

Council Request Update

September 3, 2015

Council Request 15-170 (4224 S. Washington Code Issues)

Requested by: Mayor Penn

Assigned to: Police (Code Enforcement)

Request: Report of trash related violations at 4224 S. Washington Street

Response: The attached memo from Fire Marshal/Code Enforcement Supervisor Herblan notes that the property in question received a Notice of Violation.

Council Request 15-173 (Council policies and procedures)

Requested by: Council Member Yates

Assigned to: City Attorney's Office

Request: This request emanated from an Open Records Request submitted by a citizen regarding the policies and procedures of the City Council.

Response: City Attorney Brotzman responded to the records request. Included are three relevant policies concerning Council's rules of order.

2015 COUNCIL REQUESTS

Number	Request Date	Request Type	Requested by	Request	Assigned To	Due Date	Follow-up Date	Date Completed
15-141	7/13/2015	I	Olson	Future Study Session: Development Planning	CMO/CD	7/16/2015		7/15/2015
15-142	7/13/2015	I	Olson	Regional Tourism Opportunities	CD	7/16/2015		7/23/2015
15-143	7/13/2015	I	Olson	Colorado Commuter Rail Line Impact	CD	7/16/2015		7/23/2015
15-144	7/13/2015	I	Olson	SCFD Funding Possibilities	PR	7/16/2015		7/17/2015
15-145	7/13/2015	I	Olson	Economic Development Marketing	CD	7/16/2015		7/29/2015
15-146	7/13/2015	I	Olson	Marijuana Legalization Impact (Crime)	PD	7/16/2015		7/15/2015
15-147	7/16/2015	S	Gillit	4750 S. Lipan Code/Building Concerns	PD/CD	7/21/2015		7/23/2015
15-148	7/17/2015	S	Jefferson	Graffiti - 2749 S. Broadway	PD	7/22/2015		8/18/2015
15-149	7/20/2015	S	Jefferson	Traffic Circle Visibility - Englewood Pkwy/Cherokee	PR	7/23/2015		7/22/2015
15-150	7/20/2015	I	Yates	On-Street Parking Policy Request	PW	7/23/2015	7/29/2015	7/28/2015
15-151	7/27/2015	S	Gillit	4848/4858 S. Lipan - Code Violations	PD	7/29/2015		7/28/2015
15-152	7/27/2015	S	Yates	5280 Imports Parking Concerns	PD	7/31/2015		7/29/2015
15-153	8/3/2015	I	Yates	Contractor Policy Inquiry	CD	8/5/2015		8/7/2015
15-154	8/10/2015	I	Gillit	Risk Management Reserve Info	HR	8/13/2015		8/12/2015
15-155	8/10/2015	I	Olson	5-Year Technology Plan	IT	8/13/2015		8/13/2015
15-156	8/10/2015	I	Council	Study Session - Property/Code Enforcement	CMO	8/13/2015		8/12/2015
15-157	8/10/2015	I	Council	MOA Agreement Background	CMO/FAS	8/13/2015		8/20/2015
15-158	8/10/2015	I	Council	Future Study Session: Concrete Alleys	CMO	8/13/2015		8/12/2015
15-159	8/10/2015	I	Jefferson	Railroad Crossing Signal - Shoshone & Dartmouth	PW	8/13/2015		8/19/2015
15-160	8/10/2015	I	Jefferson	Liberty Waste Neighborhood Odors	PD	8/13/2015		8/18/2015
15-161	8/10/2015	I	Jefferson	Bates/Tejon Suspicious Vehicle Activity	PD	8/13/2015		8/13/2015
15-162	8/10/2015	I	Wilson	Study Session - Property Abatement	CMO/CD	8/13/2015		8/12/2015
15-163	8/12/2015	I	Gillit	3830 S. Delaware - On-Street Car Repairs	PD	8/17/2015		8/18/2015
15-164	8/17/2015	I	Olson	Study Session - Energy Conservation Initiatives	CMO/PW	8/20/2015		8/19/2015
15-165	8/17/2015	I	Olson	Study Session - Historic Preservation	CMO	8/20/2015		8/19/2015
15-166	8/17/2015	I	Olson	Study Session: Neighborhood Character (bulk plane	CMO/CD	8/20/2015		8/19/2015
15-167	8/17/2015	I	Olson	Study Session: Council Agenda/Public Comment	CMO	8/20/2015		8/19/2015
15-168	8/17/2015	I	Penn	Summary of current Energy Conservation Initiatives	ALL	8/20/2015		8/27/2015
15-169	8/17/2015	I	Council	Service Line Warranties Marketing - logo size	CMO	8/20/2015		
15-170	8/24/2015	I	Penn	4224 S. Washington Code Issues	PD	8/26/2015		9/1/2015
15-171	8/24/2015	S	Wilson	Assorted Code Violations	PD	8/26/2015		8/25/2015
15-172	8/25/2015	I	McCaslin	Motel Inspection Follow-up	PD	8/27/2015		
15-173	8/28/2015	I	Yates	Council policies and procedures	CAO	9/2/2105		8/31/2015

