be made public immediately following the vote.
- **Roll Call**: In this method, the City Recorder calls the name of each Council member and the Council member responds with their vote on the matter. Council members will be called by position number, with the Mayor being called last.

12.4 Unanimous Consent - For minor matters, the Presiding Officer may use unanimous consent as a voting method if it appears that all of the Council members present agree. If any Council member objects, a formal vote shall be taken.

12.5 Voting Required - Every member of the Council that is present when a question is addressed shall vote for or against the question, unless they abstain for just cause (conflict of interest, bias, etc.).

12.6 Voting Results - The Presiding Officer announces the voting result. This step is always included to ensure Council understanding of the outcome and so that the Recorder will be able to accurately reflect the outcome in the minutes. If a motion ends in a tie, the motion will be considered lost.

12.7 Changing Vote - A Council member has the right to change their vote up to the time the vote is finally announced. After that, they can make the change only by permission of the Council, which may be given by unanimous concurrence of Council. If an objection is made, a motion may be made to grant the permission. The motion is undebatable.

SECTION 13 – MINUTES

13.1 Recording of Minutes - Minutes are the official record of the City Council meetings. They record the substance of a meeting and are a clear, accurate, concise, informative record of the proceedings. Minutes will generally follow the chronological order of items considered during a meeting. Minutes are not a verbatim transcript, and the meeting does not have to be sound recorded unless otherwise required by law. For practical purposes, however, it is general practice to sound record the meetings of the City Council for back-up reference. Reporting actions taken is the single most important segment of the final minutes. The minutes are to include, at a minimum:

- a) Kind of meeting (regular, special, work session, etc.)
- b) The name of the body meeting (City Council, Urban Renewal Agency, Budget Committee, etc.)
- c) Date of the meeting and place where it is held.
- d) Name and title of Presiding Officer (usually the Mayor).
- e) All motions (main, amendments, withdrawals, etc.), with dispositions, with the name of the mover and, if applicable, the name of the Council member who seconded the motion.
- f) Members present.
- g) Proposals, resolutions, orders, ordinances, and measures proposed and their disposition.

- h) Results of all votes and the vote of each member by name, including abstentions.
- i) The substance of any discussion on any matter.
- j) The name and city of residence, if available, on any person appearing before the City Council to offer testimony, and the substance of such testimony.
- k) Exhibits or written testimony subject to ORS 192.311 to 192.338.
- l) Reference to the appropriate ORS section under which an executive session was held.
- m) The signature of the individual taking the minutes.
- n) Signature lines for the Mayor and the Councilors.

13.2 Distribution of Minutes - : Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval. However, because they are generally completed in draft form prior to distribution of the agenda packets, the draft minutes are available for earlier review should the need arise.

13.3 Correction and Approval of Minutes - Approval of the minutes usually take place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the Consent Calendar. If minor changes are made to the minutes, a Council member may offer such amendment prior to the Consent Calendar being approved. For extensive amendments, the minutes should be pulled off the Consent Calendar for consideration. All corrections that appear will appear in the minutes of the meeting when the changes took place. If a member of the Council is absent from the meeting, such member can pull the minutes from the Consent Calendar for consideration and announce their absence and abstain from voting for approval of the minutes or they can read the minutes prior to the meeting and vote for approval as part of the Consent Calendar. When a Council member is absent and pulls the minutes from the Consent Calendar to abstain from voting for approval of the minutes, the word "absent" shall be printed in place of a signature.

If a Council member has a concern over the reporting of minutes, it is that Council member's responsibility to review the recording of the meeting and bring corrections forward to the City Council at the next regular meeting with the recording cued, ready to be played, if necessary. It is not appropriate to expend staff time when only one member of Council is requesting the review.

13.4 Reading of Minutes - Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, such minutes may be approved without reading if copies thereof have been previously furnished to each Council member.

13.5 Executive Session Minutes - Minutes from Executive Sessions held pursuant to state statute ORS 192.660 will be kept in the form of a tape recording. No transcription or no written minutes of the Executive Session will be made unless otherwise required by law.

SECTION 14 – PROCLAMATIONS

14.1 Request for Proclamations - Organizations or citizens requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Mayor of the request. If the Mayor approves the request, the City Recorder will prepare the proclamation for the Mayor's signature. The Mayor may also make proclamations at the Mayor's own discretion without a request.

14.2 Reading of Proclamations - It will be at the discretion of the Mayor if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation.

SECTION 15 – INTERACTIONS WITH STAFF AND MUNICIPAL JUDGE

15.1 Staff - All members of the Council shall respect the separation between the Council's role and the City Manager's responsibility by:

- a) Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
- b) Refraining from actions that would undermine the authority of the City Manager or a Department Director.
- c) Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Manager.

1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.

2. Members of the Council shall normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of the Council acting in their individual capacities rather than as members of the Council, nor to questions regarding conflict of interest or similar issues particular to a member of the Council.

15.2 Interaction with Municipal Judge - The Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.

SECTION 16 – INTERNAL OVERSIGHT

16.1 Internal Oversight - The Council has the ~~inherent~~ right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:

- a) The process is initiated by a written statement by a Council member explaining the alleged misconduct of a Council member and if true, why disciplinary action is needed. Two Council members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next regular Council meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting; otherwise, the matter shall be placed on the agenda for the following Council meeting.
- b) An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council member shall not indicate that such member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection c) below. The Council member in question shall not take part in the discussion or the vote.
- c) If initiated, an investigation shall be conducted by a committee consisting of three Council members appointed by the Council. Two additional Keizer residents shall be included if the Council member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a Council member, including, but not limited to the following instances:
 1. During a City meeting or while representing the City of Keizer;
 2. Council member announced that they were a Council member (and therefore infers that conduct is as a Council member);

3. Conduct occurred in writing available to the public (social media, newspaper) as identified as a Council member.

Whether the Council member committed the alleged misconduct while in their official capacity is only a factor to be considered. The Council may investigate and impose sanctions in situations where the Council member in question was not acting in their official capacity.

- d) If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include
 1. A memo of concern from the full City Council, or
 2. Censure.
- e) The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council member in question shall not take part in the discussion or the vote.
- f) If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council member who was investigated.

SECTION 17 – COUNCIL VACANCIES/APPOINTMENTS

17.1 Vacancy of Council Position – Section 7.8 of the Keizer City Charter outlines circumstances in which a Council position may become vacant. Vacant elective offices shall be filled by appointment. A majority vote of the remaining members of the Council shall be required to validate the appointment. Upon validation, the appointee's term of office shall begin and continue throughout the unexpired term of the predecessor.

17.2 Vacancy of Mayor Position – In the event the office of the Mayor becomes vacant, the Council President shall become Mayor. A new Council President shall be nominated accordingly from the remaining members of the Council. The Council then shall appoint a Councilor to fill the vacancy as set forth below.

17.3 Declaration of Vacancy – If required by the Charter, the vacant position shall be declared vacant by Resolution.

17.4 Process for Appointment – The Council shall adopt a timeline for the appointment process. A press release will be issued inviting members of the community, who meet the qualifications as outlined in the Charter, to submit a letter of interest and resume. Only candidates who have submitted the letter and resume by the deadline determined

by the Council may be considered. Within 45 days of vacancy, the Council shall appoint the replacement Councilor as set forth in this Section.

17.5 Presentation Process – The candidates shall be invited to make a presentation before the City Council. The presentation process is as follows:

- a) Presentation length: Five minutes. There is to be no discussion or questions by the Council whatsoever, except for the written questions noted below.
- b) Order of the presentations: Drawn from the official bucket.
- c) Candidates will be requested to sequester themselves outside the Council Chambers until time for their presentation so they will not gain advantage by listening to the other candidates. They may remain in the audience after their presentation.
- d) Each of the six current Council members may submit a written question to be given the candidates. The candidates may choose to address the questions in their presentations. The deadline for submittal of the questions shall be one week before the presentation.
- e) Following close of the presentation, all candidates who have submitted a letter of interest and resume shall be considered and formal nominations shall not be made.

17.6 Appointment Vote – The Presiding Officer or City Attorney shall review the appointment process with members of the audience prior to any votes being taken. Written ballots shall be prepared containing the names of all of the candidates. The following voting process will be followed:

- a) Each of the remaining members of the Council shall select one candidate and mark their ballot accordingly. If one candidate receives the majority of the votes of the remaining members of the Council, such candidate shall be appointed to fill the vacant position.
- b) If no candidate receives a majority vote of all remaining members of the Council on the first ballot, a second ballot shall be distributed. The second ballot shall contain the names of the two candidates receiving the most votes from the first ballot, unless a tie resulted from the first ballot. In a first place tie situation, all first place candidates will be placed on the second ballot. If there is one first place candidate and tied second place candidates, then all first and second place candidates will be placed on the second ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving a majority of the votes of the remaining members of the Council shall then be appointed to the vacant position.

- c) If no candidate receives a majority vote of all remaining members of the Council on the second ballot, a third and final ballot shall be distributed. The third and final ballot shall contain the names of the two candidates receiving the most votes from the second ballot, unless a tie resulted from the second ballot. In a first place tie situation, all first place candidates will be placed on the third and final ballot. If there is one first place candidate and tied second place candidates then all first and second place candidates will be placed on a third and final ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving the majority of the votes of the remaining members of the Council shall be appointed to the vacant position. In case of a tie vote on this third and final vote, the Council will select the replacement Councilor according to the procedure outlined in Section 17.7 – Tie Votes – Appointment Process.
- d) By Resolution, the Council shall validate the appointment.

