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Place
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JESSICA KUYKENDALL

Council Member, Place 3

GERONIMO HERNANDEZ

Council Member, Place 4

DREW WILSON

Mayor Pro-Tem/

Council member, Place 5

VENUS REGULAR COUNCIL MEETING

Venus Civic Center

210 S. Walnut Street

Venus, Texas 76084

Monday, November 27, 2023 at 6:30 pm.

Page

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance, Pledge to Texas Flag:

2. Announcements from Mayor:

Cell phones are to be placed on vibrate/silent only. No conversation or comment from the audience is permitted unless specifically called upon by the Mayor. Please remain respectfully quiet.

3. Citizen Public Comment Period:

Citizens may sign up before the meeting begins and will be allowed up to 4 minutes to address the Mayor and Council. The Mayor, Council members and staff members may not respond or converse with speakers during this time. The comments from the speaker must be in the form of a statement. By State law, no questions may be asked or answered for items not appearing on the agenda.

4. Consent Agenda:

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda authorizes the City Administrator to implement each item in accordance with staff's recommendation.

- 4.1 Approval of meeting minutes for City Council regular meeting on November 13, 2023. 4 - 9

[City Council - Nov 13 2023 - Agenda - Html](#) 

I make a motion to approve/deny the consent agenda.

5. Discussion and Consideration Items:

- 5.1 Discuss and consider repealing Resolution No. 18-2023-08 in its entirety and replacing with a new Resolution for City Council Policies and Procedures. (Green) 10 - 27

[1 - Agenda Item Cover sheet- Council Policy and procedures.pdf](#) 

[2 - 2023 Policies & Procedures- most recent.pdf](#) 

I make a motion to approve/deny Resolution No. 31-2023-11.

6. Executive Session:

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ. THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING: Section 551.071- Private Consultation with Attorney & 551.074- Personnel matters.

1. Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, resignation or dismissal of a city officer or employee, unless such officer or employee requests a public hearing, to wit: Finance Director.
2. Discuss city policies and procedures as they relate to the use of city cards, resources, equipment and the like, including, but not limited to: any violations of same by any person or persons.

6.1 Recess into Executive Session:

6.2 Reconvene into Open Session:

7. Adjournment:

The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, pursuant to authorization by the Texas Open Meetings Act TEXAS GOVERNMENT CODE, Chapter 551.071 (Private consultation with attorney for the city), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

This is to certify that a copy of this Notice of Meeting was posted on the bulletin board at City Hall, 700 W. Hwy 67 Venus, Texas and at a place readily accessible to the general public at all times and to the City's website www.cityofvenus.org, Wednesday, November 22, 2023 on or before 1:30 pm.

Melissa Westen,
Human Resource

For more information or a copy of the Open Meetings Act, please contact the Attorney General of Texas at 1-800-252-8011. This building is wheelchair accessible. Any requests for Interpretive Services must be made 48 hours in advance of the scheduled meeting. To make arrangements please call 972-366-3348.

Removed:_____

Time:_____



City Council - Minutes

Monday, November 13, 2023 at 6:30 PM

Venus Civic Center

1. Call to Order, Roll Call, Invocation, Pledge of Allegiance, Pledge to Texas Flag:

Mayor Galaviz called the meeting to order at 6:30 PM, Mrs. Prazak gave the Invocation, and all lead the Pledge of Allegiance and Pledge to Texas Flag.

Council members present: Alejandro Galaviz, Teresa Hoffman, Tony Bovinich, Jessica Kuykendall, Geronimo Hernandez, and Drew Wilson arrived at 6:37 PM.

Staff present: Callie Green, Stacey Wyman, City Attorney, Chief Allen, Melissa Westen, Chief Groom, and Oscar Ortiz.

2. Announcements from Mayor:

Cell phones are to be placed on vibrate/silent only. No conversation or comment from the audience is permitted unless specifically called upon by the Mayor. Please remain respectfully quiet.

3. Citizen Public Comment Period:

1- Sheryl Kiser- 401 Meadow Ridge- Seems to be a lot of confusion today with all the stuff on Facebook and its just below us along with all the fake profiles and we all know who that is coming from. With all that being said we are all here; desperate and excited to hear this recording today. So after we hear this recording if it comes up, Mayor can we speak after that, yes, no?