S = Service
I = Information

CA - City Attorney; CMO - City Manager's Office; CD - Community Development; EEF - Englewood Environmental Foundation
FAS - Finance and Administrative Services; FD - Fire Department; LIB - Library; MC - Municipal Court; PR - Parks and Recreation;
PW - Public Works; PD - Police Department; UT - Utilities; WW = Wastewater Treatment Plant

MEMORANDUM

To: Chief of Police John Collins
From: Fire Marshal Herblan
Date: September 1, 2015
Subject: Council Response 15-170

Assigned to: Police - Code Enforcement
Assigned: August 24, 2015
Issue: Follow-up request on code violations at 4224 S. Washington Street

On August 27, 2015 Code Enforcement Officer Clampitt responded to the property located at 4224 S. Washington Street. Officer Clampitt issued a Posting Notice for trash related violations that were found along the alley of the property. A compliance inspection for the property has been scheduled for September 11, 2015.

From: Lou Ellis
Sent: Monday, August 31, 2015 10:42 AM
To: Dan Brotzman; Eric Keck
Cc: Michael Flaherty; Alison Carney; Leigh Ann Hoffhines; Christa Graeve; Sharon Washington; Stephanie Carlile
Subject: FW: Council Rules
Attachments: Establishment.pdf; Rules of Order.pdf; Ground Rules.pdf

From: Lou Ellis
Sent: Monday, August 31, 2015 10:40 AM
To: 'Steven M. Ward'
Subject: Council Rules

Steven,

There is a City Council Policy Manual.

Attached are three relevant policies concerning Council's rules of order.

The policies have been adopted by ordinance or resolution.

Lou

From: Steven M. Ward [\[om\]](#)
Sent: Friday, August 28, 2015 2:27 PM
To: City Clerk
Subject: Council Rules

Good day!

I am curious as to whether or not there is a "rule book" for members of Council that describes their privileges and responsibilities as well as the procedures for Council meetings. I've heard Council members discuss changes in procedure previously, but I would like to know how these procedures are tracked.

Thank you,

Steven Ward

ESTABLISHMENT OF CITY OF CITY COUNCIL POLICY AND PROCEDURE.

Each proposed Council Policy should be a clear statement of Council's philosophy on a given issue.

Each proposed policy shall have a sponsor. Appropriate sponsors for Council policy shall be:

- A. The Council Member(s).
- B. The City Manager.
- C. The City Attorney.

The sponsor of a Council Policy shall make presentation of that policy, argue and defend that policy before the Council and if changes are required the sponsor shall make the required changes and shall bring it back before Council as many times as necessary until it is in a form acceptable to Council. Any member of Council may move to amend the proposed or established policy at any time it is appropriate.

Adoption of Council policy shall be by Motion in public session and shall thereafter be included in a Council Policy Manual.

The responsibility of implementation of Council Policy shall be in the normal fashion under provisions of the Charter and Code.

Any change to Council Policy shall be accomplished in the same fashion as a new policy.

Resolution No. 48, Series of 1990

RULES OF ORDER AND PROCEDURE
FOR THE ENGLEWOOD CITY COUNCIL

I. City Council Meetings

A. Regular Meeting

Regular meetings of the City Council shall be held in the City Hall on the first and third Mondays of each month at 7:30 P.M. or at such other time and day as City Council may, from time to time, designate; provided, however, that when the day fixed for any regular meeting falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday.