17.7 Tie Votes- Appointment Process – If no candidate receives a majority vote of all remaining members of the Council on the third and final vote, the names of the two candidates receiving the most votes from the third and final ballot will be placed in an official City bucket, unless a tie resulted from the third and final ballot. In a first place tie situation, all first place candidates will be placed in the official City bucket. If there is a one first place candidate and tied second place candidates, then all first and second placed candidates' names will be placed in the official City bucket. The City Recorder will draw the successful name.

17.8 Tie Votes – Council Election – When two or more candidates running for the same Council position, have an equal and the highest number of votes, the successful candidate will be determined by a drawing of lots. Upon confirmation of a recount by the Marion County Elections Division, this determination shall take place at the first regularly scheduled meeting after such recount confirmation. The Council will use the same process to determine the successful candidate as outlined in Section 17.7 – Tie Votes – Appointment Process.

SECTION 18 – CREATION OF CITY COMMITTEES, BOARDS AND COMMISSIONS, COUNCIL COMMITTEES, AD-HOC TASK FORCES AND WORK GROUPS

18.1 Citizen Committees, Boards and Commissions – At any time, the Council may by resolution establish any City Board, Commission or Committee deemed necessary and in the best interests of the City. Any committee so created may contain one or more Council members as members. Unless otherwise provided, all City Boards, Commissions, and Committees so created shall sunset at the end of their mission, but in all events shall be reviewed in January of odd numbered years, prior to Council member liaison appointment.

18.2 Membership Appointment – The Volunteer Coordinating Committee is the only standing City Committee that receives members by direct appointment from the City Council. Each Council member will make a one-member appointment to the Volunteer Coordinating Committee as allowed in Council resolution for a two-year term. If a Council member leaves office prior to the end of the Council member's scheduled term, the replacement Council member shall appoint a member to the Volunteer Coordinating Committee. Except for Council members, all other applicants for City Boards, Commissions, Committees or any group (other than Council Work Groups, Task Forces, or Outside Committees) will be recommended by the members of the Volunteer Coordinating Committee who will receive, review, and process written applications and forward recommendations to the Council for appointment consideration, unless the Resolution, Ordinance, or State Statute defines the appointment process differently. The Mayor shall make the Council member appointments for all Committees, Task Forces, Boards, Outside Committees or any other groups at the first meeting in January every odd numbered year or when necessary.

18.3 Qualifications – No appointee may serve on more than two City Boards, Commissions or Committees at any one time, without Council approval. Budget Committee members are required to be appointed from the electorate. All of other City Boards, Commissions, Committee or Task Force members shall be appointed pursuant to Council Resolution or Ordinance.

18.4 Removal of Members of Committees, Boards, and Commissions – The Council may remove any member of any committee, board, commission, task force or any other group by a vote of at least a two-thirds majority of the Council. All members of City Boards, Commissions or Committees serve at the pleasure of the Council except as otherwise provided by law. All Council seats on City Boards, Commissions or Committees are reserved for sitting Council members; upon expiration of any Council member's term, or upon resignation, removal or death, the Council member's seat on any City Board, Commission, Committee, Outside Committee, or any other position as City representative occupied by that person shall be immediately declared vacant, and a sitting Council member appointed by the Mayor as a replacement.

18.5 Council Task Forces – Council Ad-Hoc Task Forces may be created at any time by resolution. All Council Ad-Hoc Task Forces shall have a Council member as Chair who shall be either appointed by the Mayor, or by a majority vote of the members of the committee in the absence of such appointment. Appointment of the members to Task Forces shall be by majority vote of the Council members present. Such Task Force shall report to the Council without unnecessary delay upon matters referred to them. All Council Ad-Hoc Task Forces so created shall sunset at the end of their mission, but in all events shall be reviewed in January of odd numbered years prior to Council member liaison appointment.

18.6 Council Work Groups – Council Work Groups shall consist of three Council members who shall be appointed by the Mayor at a regularly scheduled Council meeting. Such Work Group shall report to the Council without unnecessary delay upon matters

referred to them. All Council Work Groups so created shall sunset at the end of their mission and final report/recommendation to the Council.

18.7 Meetings Subject to Oregon Open Meetings Law – All meetings of any City Boards, Commissions, Lay-Committees, Council Committee, Task Force, or Work Group shall be subject to and comply with the Oregon Public Meetings law, ~~ORS 192.610-192.695~~.

18.8 Registry – The City Recorder shall prepare, keep current and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, Committees, Council Ad-Hoc Task Forces, and any other group, the date of their appointment, the length of their unexpired term, and their addresses and phone numbers.

18.9 Youth Councilor – Each school year one Youth Councilor may be appointed as a non-voting member of the Council. The Youth Councilor shall not attend executive sessions. To receive this appointment, the candidates must be Keizer residents who are either attending high school or registered home schooled students. The appointments shall be by majority vote of the Council members present, following recommendations from the Volunteer Coordinating Committee. The Youth Councilor may be assigned roles and positions by Council.

18.10 Youth Liaison – Each school year one Youth Liaison may be appointed as a non-voting member to any City Board, Committee, or Commission. To receive this appointment the candidate must be either attending high school or a registered home schooled student. The appointment shall be by majority vote of the Council members present, following a recommendation from the Volunteer Coordinating Committee.

18.11 Outside Committees – Outside Committees are those committees, boards, commissions and other types of groups not created by the City Council. They include both governmental entities, as well as non-profit organizations; e.g., Keizer Rotary, Keizer Chamber of Commerce, Salem-Keizer Area Transportation Study, Mid-Willamette Valley Council of Governments, etc. For non-Councilor appointments, the Council shall determine the appointment, following recommendation by the Volunteer Coordinating Committee. The Mayor shall appoint Council members to liaison and non-liaison positions for outside committees the first meeting in January every odd numbered year or when necessary. Each Council member shall keep the Mayor and Councilors informed of their involvement in all outside committees. The particular outside committee shall determine any attendance requirements and other matters concerning membership, voting, and procedure, subject to Council approval. Non-liaison (voting) Councilor positions may not be substituted by another Council member, unless such outside committee's rules specifically allow for such substitution.

Nothing contained herein shall prevent a Council member from being a member of any type of committee outside of these provisions. However, such membership shall be as a private citizen and not as a representative of the City of Keizer.

18.12 City Committees/Council Member Liaisons – Council member liaison positions on City committees, boards, commissions, and task forces are non-voting. Council member liaisons shall generally provide avenues of communication between their committee and the Council and shall update the Council on the general status of such committee. Generally speaking, Council members in liaison positions should refrain from expressing opinion on specific policy issues under consideration by the committee unless it is to relay known City Council positions on a particular matter.

18.13 Additional Groups – No Board, Commission, Committee, Work Group, Task Force or any public body (other than the Council) may create another public body, except for subcommittees consisting only of its members. Upon recommendation by an entity, the Council may create another Group.

18.14 Electronic Meetings Limited – No Board, Commission, Committee, Work Group, Task Force or other Council-created group may meet electronically, except if the meeting is scheduled for a time when a federal, state or local emergency declaration affecting all or a part of the City is in effect.

SECTION 19 – ELECTRONIC MAIL/SOCIAL MEDIA

19.1 Electronic Mail/Social Media – The Council will observe the following guidelines when using any electronic method for correspondence or social media in their elected roles:

- a) All e-mail/social media used by the Mayor and Councilors will comply with the requirements of the Oregon Public Records Law and Oregon Revised Statutes ORS 192.311 through 192.338.
- b) E-mail may be used for correspondence, to schedule meetings, send informative messages, or request information from other members of the Council, the City Manager, or Department Directors. Council members shall use and keep their email accounts updated. The City shall provide sufficient equipment and software for Council members.
- c) E-Mail/social media may not be used to discuss policy issues with a quorum of the Council at one time or a quorum of any other governing body in any manner which would be in violation of the Oregon Public Meeting Laws.
- d) All e-mail/social media used by Council members shall use City accounts only when acting in Council's elected roles. No discussions or issues involving City business shall take place on non-City e-mail/social media accounts. This is required to be able to accurately archive these communications for public records purposes.

SECTION 20 – CITY COUNCIL GOAL SETTING

20.1 Council Goal Setting –

- a) Goal Setting Parameters. The Council shall set goals at a minimum of every two years to coincide with mayoral terms of office. The goals shall include Short Term Goals that the Council plans on completing within the next 24 months and Long Term Goals that the Council plans to work on during the next two years, but will take longer to complete than 24 months.
- b) Creation of initial list. Following the election in November of even numbered years, the newly elected Council members shall meet with the current Council members in a work session meeting to establish an initial list of potential Council goals. This initial “brainstorming” session shall be completed by December 31 of the election year.
- c) Work Session. During the first calendar quarter of the year following an election, a work session shall be dedicated to Council Goal Setting. During this work session the initial list of potential Council goals will be refined and amended to reflect the needs, and goals of the community. These goals shall reflect, but not be limited to, the goals established in the City’s Strategic Plan; Master Plans, community input, City staff, City committees and Council members.
- d) Adoption. Council Goals shall be adopted at a regular meeting of the Keizer City Council no later than the second regular session in April of the year following an election.

SECTION 21 – CITY COUNCIL TRAINING/AFFILIATION MEETINGS

21.1 Council Member Training – All Council members are encouraged to attend at least one City affiliated training seminar/conference per calendar year. Such trainings might include:

- League of Oregon Cities Annual Conference
- League of Oregon Cities Elected Officials Training Sessions
- Mid-Willamette Valley Council of Governments New City Councilor Training
- Mid-Willamette Valley Council of Governments State Wide Planning Seminar
- State of Oregon Emergency Management

21.2 Mayor’s Training – In addition to the above expectation, the Mayor is expected to represent the City at the annual conferences of the Oregon Mayor’s Association.