4. Consent Agenda:

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately. Otherwise, approval of the consent agenda

authorizes the City Administrator to implement each item in accordance with staff's recommendation.

- 4.1 Staff reports: Police Department, Fire Department, and Court.

[October 2023- COURT.pdf](#) 

[VPD October 2023 Report.pptx](#) 

[FD Council Report.pdf](#) 

- 4.2 Approval of meeting minutes for City Council regular meeting on October 23, 2023

[City Council - Oct 23 2023 - Agenda - Html](#) 

[City Council - Oct 23 2023 - Agenda - Html](#) 

- 4.3 Ratifying the payment of bills for the month of October 2023.

[October 2023 Revenue & Expense.pdf](#)  [Sept 2023 Credit](#)

[Card paid in October .pdf](#)  [October 23 Disbursement](#)

[Report.pdf](#) 

I make a motion to approve the consent agenda as presented.

Moved by: Geronimo Hernandez

Seconded by: Tony Bovinich

For: Unanimous. Motion carried 4-0-0.

5. Discussion and Consideration Items:

- 5.1 Discuss and consider an engagement letter with McCall Parkhurst & Horton for existing and new Public Improvement Districts. (Rudy Segura)

[Engagement Letter for General PID Matters v1 \(002\).pdf](#) 

I make a motion to approve the engagement letter with McCall Parkhurst & Horton for existing and new Public Improvement Districts and authorizing the Mayor to execute agreement.

Moved by: Tony Bovinich

Seconded by: Teresa Hoffman

For: Bovinich, Hoffman, Kuykendall, and Hernandez.

Against: None. Abstain: Wilson.

Motion carried 4-0-1.

- 5.2 Discuss and consider entering into a Professional Service Agreement with Brooks Williams for City Administration services.

[Williams Independent Contractor Agreement - Venus - Draft.pdf](#) 

Mayor Galaviz moved this item to Executive Session. No action was taken after executive session on this item.

- 5.3 Discuss and consider a Resolution affirming the casting of votes in the 2024-2025 election of the Board of Directors for the Central Appraisal District of Johnson County, Texas. (Green)

[Johnson Co. appraisal District.pdf](#)  [Agenda Item Cover sheet- JOHNSON CO CAD.pdf](#) 

I make a motion to approve Resolution No. 27-2023-11 with all 29 votes going to Mrs. Jeannie Prazak.

Moved by: Drew Wilson

Seconded by: Tony Bovinich

For: Unanimous. Motion carried 5-0-0.

- 5.4 Discuss and consider a Resolution affirming the casting of votes in the 2024-2025 election of the Board of Directors for the Central Appraisal District of Ellis County, Texas. (Green)

[1 - Letter with Voting Entitlements for 2024.pdf](#) 

[2 - 2024 Ellis Appraisal District Board of Directors Candidate Information.pdf](#) 

[3 - 2024 OFFICIAL BALLOT for City of Venus.pdf](#) 

[4 - 28-2023-11- Resolution for Casting Votes in Ellis Appraisal District BOD Election.pdf](#)  [Agenda Item Cover sheet- Ellis Co. CAD.pdf](#) 

I make a motion to approve Resolution No. 28-2023-11 with all 9 votes going to Rusty Ballard.

Moved by: Jessica Kuykendall

Seconded by: Geronimo Hernandez

For: Kuykendall and Hernandez.

Against: Hoffman, Bovinich and Wilson.

Motion failed. 2-3-0.

- 5.5 Discuss and consider repealing Resolution No. 18-2023-08 in its entirety and replacing with a new Resolution for City Council Policies and Procedures. (Green)

[Agenda Item Cover sheet- Council Policy and procedures.pdf](#)

[2023 Policies & Procedures- most recent.pdf](#) [18-2023-](#)

[08- Council policies and procedures.pdf](#)

Discussion only. Direction given to staff and will bring back before Council.

