

Chapter 2

COUNCIL

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Sec. 2-1. Regular Meetings.

The regular meetings of the Council shall be held in the City Hall on the first and third Monday in each and every month at seven (7:00) o'clock P.M.

If the first or third Monday in any month shall fall upon a legal holiday, then the regular meeting of the Council shall, for such month, be on the next succeeding day at seven (7:00) o'clock P.M.

(Ord. 2003-04; 02/18/03; 2010-02, 01/19/2010)

Sec. 2-2. Special Meetings of Council.

One half (1/2) plus one (1) of the members of the full Council shall have the power to call special meetings of the Council, the object of which shall be submitted to the Council in writing; the call and object, as well as the disposition thereof, shall be entered upon the journal of the Clerk.

Ref. Idaho Code § 50-706, (Ord. 2003-04; 02/18/03; 2010-02, 01/19/2010)

Sec. 2-3. Cancellation of Meetings.

One half (1/2) plus one (1) of the members of the full Council shall have the power to cancel a regular or special meeting of the Council as long as such cancellation occurs not less than twenty four (24) hours prior to the scheduled regular or special meeting that is the subject of such cancellation.

(Ord. 2010-04, 02/16/2010)

Sec. 2-4. Quorum

At all meetings of the Council a majority of the full Council shall constitute a quorum for the transaction of business; unless otherwise provided by law, a question before the Council shall be decided by a majority of the members present.

Ref. Idaho Code § 50-705

Sec. 2-5. Ordinance Presentment.

All ordinances of the City shall be typewritten or printed and shall be presented to the Council by a member at any regular or special meeting.

Sec. 2-6. Manner of Passing.

Every such ordinance shall be read in meetings of the Council on three (3) different days, two (2) readings of which may be by title only and one (1) reading of which shall be in full. At each such reading of an ordinance it shall be open to discussion and amendment and may be referred to a committee and shall be passed to the next reading unless by vote of the meeting some other disposition is made. For final passage of ordinances which have been amended, the yeas and nays shall be called and recorded and a concurrence of a majority of the whole number of members of the Council shall be required for passage. Provided however, that one-half (1/2) plus one (1) of the members of the full Council may dispense with the portions of this Chapter requiring all ordinances to be read on three (3) different days, and on the vote upon the motion to dispense with the above provisions, the yeas and nays shall be called and recorded.

Ref. Idaho Code § 50-902.

Sec. 2-7. Exception

The Council may however, revise, codify, and compile from time to time and to publish in book or pamphlet form all ordinances of the city of a general and permanent nature and to make such changes, alterations, modifications, additions, and substitutions therein as it may deem best to the end that a complete, simplified code of such ordinances then in force shall be presented, but with errors, inconsistencies, repetitions, and ambiguities therein eliminated.

Ref. Idaho Code § 50-903

Sec. 2-8. Endorsement.

When any such ordinance is passed it shall be signed by the Clerk, and the date of its passage by the Council shall be added thereto, and it shall within three (3) days thereafter be presented to the Mayor, or, in case of the Mayor's absence from the City, to the President of the Council, for his or her approval. If the President of the Council approves the same, the President of the Council shall sign such ordinance.

Sec. 2-9. Passage Over Mayor's Veto.

Should the Mayor not approve the ordinance he or she shall, before the next regular meeting after such ordinance is presented to the Mayor for approval, return the same to the Council with the Mayor's objections to the same in writing. When any ordinance is so returned by the Mayor, it shall be reconsidered by the Council at the first regular meeting thereafter. If, on such reconsideration, one-half (1/2) plus one (1) of the members elected to the Council shall vote in the affirmative, the ordinance shall become a law notwithstanding the Mayor's veto. The Clerk, in such case, shall annex a certificate to the ordinance stating that the same was vetoed by the Mayor and that, on its reconsideration, it received the required majority of votes.

Sec. 2-10. Becomes Law Without Signature.

Should the Mayor refuse or neglect to sign such ordinance and return the same with his or her objections in writing at the next regular meeting after the same has been presented to the Mayor, it shall become law without the Mayor's signature. The Clerk shall annex to such ordinance a certificate to the effect that the Mayor has failed to sign or veto the same, and it has therefore become a law without the Mayor's signature.

Sec. 2-11. Preservation.

It shall be the duty of the Clerk to safely keep the original ordinances as engrossed and after final passage the Clerk shall copy the same at length in a book to be known as Ordinance Book No. _____, which book is to be provided by the Council for that purpose and shall be kept as a permanent record of the City.

Sec. 2-12. Election, Term of Office.

- A. Number Designated. The number of Council members for the City shall be six (6) in number; they shall be nominated and elected in accordance with the laws of the State of Idaho; their election shall be at large and their term of office shall be four (4) years.
- B. Declaration of Election. The three (3) persons receiving the largest number of votes shall be declared to be elected for the four-year (4) seats available. If other Council seats are available, the candidates receiving the highest number of votes shall be declared to be elected to such seats.