21.3 Reimbursement Allowance – Within budget constraints, training costs directly connected with the above conferences or the Council members' City committees are reimburseable. Any reimbursement allowance must comply with City of Keizer Personnel Policies.

21.4 Council Approval – Any other Council member training or affiliation meetings that exceed a total cost of One Hundred Dollars (\$100.00), including the registration costs, ~~costs~~ require Council approval prior to registering for the event.

SECTION 22 – MISCELLANEOUS

22.1 Amendments to Council Rules - Amendments to these rules shall be by made by resolution.

Signature Page

The foregoing Council Rules were adopted by the City Council on _____, 2021 by Resolution R _____. By signing below the Council members affirm they have read and received a copy of these rules.

City Council:

Mayor

Council President

Councilor

Councilor

Councilor

Councilor

Councilor



CITY COUNCIL RULES OF PROCEDURE

Adopted by Council Resolution R2020-3058 on April 6, 2020



CITY OF KEIZER COUNCIL RULES OF PROCEDURE

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SECTION 1 - AUTHORITY

1.1 Authority - The Charter of the City of Keizer provides that the Council shall adopt rules for the government of its members and proceedings. The following rules shall be in effect upon their adoption by the Council until they are amended or new rules are adopted. These rules shall be presented to all City Council members during the first work session in January of odd-number years following general elections. Within 30 days of taking office, each appointed or elected Councilor shall sign that they have reviewed and received a copy of these rules. The City Recorder shall retain the signature copy.

SECTION 2 - GENERAL RULES

2.1 Open Meetings – All meetings will be held in accordance with the Oregon public meeting requirements of Oregon law. No final action by the Council shall have legal effect unless the motion and the vote by which it is disposed of, take place at a proceeding that is open to the public.

2.2 Ethics – All elected officials will comply with Chapter 244 – Government Ethics of the Oregon Revised Statutes.

2.3 Quorum – A majority of the members of the Council shall constitute a quorum for its business, but no less than three Councilors may meet and compel the attendance of absent members. If a quorum is not present, those in attendance will be recorded, and the City Recorder will adjourn the meeting.

2.4 Rules of Order – *Robert's Rules of Order Newly Revised* shall govern all Council proceedings unless they conflict with these rules. The Council President will act as parliamentarian with support from the City Attorney when present.

2.5 Suspension of Rules – The vote to suspend the Rules of Procedure (including *Robert's Rules of Order Newly Revised*) requires a two-thirds majority vote of those members of the Council who are present, except as set forth in Section 6.1(k). If the motion is carried by a two-thirds vote, then the rules are suspended for that item only.

2.6 Address by Council Members – Every Councilor desiring to speak to an issue will address the Presiding Officer and upon recognition, will confine remarks to the issue under debate. Councilors questioning, seeking clarification, or soliciting a recommendation from staff will direct the concern to the City Manager. The City Manager may respond as requested or redirect the inquiry to a member of the staff.

2.7 Seating Capacity and Safety Requirements – The safe occupancy and seating capacity of the Council chambers as determined by the fire marshal shall be posted within the Council chambers. The limitations on occupancy and seating shall be complied with at all times. Aisles and emergency exits shall be kept clear at all times.

2.8 Building Access – For building security purposes, Councilors shall abide by applicable employee building access policies, including, but not limited to the allowance of visitors in the employee-only sections of City Hall.

SECTION 3 – COUNCIL MEETINGS

3.1 Regular Meeting - The Keizer City Council will meet in regular session on the first and third Mondays of each month at 7:00 p.m. in the Robert L. Simon Council Chambers or at another place in the City which the City Council designates. If such date falls on a legal holiday (per ORS Chapter 187), the meeting shall be held at the usual hour and place on the following day.

3.2 Work Session – The Keizer City Council may hold a work session on the second Monday of each month in the Robert L. Simon Council Chambers or at another time or place in the City in which the City Council designates. Such sessions shall allow the City Council an opportunity to review forthcoming projects of the City, determine goals for the ensuing year, receive progress reports on current programs or projects, or to hold open discussions on any City-related subject, provided that all discussions thereon shall be informal with **no vote** or **formal action** taken. Work sessions shall be open to the public, however an opportunity for public testimony will only be allowed at the discretion of the Presiding Officer or by a majority vote of the Council members present.

3.3 Special Meeting – The Presiding Officer, upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council, call a special meeting of the Council. At least 24 hours notice shall be given for the meeting. Special meetings of the Council may also be held at any time by the common consent of all members of the Council. Only the subjects listed on the special meeting agenda may be acted upon.

3.4 Emergency Meeting – An emergency meeting of the City Council may be called by the Presiding Officer or City Manager on less than 24 hours' notice provided that an actual emergency exists. The minutes of the meeting must describe the emergency justifying less than 24 hours notice and why the meeting could not be delayed. Attempts will be made to contact the media to provide notice of the emergency meeting.

3.5 Executive Session – Executive sessions shall be held in accordance with Oregon law – ORS 192.660. Matters discussed in executive session shall be exempt from public disclosure pursuant to State Statutes. Executive sessions shall be closed to all persons **except** the City Council; persons reporting to Council on the subject of the executive session; the City Manager unless directed otherwise by the Council; City staff persons as allowed by the City Council to attend; news media representatives, unless excluded by the Public Meeting Law (e.g.; media representatives may be excluded for discussions regarding labor negotiations); and other persons authorized by the City Council to attend. No elected official who declares an actual conflict of interest on a topic to be discussed in executive session shall remain in the room during such executive session discussion.

Prior to opening an executive session the Presiding Officer or City Attorney shall:

- announce the purpose of the executive session,
- the state statute authorizing the executive session,
- and a notification to all present, including the media, that matters discussed in executive session are not to be disclosed or reported to the public.

An executive session may be held during any open meeting for which proper notice has been given or outside of any regular meeting when properly noticed. No formal or final action may be taken during an executive session, but an opinion or consensus of the Council may be gathered.

3.6 Cancellation of Meeting - Upon a majority vote of the members of the City Council present, a meeting may be canceled when deemed appropriate. The Charter requires one regular meeting be held each month. Notice of cancellation shall be posted at City Hall, on the City's web site and social media sites, distributed to members of the media, and to citizens requesting notice.

3.7 Notice of Meeting – The City Recorder shall provide:

- notice of the time,
- place, and
- agenda items for any gathering of the Keizer City Council.

Notice shall be posted on the City's web site, delivered by mail or otherwise to members of the media, and other interested persons upon written request. Notice shall be given at least 24 hours prior to the meeting to members of the governing body, the public and media for any special meeting, unless the meeting is considered an emergency as defined by law. Notice of executive sessions shall cite the specific law that authorizes the executive session.

3.8 – Americans With Disabilities Act – All meetings of the Council shall be held in compliance with the Americans With Disabilities Act.

3.9 – Attendance Duty – It is the duty of each member of the City Council to attend all meetings of the Council. The Charter provides in Chapter VII – Section 29 that a Council office will be deemed vacant upon his or her absence from meetings of the Council for 60 days without like consent. Consent will be given for good cause.

Good cause shall include, but is not limited to:

- Illness;
- Family obligations;
- Employment requirements;
- Scheduled vacations; or
- Other city business

Telephonic, video or internet ("electronic") attendance does not ensure that all testimony, discussions, staff information and deliberations are available fully and equally. Therefore, unless allowed as set forth below, methods of attendance other than personal onsite attendance shall not be considered "in attendance" and a Council Member may not vote unless physically present at the meeting.

This provision is automatically waived at any time a federal, state or local emergency declaration affecting all or a part of the City is in effect. Council members shall notify the City Recorder if they will appear in person or electronically. In such case, no quorum is required to be physically present.

3.10 – Excused Absence – When any Council member cannot attend a meeting of the Council, the member shall notify the Presiding Officer prior to the meeting. If there are no objections from other Councilors, the Presiding Officer may announce the absence is for good cause and the absence shall be listed in the minutes as excused. If the City Council determines the absence is not for good cause, the absence shall be listed in the minutes as unexcused.

SECTION 4 – THE PRESIDING OFFICER

4.1 Mayor – The Mayor shall preside at all regular, work sessions, special meetings and executive sessions of the City Council and shall be the recognized head of the City for all ceremonial purposes. The Mayor shall have all duties and privileges of any Councilor, and shall not be denied any right or privilege by reason of his or her position as Presiding Officer. In the absence of the Mayor, the Council President shall serve as the Presiding Officer. In the absence of both the Mayor and Council President, the office of both or either shall be filled pro tem by the Councilor with the longest continuous service on Council from the Councilors present and business transacted accordingly.

4.2 Council President – The Council shall elect a Council President from its members by majority vote of those Council members present. This shall occur at the first meeting of the Council in each odd-numbered year or before the position has been vacant for sixty (60) days. The Councilor with the longest continuous tenure, who has not served as Council President previously, will be nominated. Others may be nominated from the Council, including the current Council President. In the event that no candidate receives a majority vote, a second vote will be conducted. The first place candidates shall be nominated. If there is only one first place candidate, such candidate and all second place candidates shall be nominated. If no candidate receives a majority vote, the candidates in the second vote will draw lots to determine the Council President.

Whenever the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor. If the Council President wishes to do so, he/she may initiate a motion for all prepared resolutions, orders and ordinances and the consent calendar unless another Councilor has requested to do so or initiates the action.

4.3 Sergeant at Arms – The Sergeant at Arms will be the Council President. It will be the duty of the Sergeant at Arms to assist the Presiding Officer, as appropriate, to maintain the order and decorum at all meetings. The Council President may appoint a designee to act as the Sergeant at Arms. In the absence of the Council President, the Sergeant at Arms will be filled by the Councilor with the longest continuous service on Council from the Councilors present.