- 5.6 Discuss and consider a Resolution for the acceptance of parkland or a public golf course dedication from Miskimon Management for Brahman Ranch 1 in accordance with the Public Improvement District (PID) Agreement already signed. (Mayor/Interim City Administrator)

[Donation Deed.pdf](#) [Golf course appraisal 10-12-23.pdf](#)

[30-2023-11 VENUS resolution accept donation deed.pdf](#)

I make a motion to approve Resolution No. 30-2023-11.

Moved by: Drew Wilson

Seconded by: Tony Bovinich

For: Unanimous. Motion carried 5-0-0.

- 5.7 Discuss and consider repealing Ordinance No. 773-2023-04 in its entirety and replacing with new Subdivision Ordinance. (Ortiz)

[11 Agenda Item Cover sheet- Subdivision Ordinance.pdf](#)

[ORDINANCE SUBDIVISION CITY COUNCIL No. 790-2023-11.pdf](#)

[11](#)

I make a motion to approve Ordinance No. 790-2023-11.

Moved by: Drew Wilson

Seconded by: Jessica Kuykendall

For: Unanimous. Motion carried 5-0-0.

6. Executive Session:

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ. THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING: Section 551.74- Personnel Matters.

1. Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, resignation or dismissal of a city officer or employee, unless such officer or employee request a public hearing, to wit: Interim City Administrator.
2. Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, resignation or dismissal of a city officer or employee, unless such officer or employee request a public hearing, to wit: Police Chief.
3. Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, resignation or dismissal of a city officer or employee, unless such officer or employee request a public hearing, to wit: Human Resource Director.
4. Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, resignation or dismissal of a city officer or employee, unless such officer or employee request a public hearing, to wit: Finance Director.

6.1 Recess into Executive Session: At 7:19 PM

6.2 Reconvene into Open Session: At 9:30 PM

Any action on above listed Executive Session.

No action on above listed Executive Sessions.

7. Adjournment:

Mayor Galaviz adjourned the meeting at 9:30 PM.

Mayor

City Secretary

Draft



**City Council Agenda Item Report
November 27, 2023**

Callie Green, City Secretary
972-366-3348 ext. 207
cgreen@cityofvenus.org

DISCUSS AND CONSIDER REPEALING RESOLUTION NO. 18-2023-08 IN ITS ENTIRETY AND REPLACING WITH A NEW RESOLUTION FOR THE CITY COUNCIL POLICIES AND PROCEDURES.

- 1. BACKGROUND/HISTORY:** The council approved the current policy by Resolution in August.
- 2. FINDINGS / CURRENT ACTIVITY:** The meetings dates and time have changed and need to be updated in the Policy. Added, “unless it falls on a Holiday, the council can choose to have a special called or resume normal schedule the next month. Meetings are at 6:30 p.m.”. 1.4, Conducting meetings, C5 has been removed. That section read, “City council members may be removed from the meeting for failure to comply with decisions of the presiding officer or continued violations of the rules of the city council. If the presiding officer fails to act, any member may move to require the presiding officer to enforce the rules, and the affirmative vote of a majority of the city council shall require the presiding officer to act.” Page 3, C- Attendance will be removed. Page 10, B-2 Procedures for submitting topic has been changed to one week. Page 12 1.6b “Abstention from voting will be removed. No other changes were made.
- 3. RECOMMENDATIONS:** I recommend Council repealing Resolution No. 18-2023-08 in its entirety and replacing with Resolution No. 31-2023-11 for City Council Policies and Procedures
- 4. ATTACHMENTS:** Resolution with policy.

RESOLUTION NO. 31-2023-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, ADOPTING EQUITABLE AND UNIFORM PROCEDURES FOR ETIQUETTE OF CITY COUNCIL MEETINGS AND TO ASSIST IN THE ORDERLY CONDUCT OF THE CITY'S BUSINESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Venus finds it is in the best interests for the City of Venus to conduct City business in a professional, orderly and proficient manner; and

WHEREAS, the City Council for the City of Venus has determined that conducting City business in such a manner is conducive to good government and is in the best interests of the City of Venus;

WHEREAS, the City Council desires to provide that the City Council's meeting procedures will be consistent with the Texas Opening Meetings Act (Texas Government Code §551); and

WHEREAS, the City Council of the City of Venus finds it in the public interest to adopt the foregoing Resolution which establishes general policies and procedures to conduct the City's business in an orderly and efficient manner.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENUS, TEXAS, THAT:

SECTION 1. The Mayor is hereby authorized and directed to sign and execute this Resolution on behalf of the City Council for the City of Venus, Texas.