B. Special Meetings

The Mayor shall call special meetings of the City Council whenever in his-her opinion the public business may require it, or at the express written request of any three (3) members of the City Council. Whenever a special meeting shall be called, a summons or a notice in writing signed by the Mayor or City Manager shall be served upon each member of the City Council, either in person or by notice left at his/her place of residence, stating the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted thereat except such as is stated in the notice. Notice of a special City Council meeting may be announced by the Mayor at any regular City Council meeting and when so announced, a written notice shall not be required. Notice of special City Council meeting, whether written or oral, shall be served, at least twenty-four (24) hours before the special meeting is to be held, upon each Council Member not absent from the City or from the regular City Council meeting when announced; provided, always, that if, after diligent effort is made to give notice of any such meeting to all members of City Council, notice of the same cannot be given due to an inability to locate any member, a majority of the City Council may waive notice of special City Council meeting in writing or by affirmative ballot, and such waiver shall be specifically noted in the minutes of the meeting. Notice may be waived by the entire membership of City Council in any case.

C. Executive Session

An executive session may be convened on call of the Mayor or by a majority vote of the members of City Council. Attendance at the executive session shall be limited to the members of the City Council, and Council may invite such other persons as may be required for advice and information.

The City Council may call an executive session to deal with the following items:

- (1) The sale or purchase of property for public purposes;
- (2) Attorney/client privileges;
- (3) Special security arrangements;
- (4) Negotiations with employees or employee organizations;
- (5) Personnel issues.

Under executive session, no formal vote shall be taken on any matter under discussion.

II. The Presiding Officer

A. Mayor

The presiding officer of the City Council shall be the Mayor who shall be elected by the members of the City Council at the first regular meeting in November after each general municipal election. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the City Council. He/she shall state every question coming before the City Council, announce the decision of the City Council on all subjects, and decide all questions of order, subject, however, to an appeal of the City Council, in which event a majority vote of those Council Members present and voting shall govern and conclusively determine such questions awarded. He/she shall vote on all questions, his/her name being called last, he/she shall sign all ordinances adopted by the City Council during his/her presence.

B. Mayor Pro Tem

The Mayor Pro Tem shall be elected by the members of the City Council at the first regular meeting in November after each general municipal election. The Mayor Pro Tem shall serve as Mayor during the absence or disability of the Mayor and in case of a vacancy in the office of the Mayor pending a selection of a new successor.

C. Chairman

The Mayor, or in his/her absence the Mayor Pro Tem, shall call the City Council to order.

In the absence of the Mayor and Mayor Pro Tem, the City Clerk or Deputy City Clerk shall call the City Council to order, whereupon a temporary chairman shall be elected by the members of the City Council. Such temporary chairman shall serve as presiding officer of the City Council until the arrival of the Mayor or the Mayor Pro Tem, at which time the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the City Council.

III. Roll Call

Before proceeding with the business of the City Council, the City Clerk or his/her deputy shall call the roll of the members, and the names of those present shall be entered in the minutes.

IV. Quorum

Five (5) members of the City Council shall constitute a quorum at the regular or special meeting of the City Council. In the absence of the quorum, the presiding officer shall, at the instance of any three (3) members present, compel the attendance of absent members.

V. Officers and Employees

A. Election of Officers and Oath of Office

A majority vote of all members of City Council shall be required to elect a Mayor and Mayor Pro Tem. A member of the Judiciary shall administer the oath of office to the Mayor, Mayor Pro Tem and the City Council no later than the next regular meeting following the election.

B. Appointments by the Mayor

Whenever the Mayor submits an appointment to be made with the advice and consent of City Council consideration of such appointment, that appointment shall be deferred until the next meeting, or except that by general consent or majority vote of the City Council, the appointment may be effective immediately.

C. City Manager

The City Manager or his designated representative shall attend all meetings of the City Council unless excused by the City Council. He/she shall keep the City Council fully advised as to the financial conditions and needs of the City. He/she may make recommendations to the City Council and may take part in discussions on all matters concerning the welfare of the City but shall have no vote in the meetings of City Council.

D. City Attorney

The City Attorney, either in person or by assistant, shall attend all meetings of the City Council. Any member of the City Council may at any time call upon the City Attorney for an oral or written opinion relative to any municipal matter or for the preparation of a bill for an ordinance upon any subject.

E. City Clerk

The City Clerk shall be ex officio Clerk of the City Council and shall be responsible for keeping the minutes of the meeting; and either the Clerk or a deputy shall perform such other and further duties in the meeting as may be ordered by the Mayor, City Manager or City Council. On the Thursday before each regular City Council meeting, the Clerk shall have delivered to each Council Member a copy of the complete summary of minutes for the preceding meeting.

F. Officers and Employees to Attend Council Meetings

The head of any department or any officer or any employee of the City, when requested by the City Manager, shall attend any regular or special meeting and confer with the City Council on matters relating to the City.