SECTION 5 – DECORUM AND ORDER

5.1 Presiding Officer – During Council meetings, the Presiding Officer shall enforce the rules of the Council. In addition, the Presiding Officer has the authority to preserve decorum and decide all points of order, subject to appeal to the Council. The Presiding Officer shall enforce order, prevent attacks on personalities or impugning members' motives, and keep those in debate to the question under discussion.

5.2 Councilors – Council members shall preserve order and decorum during Council meetings, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these Rules. Council members shall when addressing staff, council members or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, should not impugn the motives of any speaker. Council members shall at all times conduct themselves in a manner appropriate to the dignity of their office. Council may determine by simple majority the appropriateness of a particular event or action. However, no Council member will be required to take part in an event or action that he/she believes inappropriate or undignified.

The Mayor is the official spokesperson for the Council. Unless specifically authorized by the Mayor or the Council, Councilors shall not make any representations on behalf of the City. However, nothing shall prevent the Mayor or a Councilor from expressing their own individual thoughts and opinions when specifically identified as not a representation of the City or the Council's position.

5.3 Staff and Public – Members of the administrative staff, employees of the City and other persons attending Council meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Council.

5.4 Removal of Any Person. Any persons making disruptive or threatening remarks or actions during a meeting will forthwith be barred from further audience at that meeting, unless permission to continue is granted by a majority vote of the Councilors present. The Presiding Officer may direct the Sergeant at Arms to prevent further interruption by such person by any action necessary including the removal of that individual. In case the Presiding Officer should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, Sergeant-at-Arms shall be authorized to remove the person or persons, as if the Presiding Officer so directed.

SECTION 6 – ORDER OF BUSINESS AND AGENDA

6.1 Order of Business - The general rule to the order of business at regular meetings of the City Council will be:

- a) **Call to Order** – The Presiding Officer shall call the meeting to order.
- b) **Roll Call** – The City Recorder shall call the name of each Councilor and note each Councilor's attendance or absence in the record, under the guidelines as set forth in Section 3.9 and 3.10 to establish a quorum is present to conduct business.
- c) **Flag Salute** – The Presiding Officer or designee may lead the Council and audience in the Pledge of Allegiance.
- d) **Special Orders of Business** – Oaths of office, awards, proclamations, and agenda items that are of special importance to the Council may be treated as Special Orders of Business. Special Orders of Business agenda items take precedence over all other items except Flag Salute, at the discretion of the Presiding Officer.
- e) **Committee Reports** – Scheduled presentations, presentations by City committee members, and appointments to City committees.
- f) **Public Testimony** – An opportunity for members of the audience shall be given to address the Council on any matter, other than those issues on the agenda scheduled for public hearing, during this portion of the meeting.
- g) **Public Hearings** – A public hearing shall be held on each matter required by state law or City policy. Written and oral testimony shall be heard prior to Council action. (Procedures for public hearings are addressed in Section 8 of these procedures.)
- h) **Administrative Action** – Items that require formal action or Council direction on issues presented by staff.
- i) **Consent Calendar** – The consent agenda shall consist of a list of routine; non-controversial matters, not typically requiring discussion, presented for Council approval by a single motion. Council members who wish to remove an item from the consent calendar shall do so prior to the motion to approve the items. Any item removed from the consent calendar shall be discussed and acted upon following approval of other consent agenda items.
- j) **Council Liaison Reports.** Time provided for members of the Council to present Council liaison reports.

- k) **Other Business** – Time provided for members of the Council or City staff to bring new or old matters before the Council. These matters need not be specifically listed on the agenda, but formal action on these matters will be deferred until a subsequent Council meeting. This rule may be suspended ONLY if the matter is deemed urgent by two-thirds majority vote of the Council members present and cannot wait until the next special or regular City Council meeting. A motion to reconsider a previous motion may be acted upon without suspension of the rules, as outlined in Section 12.6.
- l) **Written Communications** – Opportunity to inform the Council on **significant** written communications and petitions.
- m) **Agenda Input** – Issues for upcoming Council meetings shall be announced by the Presiding Officer.
- n) **Adjournment** – Following completion of all matters listed on the agenda, the Presiding Officer shall declare the meeting adjourned.

The Presiding Officer may adjust the Order of Business.

6.2 Recess – If there are no objections from the Councilors, the Presiding Officer may recess any meeting of the Council. The Presiding Officer shall announce the time in which the meeting shall reconvene.

6.3 Agenda Distribution – General practice will be copies of agendas for regular meetings shall be distributed not later than five (5) calendar days prior to the meeting to members of the Council, staff, news media, neighborhood associations and interested citizens who have requested the agenda. Council members with questions, concerns or suggestions are encouraged to communicate those to Department Directors no later than three (3) days before the meeting.

6.4 Councilors Placing an Item on the Agenda – A Councilor wishing to place an item on the agenda will advise the City Manager no later than seven (7) days prior to the regular meeting at which the item is to be considered. Such request to add an item for Council consideration shall require consent from two or more additional Council members to add the item.

6.5 Special Accommodations – All Council meeting agendas shall contain proper notice of the City's intent to conduct the meeting in accordance with the Americans With Disabilities Act and that persons needing accommodations may contact the City Recorder 48 hours prior to the meeting time to request the necessary accommodations. Such notice shall provide the telephone number at which the City Recorder may be contacted.

SECTION 7 – PUBLIC TESTIMONY

7.1 Public Testimony Generally - Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public testimony during each regular session of the Council. Participants must use a microphone and state their name and city of residence for the record prior to addressing Council. Testimony will be limited to five minutes. No yielding or ceding of time is allowed. The Council may request further information be presented to the Council on such date and in such manner, as it deems appropriate. Items brought before the Council from the public during public testimony may be referred to the staff for appropriate action and a report returned to the Council, if requested. Such procedure should not prevent the staff, Mayor, or City Council from answering directly to a citizen inquiry at the time it is brought before the Council.

7.2 Roster - All persons or groups wishing to address the Council during the time set for public comments shall, prior to the convening of the meeting, sign the roster provided by the City Recorder, indicating the name of the person, the address of the person, and the subject of public concern on which the persons or groups wishes to address the Council. Those who have not signed the roster may address the Council at the discretion of the Presiding Officer.

7.3 Complaints and Suggestions to the Council - When any citizen brings a complaint before or makes a suggestion to the Council, other than for items already on the agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

(1) If legislative, and a complaint about the letter or intent of legislative acts or suggestions for changes to such acts, and if the Council finds such complaint suggests a change to an ordinance or resolution of the City, the Council may refer the matter to the City Attorney, the City Manager or an advisory body for study and recommendation.

(2) If administrative, and a complaint regarding administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the City Manager, the Presiding Officer shall then refer the complaint directly to the City Manager for his or her review if the complaint has not already been reviewed. The Council may direct the City Manager to report to the Council when his/her review has been made.

7.4 Council Shall Carefully Consider All Testimony – All Council Members should give those presenting testimony their undivided attention. Sidebar conversations should be kept to a minimum.

SECTION 8 – PUBLIC HEARINGS

8.1 Public Hearings - A public hearing shall be held on each matter required by state law or City policy. The Presiding Officer shall preside over the hearing and announce the type of hearing and the guidelines for the hearing. The Presiding Officer shall declare the hearing to be open and invite the City Manager or member of the staff to present the staff report together with any petitions, letters, or written comments on the matter.

8.2 Testimony – Members of the audience may present oral testimony on the matters scheduled for public hearing. The Presiding Officer will call forth members of the audience who have signed up to present testimony under the guidelines specified at the opening of the hearing. If appropriate, the Presiding Officer may first ask those persons in favor of the matter to come forward, with those speaking in opposition coming after. Except as stated otherwise, all testimony will be limited to five minutes per person. The Presiding Officer may further limit testimony if a speaker persists in being threatening and disorderly, or abusive, following a warning to that effect from the Presiding Officer. Upon being recognized by the Presiding Officer, any member of the Council or the City staff may ask questions of any speaker. **Upon closure of the hearing, no further testimony will be allowed.**

8.3 Testimony - Land-Use Public Hearings – In addition to the procedures outlined above, during a quasi-judicial hearing the speaking order will be:

- The applicant will be allowed to testify first. The applicant's testimony will be limited to a total of thirty minutes. The applicant may reserve all or any portion of the applicant's testimony to use as rebuttal. Multiple applicants and their representatives shall share the thirty minutes.
- Then anyone who wishes to present evidence in favor of the application.
- Followed by anyone presenting evidence in opposition or to provide general information.
- Subject to time limits, the applicant in the case will be offered an opportunity for rebuttal.

The Council, by minute motion, may increase or decrease the time limits set forth in Section 8.2 and 8.3.

8.4 Attorney Representation – Any person attending a hearing has the right to be represented by an attorney.

8.5 Closing of Hearing/Council Deliberation – The Presiding Officer shall either close the hearing or continue it to a date and time certain for presentation of further evidence or argument. Upon closing the hearing, the Council may deliberate on the matter immediately, or may deliberate on the matter at a later time. During deliberations, the Council may request advice from the City Manager or staff as to the consequences and implications of the proposal or alternatives thereto based upon the facts presented during the hearing.

8.6 Reopening a Hearing – If it appears that substantial new factual material is necessary to reach a decision on the matter, the Council may, by majority vote, order the hearing reopened or refer the matter to a hearing before the City Hearings Officer or the City Planning Commission for further development of the record. In either case, a new notice of hearing shall be given.