SECTION 2. The policies and procedures attached hereto as Exhibit "A" are adopted and made a part of this Resolution hereof for all purposes as if fully recited herein.

SECTION 3. Any Resolution in conflict with the provisions of this Resolution is hereby repealed to the extent it conflicts with this Resolution.

SECTION 4. This Resolution shall become effective immediately from and after its passage.

SECTION 5. All recitals are adopted herein as if fully recited and incorporated for all purposes.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VENUS ON THIS the 27th DAY OF NOVEMBER, 2023.

ATTEST:

APPROVED:

Callie Green, City Secretary

Alejandro Galaviz, Mayor



City of Venus

City Council Policies and Procedure

**RESOLUTION NO. 31-2023-11
November 27, 2023**



City Council Policies and Procedures

ARTICLE 1.0 RULES OF PROCEDURE

1.1 Authority

A. Adoption of Rules

These rules may be amended or suspended in the manner described in this document.

1.2 General Procedure

A. Meetings to be Public

1. All meetings of the city council shall be open to the public unless pertaining to matters authorized under the Texas Open Meetings Act to be discussed in executive session. All actions of the city council shall be public and sufficient copies of the minutes shall be made available by the city secretary to staff members, the news media, and other interested persons upon request.
2. When meeting in executive session, the city council shall publicly announce the category under the Texas Open Meetings Act that permits the executive session and comply with all requirements of the Texas Open Meetings Act applicable to executive sessions.
3. A printed agenda of items to be considered at each regular meeting must be posted for public inspection at least 72 hours prior to the meeting.



City Council Policies and Procedures

B. Quorum

At the beginning of each regular or special meeting, the mayor shall determine whether or not a quorum exists in order to properly transact the business of the city council. A quorum exists when there are physically present a simple majority of the number of city council members. If a quorum does not exist 15 minutes after the time for which the meeting was called, the mayor shall adjourn the meeting and either re-schedule the meeting at its next regular time or call a special meeting, depending on the circumstances.

C. Attendance

1. No member shall be excused from attendance at a city council meeting, unless for medical reasons, having to work, vacation, the death or illness of a family member, or unless excused by the city council. A member having three unexcused absences in succession may be removed by majority vote of the city council.
2. A council member may not leave a council meeting in regular session without acknowledgement by the mayor. A council member who leaves a council meeting after the council has been duly called to order and is absent for the remainder of the meeting, without first obtaining the consent of the mayor, shall be charged with an unexcused absence for that meeting. The consent of the mayor may be given only in an emergency beyond the control of the councilmember that requires the councilmember to leave the meeting.

This section will be removed.

D. Minutes of Meetings

1. The city secretary shall record and produce written minutes of all regular and special called council meetings and shall have these minutes posted on the city's website following approval by the city council. Following approval of the written minutes, the city secretary will keep the digitally formatted minutes for regular and special called meetings for the period of time designated in the city's records retention schedule.



City Council Policies and Procedures

2. The public may obtain hard copies of written or recorded minutes through an open records request, such to be made during regular business hours. In the event the city secretary is unable to attend a meeting, the city administrator shall designate a representative to take minutes/record the proceedings.

E. Suspension of Rules

Any provision of these rules not governed by the city Ordinance, policy, or state or federal law may be temporarily suspended by a majority vote by members of the city council.

F. Amendment of Rules

These rules may be amended, or new rules adopted, by a simple majority vote of the city council and are not in conflict with state or federal law or the ordinances of the City of Venus.

G. Attendance of Officers and Employees

Other officers and employees of the city shall attend city council meetings when requested to do so by the city administrator or mayor.