(Ord. 89-14, 6/5/89)

Sec. 2-13. First Meeting Conduct.

Council persons elected at each general City election shall be installed at the first meeting in January following such election. The manner of conducting that meeting shall be as herein set forth and not otherwise; the incumbents shall meet and

conduct such business as may be necessary to conclude the fiscal matters of the preceding year; the newly elected members shall then subscribe to the oath of office, be presented certificates of election, assume the duties of their position, and conduct such business as may be necessary, one (1) item of which shall be the election of a member as president of the Council.

Ref. Idaho Code § 50-702

Sec. 2-14. Consent Agenda.

- A. When it is determined that an item is of a routine and non-controversial nature by the Mayor and Council or the members of a Council committee, such item may be presented at a regular meeting of the Council as part of the consent agenda.
- B. Items of business which may be considered on the consent agenda may include, but need not be limited to the following: approval of minutes; approval of citizen appointments; referrals to committees; approval of reports; approval of authorization of communications; approval of resolutions or other items which had been considered by the Council at earlier meetings; setting of public hearings.
- C. The consent agenda may be considered by the Council as a single item and may be introduced by a motion to approve the consent agenda.
- D. On objection to the inclusion of any item on the consent agenda by any member of the Council, that item shall be removed from the consent agenda forthwith and may be considered at any later time in the meeting which the Mayor deems appropriate. Neither a formal motion nor a second is necessary to remove an item from the consent agenda. Such objections shall be recorded prior to taking the vote to approve the consent agenda. Approval of the consent agenda will not affect the consideration of any item removed from the consent agenda.
- E. There shall be no debate or discussion of any item on a consent agenda

beyond asking questions for a simple verification.

- F. Approval of the motion to approve the consent agenda shall be fully equivalent to approval, adoption, or enactment of each motion, resolution, or other item of business thereon exactly as if each had been acted upon individually. Approval of the motion must be by a roll call vote. The Clerk shall record in the Council minutes each item passed under the consent agenda, individually and in full.

(Ord. 82-1489, 3/1/82)

Sec. 2-15. City Council President.

The Council shall elect a President from among its members during its first meeting in January every year. The Council President shall serve as Mayor and shall have all of the duties and powers of the Mayor during periods when the Mayor is absent from the City or incapacitated. The Council President shall have such other duties and responsibilities as the Council may from time to time direct by vote or by resolution.

(Ord. 91-11, 3/25/91)

Sec. 2-16. City Council Vice President.

The Council shall elect a Vice President from among its members during its first meeting in January every year. The Council Vice President shall serve as Mayor and shall have all of the duties and powers of the Mayor during periods when the Mayor and the Council President are both either absent from the City or are incapacitated. The Council Vice President shall serve as Council President during periods when the President is absent from the City or incapacitated. The Council Vice President shall have such other duties and responsibilities as the Council may from time to time direct by vote or by resolution.

(Ord. 91-11, 3/25/91)

Sec. 2-17. Administrative Committee.

The Administrative Committee shall be made up of three (3) Council members appointed by the Council. The Committee

shall meet on a regular basis to consider matters concerning Police, Fire, Parks and Recreation, Community Development, Legal, personnel, and other administrative affairs of the City. Notice of Administrative Committee meetings shall comport with the Idaho Code.. The Administrative Committee shall report and make recommendations to the Council on a regular basis. It shall select a chairperson who shall direct the meeting and oversee preparation of agendas. The Administrative Committee Chair, or the Vice Chair of the Administrative Committee, in the absence or incapacity of the Administrative Committee Chair, shall serve as Mayor and shall have all of the duties and powers of the Mayor during periods when the Mayor, Council President, and Council Vice President are absent from the City or are incapacitated. The Administrative Committee Chair or Vice Chair shall have such other duties and responsibilities as the Council may from time to time direct by vote or by resolution. (Ord. 91-11, 3/25/91; 2004-38, 12/20/2004; 2013-11, 06/03/2013)

Chair are absent from the City or are incapacitated. The Public Works/Finance Committee Chair or Vice Chair shall have such other duties and responsibilities as the Council may from time to time direct by vote or by resolution.

(Ord. 91-11, 3/25/91; 2004-38, 12/20/2004; 2013-11, 06/03/2013)

Sec. 2-18. Public Works/Finance Committee.

The Public Works/Finance Committee shall be made up of three (3) Council members appointed by the Council. The Committee shall meet on a regular basis to consider matters concerning the public works activities, solid waste issues of the City, and financial matters, including insurance. Notice of Public Works/Finance Committee meetings shall comport with the Idaho Code. The Public Works/Finance Committee shall report to and make recommendations to the Council on a regular basis. It shall select a chairperson who shall direct the meeting and oversee preparation of agendas. The Public Works/Finance Committee Chair, or the Vice Chair of the Public Works/Finance Committee, in the absence or incapacity of the Public Works/Finance Committee Chair, shall serve as Mayor and shall have all of the duties and powers of the Mayor during periods when the Mayor, Council President, Council Vice President, Administrative Committee Chair and Vice