SECTION 9 – PROCEDURE FOR LAND-USE APPEALS

9.1 Decisions Appealable – Where final decision authority is granted to the Zoning Administrator, Planning Commission or Keizer Hearings Officer as defined by the Keizer Development Code, such decision shall be final unless the City Recorder receives a Notice of Appeal to the Council pursuant to Section 3.207 of the Keizer Development Code.

9.2 Notice of Appeal – Every notice of appeal shall contain the material required and the fee as listed in the appeal provisions outlined in Section 3.207 and 3.208 of the Keizer Development Code.

9.3 Public Hearing Date and Notice – Upon receipt of an appeal of a decision of the Zoning Administrator or Hearings Officer, the City Recorder shall set a date for public hearing before the City Council not less than 30 days from the receipt of the appeal. Notice of the hearing shall be in accordance with the guidelines set forth in Section 3.204 of the Keizer Development Code.

9.4 Hearing by Council – The Council shall conduct a public hearing on the appeal at the time and place designated on the notice of hearing. The public hearing shall be conducted in accordance with the provisions of Section 3.206.03 of the Keizer Development Code and with the adopted Council Rules of Procedures. The appellant or a designated representative shall appear at said hearing and offer justification of the appeal. If the appellant or representative fails to do so, the appeal shall be denied.

9.5 Decision of Council – The City Council may affirm, amend, or reverse the action of the Hearings Officer, Planning Commission or Zoning Administrator and may grant approval subject to conditions necessary to carry out the Comprehensive Plan and as provided for in the Keizer Development Code. The City Council may also remand the matter back to the Hearings Officer, Planning Commission or Zoning Administrator for additional information, subject to the agreement of the applicant to extend the 120-day review period.

9.6 Appeal Fee – An appeal fee established by the City Council shall be required to defray costs incidental to the proceedings and shall be paid at the time of filing an appeal. The appeal fee shall be determined by the City Council.

SECTION 10 – CONFLICT OF INTEREST OR OTHER DISQUALIFICATIONS

10.1 Conflict of Interest – In every case in which a Councilor is faced with a potential conflict of interest or an actual conflict of interest as defined in state law, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the conflict, shall remove themselves from the Council Chambers and refrain from both participation in the discussion and the vote on the issue. However, if the Councilor is a direct party on the issue, they will be allowed to remain in the Council Chambers.

10.2 Bias –In quasi-judicial cases, Councilors should recuse themselves from any decision or discussions if they have a prejudice or prejudgment of the facts to such a degree that the Councilor is incapable of rendering an objective decision on the merits. Members of the Council should avoid voicing an opinion prior to the testimony.

Exception: *If the recusal results in a lack of a quorum for a decision that has to be made immediately, the Council member may be counted for the purpose of establishing a quorum, however the member must abstain from voting.*

10.3 Ex Parte Contact – Ex Parte communications only apply in a quasi-judicial case. Members of the Council should avoid any communication outside of the public hearing with any party, including other Councilors. A site visit is not considered an ex parte contact unless there is communication with an outside party or if information is gained from the visit that could be a factor in future decisions. Any ex parte contact, including the nature of the contact and the information obtained, should be disclosed at the beginning of the public hearing, and again at each continued public hearing.

10.4 Absence at Public Hearing – A member of the Council shall not participate in the discussion or vote on a quasi-judicial land use application when they were not present during the public hearing.

Exception: *If the Council member has reviewed the audio or video tape recordings of the proceedings and any evidence presented at the hearing, the Councilor may participate in the discussion and vote on the matter, following their announcement that they have done so.*

SECTION 11 – INTERNAL OVERSIGHT

11.1 Internal Oversight. The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council Member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council Members may issue a censure or memorandum of concern pursuant to the following procedure:

- a) The process is initiated by a written statement by a Council Member explaining the alleged misconduct of a Council Member and if true, why disciplinary action is needed. Two Council Members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next regular Council meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting, otherwise the matter shall be placed on the agenda for the following Council meeting.
- b) An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council Member shall not indicate that such Member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection c) below. The Council Member in question shall not take part in the discussion or the vote.
- c) If initiated, an investigation shall be conducted by a committee consisting of three Council Members appointed by the Council. Two additional Keizer residents shall be included if the Council Member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a City Council member, including, but not limited to the following instances:
 - 1. During a city meeting or while representing the City of Keizer;
 - 2. City Council Member announced that they were a City Council Member (and therefore infers that conduct is as a City Council Member);
 - 3. Conduct occurred in writing available to the public (social media, newspaper) as identified as a City Council Member.
- d) If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include
 - 1. A memo of concern from the full City Council, or
 - 2. Censure.
- e) The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council Member in question shall not take part in the discussion or the vote.
- f) If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council Member who was investigated.

SECTION 12 – ORDINANCES, ORDERS, RESOLUTIONS, AND MOTIONS

12.1 Form – All Ordinances, Orders, and Resolutions shall be presented to the Council in print or type-written form.

12.2 Signing Of Official Documents - The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days after their passage. After the Council approves a bond of a City officer or a bond for a license, contract, or proposal, the Mayor shall endorse the bond. The Council President shall perform these functions whenever the Mayor is unable to perform the functions herein.

12.3 Enactment of Ordinances – All ordinances will be enacted pursuant to Chapter VIII of the Keizer City Charter except that if the Mayor is unable to perform the functions of the office, the Council President shall act as mayor pursuant to Chapter IV, Section 18 of the Keizer City Charter, including, but not limited to, signing of ordinances, resolutions and other documents.

12.4 Motion – Any Councilor making a motion to be considered by the Council shall state the motion with clarity, specificity, and brevity so the matter is clearly understood.

12.5 Procedures In Handling Parliamentary Motions

- a) To make a motion, a Councilor must be recognized by the Presiding Officer at a time when there is no other business on the floor. The Councilor then says, "I move adoption of an ordinance..." or "I move approval of a resolution..."
- b) Another Council member seconds the motion. This can be done without being recognized by the Presiding Officer. If no member seconds the motion, it does not come before the meeting; it "dies" for lack of a second and the Presiding Officer calls for the next item of business. A second does not necessarily mean that the member favors the motion. It can be that the member simply wants the motion brought on the floor for discussion.
- c) The Presiding Officer states the question on the motion. This procedure is necessary for the motion to come before the Council. Prior to this step, the Presiding Officer can suggest changes in the motion and the mover can change or withdraw it. No debate can take place until the Presiding Officer states the motion is on the floor. At this point, a mover may ask permission to withdraw the motion. It is unnecessary for the Presiding Officer to ask the member who seconded the original motion to withdraw the second. Withdrawal of the motion by general consent takes precedence to the second.
- d) Debate then takes place on the motion. The original mover is entitled to the floor first. **Each member has the right to speak and to rebut any other speakers,**

but should not have the floor the second time until all who wish have spoken once. Unless it is decided otherwise, each speaker is limited to five (5) minutes each time.

- e) The Presiding Officer then puts the question to a vote. When the debate appears to have closed, the Presiding Officer asks "are you ready for the question?" If no one claims the floor, the Presiding Officer restates the motion and calls for a vote.

12.6 Motion for Reconsideration - Unless specifically governed by other provisions of the codes, ordinances, or other regulations of the City, any Councilor who voted with the majority **or who was not present at the time of the vote**, may move for reconsideration of an action at the same or at the next regular meeting of the Council. A vote of reconsideration requires a **majority vote of those Councilors present**. A vote for reconsideration shall take place at the same meeting when there is no other business on the floor or at the next regular meeting of the Council under the Other Business portion of the meeting. A motion for suspension of the rules is not required. After a matter has been reconsidered, it shall not preclude the issue from being raised in the future, but not before the next regular meeting.

SECTION 13 – VOTING

13.1 Voting – Unless a different voting requirement applies, the concurrence of a majority of the members of the Council in attendance, voting when a quorum of the Council is present shall decide any question before the Council. The Presiding Officer will have a vote on all questions before the Council. It is considered inappropriate for members to explain their action once the vote has been called for and until after the vote has been taken.

13.2 Abstentions – Any Councilor abstaining should state the reason for the abstention. An abstention does not count as either an affirmative or negative vote and shall not be counted toward the number of votes required to pass or reject a motion.

13.3 Methods of Voting –The standard is the voice vote, however the Presiding Officer may decide the type of vote unless directed otherwise by a majority of the Council.

- **Voice Vote**: This is the standard method when no more than a majority vote is required. The ayes are called for first and then the nays.
- **Show of Hands**: This can be used as an alternative to a voice vote, in verifying an inconclusive voice vote or when a two-thirds vote is required for adoption.
- **Vote by Written Ballot**: This is another method that is normally used only in cases of elections or a matter where initial confidentiality is needed. Each Councilor shall place their signature on the ballot and the results (including each Councilor's specific vote) must be made public immediately following the vote.
- **Roll Call**: In this method, the City Recorder calls the name of each Councilor and the Councilor responds with his or her vote on the matter. Council members will be called by position number, with the Mayor being called last.

13.4 Unanimous Consent: The Presiding Officer may use unanimous consent as a voting method if it appears that all of the Council members present agree on a particular position or direction. If any Councilor objects, a formal vote shall be taken.

13.5 Voting Required: Every member of the Council that is present when a question is addressed shall vote for or against the question, unless he or she abstains for just cause (conflict of interest, bias, etc.).

13.6 Voting Results: The Presiding Officer announces the voting result. This step is always included to ensure Council understanding of the outcome and so that the Recorder will be able to accurately reflect the outcome in the minutes. If a motion ends in a tie, the motion will be considered lost.

13.7 Changing Vote: A Council member has the right to change their vote up to the time the vote is finally announced. After that, they can make the change only by permission of the Council, which may be given by unanimous concurrence of Council. If an objection is made, a motion may be made to grant the permission. The motion is undebatable.