1.3 Types of Meetings

a. Regular Meetings

The city council shall hold regular meetings on the 2nd and 4th Mondays of each month, unless it falls on a Holiday, the council can choose to have a special called or resume normal schedule the next month. Meetings are at 6:30 p.m.; and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the city and its citizens.

b. Special Meetings

1. Special meetings may be called by the mayor, the mayor pro tem (when acting in place of the mayor), or by any two members of the city council. The call for a special meeting must specify the day and time of such meeting, as well as the items to be considered.



City Council Policies and Procedures

2. The call for a special meeting must be filed with the city secretary, in written form, signed by the mayor, mayor pro tem (in the absence of the mayor), or two city council members at least four days prior to the special meeting. In case of a call for a special meeting, the purpose of such meeting will be expressed in the notice.
3. The call for emergency meeting must be posted two (2) hours before the emergency meeting. Emergency meetings exist only if immediate action is required of a governmental body because of imminent threat to public health and safety or because of a reasonably unforeseen situation.
4. The call for a special city council meeting as provided for above made at a regular meeting, at which a quorum of members of the city council are present, is sufficient notice of such meeting. If any member of the city council is absent from any regular meeting when such special meeting is called, that member must be given either written or telephone notice through a reasonable effort by the city secretary. It is the responsibility of each city council member to notify the city secretary of an address or telephone number where the notification can be made.

c. Executive Session

The city council may meet in executive session at the call of the mayor, mayor pro tem (when acting in place of the mayor), or any two members of the city council, or at any city council meeting where the city council seeks legal advice in accordance Section 551.071 of the Texas Government Code. At such meeting, the city council may consider those matters allowed under state law.

d. Joint Sessions

The city council may meet with other boards and Commissions in joint sessions at the call of the mayor, mayor pro tem (when acting in place of the mayor), or any two members of the city council at such times as the business of the city requires.

e. Recessed Meetings

Any meeting of the city council may be recessed to a later time by a majority vote of the city council, provided that no recess may be for period in excess of 24 hours. All recessed meetings must set a time to reconvene.



City Council Policies and Procedures

f. Work Session

The city council may hold work sessions to receive briefings and background information from city staff and consultants. Work session meetings must be at a time and place established by city council. Work sessions must be held in compliance with all provisions of the Texas Open Meetings Act. No official action may be taken by city council in a work session meeting, although city council may give direction to staff on issues under consideration.

1.4 Conducting a Meeting

a. Presiding Officer

1. The mayor shall preside over all city council meetings.
2. The mayor pro tem shall be selected from among the members of the city council at the first regular meeting following the general election at which all council places have been filled. The mayor pro tem serves for a term of one year. The mayor pro tem shall perform all duties of the mayor in his/her absence.
3. In the absence of both the mayor and mayor pro tem, the city secretary shall call the meeting to order and shall call upon the city council to select a member to act as presiding officer.

b. Preservation of Order and Meeting Decorum

- 1 The presiding officer shall have the authority to maintain the order and decorum of a meeting.
2. The presiding officer should ensure that the meeting discourse follows the posted agenda but has authority to move agenda items around as they deem necessary during a meeting.

c. City Council Members

1. During city council meetings, council members shall preserve order and decorum and shall neither, by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the city council.



City Council Policies and Procedures

2. Every city council member desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall limit remarks to the question under debate and shall avoid discussion of personalities and indecorous language.
3. All members of the city council shall accord the utmost courtesy to each other, to city employees, and to members of the public appearing before the city council and shall refrain at all times from rude and derogatory remarks, reflection as to integrity, abusive comments, and statements as to motives and personalities.
4. City council members shall confine their questions as to the particular matters before the assembly and, in debate, shall confine their remarks to the issues before the city council.

d. Members of the Public

1. Citizens are welcome to attend all official meetings of the city council and will be admitted to the meeting room up to the fire safety capacity of the room.