SECTION 14 – MINUTES

14.1 Recording of Minutes: Minutes are the official record of the City Council meetings. They record the substance of a meeting and are a clear, accurate, concise, informative record of the proceedings. Minutes will generally follow the chronological order of items considered during a meeting. Minutes are not a verbatim transcript, and the meeting does not have to be sound recorded unless otherwise required by law. For practical purposes, however, it is general practice to sound record the meetings of the City Council for back up reference. Reporting actions taken is the single most important segment of the final minutes. The minutes are to include, at a minimum:

- a) Kind of meeting (regular, special, work session, etc.)
- b) The name of the body meeting (City Council, Urban Renewal Agency, Budget Committee, etc.)
- c) Date of the meeting and place where it is held.
- d) Name and title of Presiding Officer (usually the Mayor).
- e) All motions (main, amendments, withdrawals, etc.), with dispositions, with the name of the mover and, if applicable, the name of the seconded.
- f) Members present.
- g) Proposals, resolutions, orders, ordinances, and measures proposed and their disposition.
- h) Results of all votes and the vote of each member by name, including abstentions.

- i) The substance of any discussion on any matter.
- j) The name and City of residence, if available, on any person appearing before the City Council to offer testimony, and the substance of such testimony.
- k) Exhibits or written testimony subject to ORS 192.410 to 192.505.
- l) Reference to the appropriate ORS section under which an executive session was held.
- m) The signature of the individual taking the minutes.
- n) Signature lines for the Mayor and the Councilors.

14.2 Distribution of Minutes: Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval. However, because the minutes are generally completed in draft form prior to distribution of the agenda packets, the minutes are available for earlier review should the need arise.

14.3 Correction and Approval of Minutes - Approval of the minutes usually take place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the Consent Calendar. If minor changes are made to the minutes, a Councilor may offer such amendment prior to the Consent Calendar being approved. For extensive amendments, the minutes should be pulled off the Consent Calendar for consideration. All corrections that appear will appear in the minutes of the meeting when the changes took place. If a member of the Council is absent from the meeting, such member can pull the minutes from the Consent Calendar for consideration and announce their absence and abstain from voting for approval of the minutes or they can read the minutes prior to the meeting and vote for approval as part of the Consent Calendar. When a Councilor is absent and pulls the minutes from the Consent Calendar to abstain from voting for approval of the minutes, the word "absent" shall be printed in place of a signature.

If a Councilor has a concern over the reporting of minutes, it is that Councilor's responsibility to review the tape of the meeting and bring corrections forward to the City Council at the next regular meeting with the tape cued, ready to be played, if necessary. It is not appropriate to expend staff time when only one member of Council is requesting the review.

14.4 Reading of Minutes: Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, such minutes may be approved without reading if copies thereof have been previously furnished each Council member.

14.5 Executive Session Minutes – Minutes from Executive Sessions held pursuant to ORS 192.660 will be kept in the form of a tape recording. No transcription of Executive Session minutes will be made unless otherwise required by law.

SECTION 15 – PROCLAMATIONS

15.1 Request for Proclamations – Organizations or citizens requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Mayor of the request. If the Mayor approves the request, the City Recorder will prepare the proclamation for the Mayor's signature.

15.2 Reading of Proclamations – It will be at the discretion of the Mayor if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation.

SECTION 16 – COUNCIL VACANCIES/APPOINTMENTS

16.1 Vacancy of Council Position – Chapter VII – Section 29 of the Keizer City Charter outlines circumstances in which a Council position may become vacant. Vacant elective offices shall be filled by appointment. A majority vote of the remaining members of the Council shall be required to validate the appointment. Upon validation, the appointee's term of office shall begin and continue throughout the unexpired term of the predecessor.

16.2 Vacancy of Mayor Position – In the event the office of the Mayor becomes vacant, the Council President shall become Mayor. A new Council President shall be nominated accordingly from the remaining members of the Council. The Council then shall appoint a Councilor to fill the vacancy as set forth below.

16.3 Declaration of Vacancy – The vacant position shall be declared vacant by Resolution.

16.4 Process for Appointment – Upon declaration of the vacancy, the Council shall adopt a timeline for the appointment process. A press release will be issued inviting members of the community, who meet the qualifications as outlined in the Charter, to submit a letter of interest and resume. Only candidates who have submitted the letter and resume by the deadline determined by the Council may be considered. Within 45 days of the declaration of vacancy, the Council shall appoint the replacement Councilor as set forth in this Section.

16.5 Presentation Process – The candidates shall be invited to make a presentation before the City Council. The presentation process is as follows:

- a) Presentation length: Five minutes. There is to be no discussion or questions by the Council whatsoever, except for the written questions noted below.
- b) Order of the presentations: Drawn from the official bucket.

- c) Candidates will be requested to sequester themselves outside the Council Chambers until time for their presentation so they will not gain advantage by listening to the other candidates. They may remain in the audience after their presentation.
- d) Each of the six current council members may submit a written question to be given the candidates. The candidates may choose to address the questions in their presentations. The deadline for submittal of the questions shall be one week before the presentation.
- e) Following close of the presentation, all candidates who have submitted a letter of interest and resume shall be considered and formal nominations shall not be made.

16.6 Appointment Vote – The Presiding Officer or City Attorney shall review the appointment process with members of the audience prior to any votes being taken. Written ballots shall be prepared containing the names of all of the candidates. The following voting process will be followed:

- a) Each of the remaining members of the Council shall select one candidate and mark their ballot accordingly. If one candidate receives the majority of the votes of the remaining members of the Council, such candidate shall be appointed to fill the vacant position.
- b) If no candidate receives a majority vote of all remaining members of the Council on the first ballot, a second ballot shall be distributed. The second ballot shall contain the names of the two candidates receiving the most votes from the first ballot, unless a tie resulted from the first ballot. In a first place tie situation, all first place candidates will be placed on the second ballot. If there is one first place candidate and tied second place candidates then all first and second place candidates will be placed on the second ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving a majority of the votes of the remaining members of the Council shall then be appointed to the vacant position.
- c) If no candidate receives a majority vote of all remaining members of the Council on the second ballot, a third and final ballot shall be distributed. The third and final ballot shall contain the names of the two candidates receiving the most votes from the second ballot, unless a tie resulted from the second ballot. In a first place tie situation, all first place candidates will be placed on the third and final ballot. If there is one first place candidate and tied second place candidates then all first and second place candidates will be placed on a third and final ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving the majority of the votes of the remaining members of the Council shall be appointed to the vacant position. In case of a tie vote on this third and final vote, the Council will select the

replacement Councilor according to the procedure outlined in Section 16.7 – Tie Votes – Appointment Process.

d) By Resolution, the Council shall validate the appointment.

16.7 Tie Votes – Appointment Process – If no candidate receives a majority vote of all remaining members of the Council on the third and final vote, the names of the two candidates receiving the most votes from the third and final ballot will be placed in an official city bucket, unless a tie resulted from the third and final ballot. In a first place tie situation, all first place candidates will be placed in the official city bucket. If there is a one first place candidate and tied second place candidates, then all first and second placed candidates' names will be placed in the official city bucket. The City Recorder will draw the successful name.

16.8 Tie Votes – Council Election – When two or more candidates running for the same Council position, have an equal and the highest number of votes, the successful candidate will be determined by a drawing of lots. Upon confirmation of a recount by the Marion County Elections Division, this determination shall take place at the first regularly scheduled meeting after such recount confirmation. The Council will use the same process to determine the successful candidate as outlined in Section 16.7 – Tie Votes – Appointment Process.

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| <p align="center">SECTION 17 – CREATION OF CITY COMMITTEES, BOARDS AND COMMISSIONS AND COUNCIL COMMITTEES AND AD-HOC TASK FORCES</p> |
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17.1 Citizens Committees, Boards and Commissions. - At any time, the Council may by resolution establish any City Board, Commission or Committee deemed necessary and in the best interests of the City. Any committee so created may contain one or more Councilors as members. Unless otherwise provided, all City Boards, Commissions, and Committees so created shall sunset at the end of their mission, but in all events shall be reviewed in January of odd numbered years, prior to Councilor liaison appointment.

17.2 Membership Appointment –The Volunteer Coordinating Committee is the only standing City Committee that receives members by direct appointment from the City Council. Each City Councilor will make a one-member appointment to the Volunteer Coordinating Committee as allowed in Council resolution for a term ending at the same time as such Councilor's term. If a Councilor leaves office prior to the end of the Councilor's scheduled term, the replacement Councilor shall appoint a member to the Volunteer Coordinating Committee. Except for Councilors, all other applicants for City Boards, Commissions, Committees or any group (other than Council Work Groups, Task Forces, or Outside Committees) will be recommended by the members of the Volunteer Coordinating Committee who will receive, review, and process written applications and forward recommendations to the Council for appointment consideration, unless the Resolution, Ordinance, or State Statute defines the

appointment process differently. The Mayor shall make the Councilor appointments for all Committees, Task Forces, Boards, Outside Committees or any other groups at the first meeting in January every odd numbered year or when necessary.

17.3 Qualifications - No appointee may serve on more than two City Boards, Commissions or Committees at any one time, without Council approval. Budget Committee members are required to be appointed from the electorate. All of other City Boards, Commissions, Committee or Task Force members shall be appointed pursuant to Council Resolution or Ordinance.

17.4 Removal of Members of Committees, Boards, and Commissions – The Council may remove any member of any committee, board, commission, task force or any other group by a vote of at least a two-thirds majority of the Council. All members of City Boards, Commissions or Committees serve at the pleasure of the Council except as otherwise provided by law. All Council seats on City Boards, Commissions or Committees are reserved for sitting Councilors; upon expiration of any Councilor's term, or upon resignation, removal or death, the Councilor's seat on any City Board, Commission, Committee, Outside Committee, or any other position as City representative occupied by that person shall be immediately declared vacant, and a sitting Councilor appointed by the Mayor as a replacement.

17.5 Council Task Forces - Council Ad-Hoc Task Forces may be created at any time by resolution. All Council Ad-Hoc Task Forces shall have a City Councilor as Chair who shall be either appointed by the Mayor, or by a majority vote of the members of the committee in the absence of such appointment. Appointment of the members to Task Forces shall be by majority vote of the Councilors present. Such Task Force shall report to the Council without unnecessary delay upon matters referred to them. All Council Ad-Hoc Task Forces so created shall sunset at the end of their mission, but in all events shall be reviewed in January of odd numbered years prior to Councilor liaison appointment.

17.6 Meetings Subject to Oregon Open Meetings Law - All meetings of any City Boards, Commissions, Lay-Committees, Council Committee, Task Force, or Work Group shall be subject to and comply with the Oregon Public Meetings law, ORS 192.610-192.710.

17.7 Registry - The City Recorder shall prepare, keep current and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, Committees, Council Ad-Hoc Task Forces, and any other group, the date of their appointment, the length of their unexpired term, and their addresses and phone numbers. All Councilors shall be given a copy of this list at least every two years, or upon any substantial change in membership of any City Board, Commission, Committee or Council Task Force.

17.8 Youth Councilor – Each school year one youth Councilor and deputy youth Councilor may be appointed as non-voting members of the Council. The youth Councilor and deputy youth Councilor shall not attend executive sessions. To receive

this appointment the candidates must be Keizer residents who are either attending high school or registered home schooled students. The appointments shall be by majority vote of the Councilors present, following recommendations from the Volunteer Coordinating Committee. The deputy youth Councilor may substitute when the youth Councilor is unavailable. Both the youth Councilor and deputy youth Councilor may be assigned roles and positions by Council.

17.9 Youth Liaison – Each school year one youth Liaison may be appointed as a non-voting member to any City Board, Committee, or Commission. To receive this appointment the candidate must be a Keizer resident who is either attending high school or a registered home schooled student. The appointment shall be by majority vote of the Councilors present, following a recommendation from the Volunteer Coordinating Committee.

17.10 Outside Committees – Outside Committees are those committees, boards, commissions and other types of groups not created by the City Council. They include both governmental entities, as well as non-profit organizations; e.g., Keizer Rotary, Keizer Chamber of Commerce, Salem-Keizer Area Transportation Study, Mid-Willamette Valley Council of Governments, etc. For non-Councilor appointments, the Council shall determine the appointment, following recommendation by the Volunteer Coordinating Committee. The Mayor shall appoint Councilors to liaison and non-liaison positions for outside committees the first meeting in January every odd numbered year or when necessary. Each Councilor shall keep the Mayor and Councilors informed of their involvement in all outside committees. The particular outside committee shall determine any attendance requirements and other matters concerning membership, voting, and procedure, subject to Council approval. Non-liaison (voting) Councilor positions may not be substituted by another Councilor, unless such outside committee's rules specifically allow for such substitution.

Nothing contained herein shall prevent a Councilor from being a member of any type of committee outside of these provisions. However, such membership shall be as a private citizen and not as a representative of the City of Keizer.

17.11 City Committees/Councilor Liaisons – Councilor liaison positions on City committees, boards, commissions, and task forces are non-voting. Councilor liaisons shall generally provide avenues of communication between their committee and the Council and shall update the Council on the general status of such committee. Generally speaking, Councilors in liaison positions should refrain from expressing opinion on specific policy issues under consideration by the committee unless it is to relay known City Council positions on a particular matter.

17.12 Additional Groups – No Board, Commission, Committee, Work Group, Task Force or any public body (other than the Council) may create another public body, except for subcommittees consisting only of its members. Upon recommendation by an entity, the Council may create another Group.

17.13 Electronic Meetings Limited – No Board, Commission, Committee, Work Group, Task Force or other Council-created group may meet electronically, except if the meeting is scheduled for a time when a federal, state or local emergency declaration affecting all or a part of the City is in effect.

SECTION 18 – ELECTRONIC MAIL /SOCIAL MEDIA

18.1 Electronic Mail/Social Media – The Council will observe the following guidelines when using any electronic method for correspondence or social media in their elected roles:

- 1) All e-mail/social media use by the Mayor and City Councilors will comply with the requirements of the Oregon Public Records Law and Oregon Revised Statutes ORS 192.410 through 192.505.
- 2) E-mail may be used for correspondence, to schedule meetings, send informative messages, or request information from other members of the Council, the City Manager, or City Department Managers. Councilors shall use and keep their email accounts updated. The City shall provide sufficient equipment and software for Council members.
- 3) E-Mail/social media may not be used to discuss policy issues with a quorum of the Council at one time or a quorum of any other governing body in any manner which would be in violation of the Oregon Public Meeting Laws.
- 4) All e-mail/social media use by Councilors shall use City accounts only when acting in Council's elected roles. No discussions or issues involving City business shall take place on non-City e-mail/social media accounts. This is required to be able to accurately archive these communications for public records purposes.

SECTION 19 – CITY COUNCIL GOAL SETTING

19.1 Council Goal Setting

- 1) **Goal Setting Parameters.** The City Council shall set goals at a minimum of every two years to coincide with mayoral terms of office. The goals shall include *Short Term Goals* that the Council plans on completing within the next 24 months and *Long Term Goals* that the Council plans to work on during the next two years, but will take longer to complete than 24 months.
- 2) **Creation of initial list.** Following the election in November of even numbered years, the newly elected Council members shall meet with the current Council members in a work session meeting to establish an initial list of potential Council

goals. This initial “brainstorming” session shall be completed by December 31 of the election year.

- 3) **Work Session.** During the first calendar quarter of the year following an election a work session shall be dedicated to Council Goal Setting. During this work session the initial list of potential Council goals will be refined and amended to reflect the needs, and goals of the community. These goals shall reflect, but not be limited to, the goals established in the City’s Strategic Plan; Master Plans, community input, city staff, city committees and City Councilors.
- 4) **Adoption.** Council Goals shall be adopted at a regular meeting of the Keizer City Council no later than the second regular session in April of the year following an election.

SECTION 20 – CITY COUNCIL TRAINING

20.1 Councilor Training – All Councilors are encouraged to attend at least one City affiliated training seminar/conference per calendar year:

- League of Oregon Cities Annual Conference
- League of Oregon Cities Elected Officials Training Sessions
- Mid-Willamette Valley Council of Governments New City Councilor Training
- Mid-Willamette Valley Council of Governments State Wide Planning Seminar
- State of Oregon Emergency Management

20.2 – Mayor’s Training - In addition to the above expectation, the Mayor is expected to represent the City at the annual conferences of the Oregon Mayor’s Association.

20.3 – Reimbursement Allowance – Within budget constraints, training costs directly connected with the above conferences or the Councilors’ City committees are reimburseable. Any reimbursement allowance must comply with City of Keizer Personnel Policies.

20.4 – Council Approval – Any other Councilor training costs require Council approval prior to registering for the event.

SECTION 21 – MISCELLANEOUS

21.1 - Amendments to Council Rules. Amendments to these rules shall be by made by resolution.

21.2 - Anonymous Communications - Anonymous and unsigned communications shall not be introduced in Council meetings.

Signature Page

The foregoing Council Rules were adopted by the City Council on the 6th day of April, 2020 by Resolution R2020-3058. By signing below the City Council members affirm they have read and received a copy of these rules.

Dated this 15th day of April, 2020

City Council:

Cathy Clark
Mayor

Jim Freeman
Council President

Marnie Parsons
Councilor

Paula Reid
Councilor

[Signature]
Councilor

Daniel R. Kehl
Councilor

Paul A. [Signature]
Councilor

Keizer City Council Orientation and On-Boarding Training

Reference Materials for Council: City Charter, Council Rules and Procedures, a packet with the Attachment A descriptions of all city committees and commissions, city website, travel expense and reimbursement policy, legal and ethics training and materials from City Attorney

Council Rules of Procedures

These set the manner in which the Council has agreed to conduct our business on behalf of the people of Keizer. Keeps processes orderly for the Council and clear and predictable for the people of the community.

Each of us signs this as an agreement to conduct our business according to these Rules. The Rules may be changed by the majority of the Council, as needed, to improve transparency, accountability and effectiveness.

Some highlights:

Section 4 - The Presiding Officer

Section 4.1 Mayor - is the presiding officer of all City Council meetings and work sessions.

Section 4.2 Council President The Council president may initiate a motion for all prepared resolutions, orders, etc.... unless another Councilor requests to do so or initiates the action.

- This is done mainly to keep the meeting moving and for accuracy. The Mayor calls on the Council President to make the prepared motions. These may be changed during discussion and having the Council President keep track is helpful. Precision in the wording of motions for Ordinances in particular is essential.
- Any Council member may make a motion and second.

Section 5 – Decorum and Order, in particular, address how we ensure the people's business is handled with dignity and order so as to be responsible and responsive to the people of Keizer.

**** Safety is paramount. If a person disrupts or threatens a city council meeting and will not follow the rules for civil public engagement, the Mayor may declare the Council is in recess and Council shall quickly exit the Council chambers via the back door. This will allow law enforcement to de-escalate the situation more safely.**

Section 5.1 – Presiding Officer The Mayor (Presiding Officer) shall enforce order, prevent attacks on personalities or impugning members' motive. All Council members are encouraged to support and help enforce this rule.