City Council Policies and Procedures

2. Members of the public attending city council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the city council. Any person making personal, impertinent, and slanderous remarks, or who becomes boisterous while addressing the city council or while attending the city council meeting, shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from attendance for the remainder of the meeting.
 3. It is the intent of the city council to provide a forum for persons to address the city council on topics or issues of concern. A person desiring to address the city council shall sign the speaker's sheet prior to the beginning of the meeting.
 4. Persons wishing to address issues not on the agenda may have four (4) minutes to address the city council during the citizen comments portion of the agenda. City council is prohibited from discussing any item not posted according to the Texas Open Meetings Act.
 5. Citizens shall not speak about pending legal matters, personnel issues, or personally attack individual council members, staff, consultants, or other citizens.
 6. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the presiding officer, who shall direct the sergeant-at-arms to remove offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer. If the presiding officer fails to act, any member of the city council may move to require the presiding officer to act to enforce the rules, and the affirmative vote of the majority of the city council shall require the presiding office to act.
- e. News media
1. During the conduct of official business, members of the news media shall occupy spaces allocated for them.
 2. Members of the news media shall refrain from conversing privately with other persons in the meeting room during the conduct of official business.

City Council Policies and Procedures

3. Interview of persons attending city council meetings shall be conducted outside the meeting room.

f. City staff

1. Members of the administrative staff and employees of the city may attend city council meetings but shall observe the same rules of procedure and decorum applicable to members of the city council.
2. All remarks and questions addressed to the city council by a staff member shall be addressed to the city council as a whole and not to any individual member.
3. No staff member, other than a staff member having the floor, shall enter into discussion either directly or indirectly without permission of the presiding officer.

1.5 Order of Business

a. Agenda

1. The order of the business of each city council meeting shall be contained in the agenda prepared under the supervision of the mayor and city administrator and posted by the city secretary at city hall no fewer than 72 hours prior to the scheduled meeting, or as required by the Texas Open Meetings Act. The agenda must be posted on the bulletin board at the front of city hall and visible to all persons at all times during the posting period.
2. Business coming before the city council must be placed in one of the following categories and in the following order:
 - a. Call to Order
 - b. Invocation
 - c. Pledge of Allegiance
 - d. Announcements by the Mayor
 - e. Citizen Public Comments
 - f. Consent Agenda/staff reports



City Council Policies and Procedures

- g. Presentations/Proclamations/Recognitions
 - h. Public hearings
 - i. Discussion & Action Items
 - j. Executive Session
 - k. Adjourn
- 3. Items requiring a public hearing followed by an action item will be consolidated into one agenda item with action on the ordinance or resolution following the close of the public hearing.
- b. Procedure for Submitting Topics. Items to be Included on the City Council Agenda.
 - 1. Items may be placed on the agenda by the mayor, mayor pro tem (when acting in place of the mayor), city administrator, city employees or following action by a board of commission.
 - 2. A council member may request that an item be placed on the agenda by providing the captioned item in writing to the city secretary. The item to be placed on the agenda must be presented no later than **5:30 PM on Monday one (1) week preceding the city council meeting. If this is not enough time for city staff to prepare the request, the council member will be notified and discuss an alternative date.** The presiding officer has no authority to veto requested items.
 - 3. City staff can add agenda items. Items must be submitted no later than 8:00 am on the Wednesday preceding the city council meeting.
 - 4. The council member's requested item must be placed in the appropriate agenda category. If more than one council member requests that an item be placed on the agenda, the items will be listed on the agenda in the order in which they were received. If a requesting council member has more than one item, the council member shall list them in order of his or her priority.



City Council Policies and Procedures

5. The first priority item/topic submitted by a council member received first must precede in order of any subsequent items submitted by other council members; the first priority item/topic submitted by a council member received after the first council member's requested item must precede any subsequent items submitted by a council member. Second and third priority agenda items must be placed on the agenda in the same manner as the first priority items. (Basically, first in, first on, by priority, by agenda category)
6. A citizen desiring to present an item for the city council's consideration may do so by written request to the City Administrator. When a written request from a person desiring to present an item for the city council's consideration is received, it must first be placed on an agenda or as a discussion item on the regular agenda. To be considered, a written request must be received two (2) weeks preceding a city council meeting and no later than 5:00 p.m. on Monday of the week preceding the City Council work session or regular meeting. Any written presentation must also be submitted with the request prior to placement on the agenda. Should a person fail to appear at the city council work session at which he/she has requested an item to be considered by the city council, that item may be dropped by the city council unless that person has earlier requested the item to be tabled. Any item requested to be on the agenda may be tabled no more than two meetings after receipt of the request.
7. Council members will receive "packets" of information related to the upcoming city council meeting on Wednesday afternoon. Packets will be available after publishing on Community by Diligent.