Section 5.2 – Council Members Councilor members shall confine themselves to questions or issues under discussion, shall not engage in personal attacks, and shall not impugn the motives of any speaker.

The Mayor is the official spokesperson of the Council, unless a Councilor is authorized by the Mayor or the Councilor is speaking as part of duties on a Committee or Commission. Communications in your official capacity should be consistent with adopted Council policy. You may always express your opinion on a matter but be clear that you are speaking for yourself. Please remember, however, that people do not separate you from your Office and be mindful of how your communications will reflect on the city and the Council.

Section 6.1 – Order of Business

6.1 (i) Consent Calendar, also referred to as Consent Agenda, consists of routine items such as minutes of prior meetings and routine city contracts for goods and services approved in the city budget. The motion to approve the Consent Calendar is without discussion. However, any Council member may “pull” an item to be discussed and voted on separately like an Administrative Action.

6.1(j) Council Member Reports

- If you are liaison to a committee and there is not a committee member present to report, you may cover this in your reports.
- Select other topics to report based on the community and Council need to know, access to additional information, relationship to the business of the city, or well being of the community.
- Prepare your report in advance of the meeting in order to report on key takeaways, dates or other pertinent information for the listener.
- Define all acronyms the first time you use it in a meeting. This is for clarity and transparency. Acronyms can feel exclusionary and be confusing.
- Try to limit comments to about 3 minutes.

Section 6.1(f) – Public Comments

7.3: If the person giving testimony requests action that the city has the authority to address, the Mayor will, in most cases, refer the matter to the City Manager and staff.

- At times, people giving testimony request action that is outside the purview of the City, so the Council will listen and may recommend the person address their concerns to the agency that may best address the issue, if possible.
- It is the people’s time to talk and our time to listen carefully. In general, we do not attempt to solve problems on the spot from the dais. Usually, we clarify the issue and ask staff to come back with a report.
- There are **rare** occasions when there is a time issue and we feel it is important to take action. A Council member will “move to suspend the rules so the City Council may take up the matter.” If motion is seconded and passed, the Council may craft a motion, deliberate and vote. The City Attorney will help guide this process.

- When you ask questions, remember to make a conversation rather than an interrogation or confrontation. Testifying can feel intimidating. We all are neighbors here. It is your job to create a welcoming environment that people testifying can trust will be safe for sharing what is on their mind. In every testimony, listen to hear the nugget of information, perspective, or concern that will broaden your own understanding of the issue.

Section 6.4 Placing an Item on the Agenda

The City Manager is responsible for scheduling necessary administrative and public hearing agenda items on the agenda to comply with legal notification and other timelines. These are consistent with carrying out the budgeted operations, policies, resolutions and ordinances of the City of Keizer.

A Councilor who wants to propose an agenda item may bring it up during Agenda Input. Consensus of Council, minimum of three Council members, will approve bringing that agenda item forward at a future council meeting. Outside a Council meeting, three Councilors may bring an item to the City Manager for inclusion in a council agenda. In both cases, staff is given time to prepare materials and a staff report on the topic.

Section 8.1 Conflict of Interest - Short answer: if in doubt, check with the City Attorney.

Section 9.4 – Council Shall Carefully Consider All Comments: It is very important to give the speaker our undivided attention. Period. OK to take notes, of course, but focus on the speaker. Brief, clarifying questions welcome.

Section 18 - City Committees, Commissions, etc.

The list is updated each biennium with new appointments and includes whether the appointment is as a voting member or non-voting liaison. If appointed as a voting member, substitution for an absence is only permitted if the bylaws or resolution for that appointment will permit it. If you are going to miss a meeting, you need to inform the Mayor and the Chair, as this could affect quorum.

Section 18.11 Outside Committees

- To represent the city, those appointments need to be made by the Mayor. Your role and voting capacity must be defined.
- Outside Committees related to City Service that elect/select their own members – notify the Mayor and City Recorder so that we have a record of your participation. Examples: League of Oregon Cities Board and Policy Committees, Marion County or State of Oregon appointments

Section 18.12 Council Member Liaison The Councilor is there to provide communication between Council and the committee and additional information as requested. The Councilor is not there to guide or direct the work of the Committee. If you are going to miss a meeting, you need to inform the Mayor and contact the rest of the Council to find a substitute.

- If you ever find that regular attendance for any assignment has become a problem for any reason, please contact the Mayor so a solution may be worked out!!

Section 19 – Social Media Your personal page is exactly that, personal. Always be aware that what you say *will* reflect on your Council work, even though it is on your page. That's just a fact of life. You may have a Councilor page on which you are asked to include a city staff member designated by the City Manager as an Administrator to make public records requests easier to fulfill as needed.

Section 21.3: Reimbursement Allowance All travel expenses are in compliance with the City of Keizer Personnel Policies. Events at which you will be representing the city - the costs will be covered by the city and have the City Recorder do the registration for you rather than register and seek reimbursement. If reimbursement is necessary, please provide receipts/documentation to the City Recorder for submission to the Finance Department.

Getting Started on City Council

Getting Started:

- Bio and Photo for City Website – submit to City Recorder at the start of each biennium.
- Notes: These are public records and we ask that you keep your notes as a public record for 5 years. If you want the City Recorder to have those records for safe keeping, then make arrangements to have them transferred on a regular basis.
- Scheduling: **This Week and Next:** Every Monday, the City Recorder will send you a list of upcoming meetings and events. Please check your calendars. And please let the City Recorder and the Council know if there has been a change. This is a very valuable planning tool!!
- City Manager meetings: Regularly scheduled meetings with the City Manager are highly recommended. Weekly communication scheduled on Thursdays is time reserved on the City Manager's calendar for Councilors to meet with the City Manager (see the "This Week and Next" for info). You can also schedule at a time convenient for your work schedule. It is **YOUR** responsibility to schedule these check in times with the City Manager.
- You will be given a city email address that you must use for city communications to ensure public records are created, searchable and retained. If a city communication comes to your personal email, forward it to your city email and reply from there.
- You will be issued a city laptop computer for your use for city business only.

Television and On-Line presence:

1. **Manage your microphone!** Slow down, breathe, and speak clearly and distinctly into it for the broadcast. Listen to yourself on a playback to help with eliminating extra sounds, volume, clarity, etc. And please turn your microphone off when not speaking so extra sounds do not get picked up, like quick side questions to staff or shuffling papers.
2. Watch the side monitors so you know if you are on camera. They pick up **everything**.
3. And people can see if you are texting, so please don't. Public records, records retention, open meeting law, and just plain not a good idea.
4. Zoom presence: be aware of your background, lighting, background noise, and personal appearance. Manage your microphone and camera – remember **everything** is being recorded on Zoom.

Staff and Council Roles:

1. Direct reports: there are only three positions that report directly to the City Council: City Manager, City Attorney and Municipal Judge. We conduct employee evaluations and authorize the contracts with these employees. Guidance on conducting evaluations will be sent to you by the Human Resources Director and Mayor. Training on conducting evaluations will be provided by the Human Resources Director.
2. Department heads: you are on committees and commissions that involve the work of various departments. Work with those department heads as needed. Outside of that, please consult the City Manager before asking a Department Head for work to be done so City Manager can manage resources and workflow.
3. City Staff: the City Manager directs the operations of the city and assignments of work to city staff. Council is not to interfere with the operation of the city. **As Councilors, you do not direct staff in any capacity.** City Council shall set the example for how employees are treated in a positive, professional workplace.
4. It is imperative that the city council not get involved in personnel or operations. **If you have a personnel question, take it to the City Manager, City Attorney and/or Human Resources Director.**
5. It is appropriate for the City Council to attend city events such as the public works open house, participate in parks projects or schedule a ride-along with police.

Harassment or Threats:

1. Consult with City Attorney and/or Police Chief when you receive harassing or threatening communications
2. Provide copies or links of the threat to City Attorney and/or Police Chief so they can follow up as needed
3. Threats received via your city email or written letters delivered to the city are public records.
4. **No** harassment, bullying, ridicule or threats are ok. I know we sometimes dismiss them or brush them off as, "well, that's just how that person is." **All people shall be treated with dignity and respect includes YOU!**

Community:

1. KeizerFest: you will be invited to participate in events and be in the parade

2. First Citizen Banquet: Mid-Willamette Valley Council of Governments Annual Meeting and Dinner, League of Oregon Cities Awards Banquet: you will be invited to attend and your ticket will be paid by the city. Plus One is on you.
3. Note cards: there are Council notecards in our office for you to use
4. City pins: there are city pins you are welcome to have and to give out on special occasions.
5. We value all the volunteer service organizations in the community and work to be supportive of them. And we are all members of community organizations. Be very aware of being objective in establishing policy or assisting organizations to avoid the perception of unequal access or favoritism. We work to establish and use policies that apply objectively to all community based organizations.
6. We all have different political affiliations. City Council is a Non-Partisan body.
7. We are volunteers all here to serve our community. Have fun!!

Resources:

- City of Keizer website has tons of useful information on all aspects of our city
- Mid-Willamette Valley Council of Governments website and weekly bulletins
- League of Oregon Cities – on line bulletins and website materials, training, events, conference. There are opportunities also to serve on legislative policy committees in even numbered years, and run for the Board of Directors.
- SEDCOR meetings, magazine and website for regional economic news
- Keizer Chamber of Commerce for local and regional economic information
- State of Oregon department websites – you can subscribe for e-clips of news related to Oregon issues
- Oregon State Legislature website and OLIS (Oregon Legislative Information System)
- ELGL: Engaging Local Government Leaders