City Council Policies and Procedures

1.6 Motions and Voting Procedures

a. Vote of the Presiding Officer

The mayor may participate in the discussion of all matters coming before the city council but is entitled to vote only in case of a tie, as dictated by the state law.

b. Abstention from Voting

Every city council member present when a question is put shall vote either "yes" or "no," unless the city council member is prevented from voting because of conflict of interests. A city council member who is absent from the meeting during a vote and returns to or arrives at the meeting before adjournment shall, upon returning or arriving, vote on the question for the record unless prevented from voting by a conflict of interests. A city council member recorded present during a meeting who does not vote and who is not prevented from voting by a conflict of interests shall be recorded as having voted in the affirmative, unless the member has obtained the consent of the presiding officer to leave the meeting and is absent for the remainder of the meeting.

This section will be removed. This wording is more for a Home Rule City.

c. Conflict of interest

A city council member stopped from voting on a matter for reasons of financial interest shall:

1. refrain from discussing the matter at any time with any other member of the city council or any other body that will consider the matter;
2. leave the room during debate and hearing; and
3. refrain from voting on the matter.



City Council Policies and Procedures

1.7 Dealings with city employees.

a. In general

Under no circumstances shall members of the city council interfere in any manner with the employees or personnel who work with or under the city council.

b. Chain of authority

1. All directives, instructions, or orders to department heads or other city employees from the city council shall be made by the city council as a whole.
2. Council members are encouraged to speak with the department head or City Administrator if they have concerns about an employee or a work process in their individual capacity.
3. The procedural requirement set forth in this article is established for the purpose of providing a proper chain of command in regard to the routine administrative functions of the city and shall not apply in case of emergency or where such requirements would be contrary to the laws and constitution of this state.
4. Provided further, such requirement shall not prohibit direct instructions or orders between the city council and the city secretary in matters related to the city secretary's statutory duties as official city secretary of the city but shall apply to the additional clerical functions which are performed by the city secretary under the direction of the City Administrator.

1.8 Legal opinions.

If a legal opinion has been rendered by the city attorney regarding the city council's powers, duties, or responsibilities, the city council shall conform its actions in accordance with the opinion of the city attorney unless such opinion is in conflict with a decision by a court of competent jurisdiction.

ARTICLE 2.0
COUNCIL TRAVEL AND TRAINING

2.1 Education and Training

- a. In order to be an effective representative, it is the policy of the city council that members should be as informed as possible on local, state, and national issues. In order to be an informed representative, council members should avail themselves of training and informational opportunities within budgetary constraints.
- b. It is also the policy of the city council that members should make, to the extent possible, themselves available as city representatives at official city, county, and state sponsored and community-based events.

2.2 Funding and Eligible Travel Expenditures

- a. Within the funds available, the council shall budget annually an amount of funds that shall be made available for council member education and training. These funds may be used to pay or reimburse council members for the following expenses associated with education and training:
 - 1. Expenses for public or private transportation including air fare, transit fare, taxi fare, or mileage reimbursement for the use of a council member's personal vehicle when traveling outside the city limits. Personal mileage reimbursement will be at the annually established IRS mileage rate.
 - 2. Hotel or motel lodging when associated with an education or training event.
 - 3. Funds will be advanced or reimbursed for meals while attending an educational or training event, including meals traveling to or from the event.
 - 4. Registration expenses will be advanced or reimbursed for educational or training events, including materials, luncheons, and receptions when made a part of the registration fee.

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5. This travel policy includes travel expenses as described above for a member traveling as a city representative when the city or the council member is a member of a governmental board or organization.
- b. Payment or reimbursement applies only to the city council member.
 - c. In order to receive reimbursement or subsequent to an advance of funds, city council members are responsible for providing receipts or appropriate documentation of expenses in a timely manner following the travel event.