VI. Duties and Privileges of Council Members

A. Seating Arrangement

Members shall occupy their respective seats in the Council Chamber assigned to them by the Mayor. But any two or more members may exchange seats by joining in a written notice to the Mayor to that effect.

B. Presiding Officer

The Mayor or such other member of the City Council as may be presiding, may move, second and debate from the Chair, subject only to such limitations of debate as are by those rules imposed on all members and shall not be deprived of any of the rights and privileges of a Council Member by reason of his acting as the presiding officer.

C. Getting the Floor

Every member desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine himself/herself to the question under debate avoiding all personalities and indecorous language.

D. Interruptions

A member once recognized shall not be interrupted when speaking unless it be to call him/her to order or as herein otherwise provided. If a member, while speaking, be called to order, he/she shall cease speaking until the question of order be determined and if in order, he/she shall be permitted to proceed.

E. Privilege of Closing Debate

The Council Member moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

F. Remarks Entered into Minutes

A Council Member may request through the presiding officer the privilege of having an abstract of his/her statement on any subject under consideration by the City Council entered in the minutes. If the City Council consents thereto, such statement shall be entered in the minutes.

G. Right of Appeal

Any member may appeal to the City Council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state his/her reason for the same. The presiding officer may briefly explain his/her ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question: "Shall the decision of the chair be sustained?" If a majority of the members present vote "Yes" the ruling of the chair is sustained; otherwise, it is overruled.

H. Voting

A vote shall be taken by recording "Aye" and "Nay" votes by use of voting lights, with the "Aye" and "Nay" being read into the permanent record by the City Clerk or a deputy. A vote shall be taken upon the passage of all ordinances and resolutions, on the appointment of any officer, on all motions concerning the expenditures of funds, and entered in the minutes of the City Council proceedings. Every ordinance shall require the affirmative vote of the majority of all members of the City Council for passage. No member of the City Council shall vote on any question in which he/she has a financial interest other than the common public interest or on any question concerning his/her own conduct but on all other questions each member who is present shall vote unless excused by

the unanimous consent of the remaining members present. Any member refusing to vote except when not so required by this paragraph shall be guilty of misconduct in office. Application to be excused from voting must be made before the votes are called for. The member having briefly stated the reason for his/her request, the decision thereon shall be made without debate.

I. Synopsis of Debate

The Clerk may be directed by the presiding officer with the consent of the City Council to enter in the minutes a synopsis of the discussion on any question coming regularly before the City Council

J. Personal Privilege

The right of a member to address the City Council on a question of personal privilege shall be limited to cases in which his/her integrity, character, or motives are assailed, questioned, or impugned.

K. Dissents and Protests

Any member shall have the right to express dissent from, or protest against, any ordinance or resolution of City Council and shall have the reason therefor entered in the minutes. Such dissent or protest must be couched in respectful language and presented to City Council not later than the next regular meeting following the date of passage of the ordinance or resolution in question.

L. Excusal During Meeting

No member may leave the City Council Chamber while in regular session without permission from the presiding officer.

VII. Council Procedure

A. Order of Business

All meetings, except executive meetings of the City Council, shall be open to the public. The matters to be deliberated by the City Council shall be considered and disposed of in the following order except where otherwise decided by a majority vote of City Council members present at said meeting:

- (1) Call to order.
- (2) Invocation.
- (3) Pledge of Allegiance.
- (4) Roll Call.
- (5) Consideration of minutes of previous session.
- (6) Recognition of Scheduled Public Comment.
- (7) Recognition of Unscheduled-Public Comment
- (8) Communications Proclamations and Appointments.
- (9) Consent Agenda items.
- (10) Public Hearing items.
- (11) Ordinances, Resolutions and Motions.
- (12) General Discussion:
Mayor's Choice.
Council Member's Choice.
- (13) City Manager's report.
- (14) City Attorney's report.

(15) Adjournment

The business of all regular meetings shall be transacted in the order provided for above unless City Council, by a majority vote of all members present, shall suspend the rules and change the order. On the Thursday preceding the regular City Council meeting, or at such other day as the City Manager, from time to time, shall determine, the City Manager will have delivered to each Council Member an agenda showing the order of business and indicating the public hearings to be anticipated as a result of previous action of City Council, planning or other commissions. Also listed will be ordinances for first or second reading, petitions previously presented to the Clerk's office and a list of the reports of special committees, the City Manager or City Attorney. At each meeting it shall be asked by the presiding officer if there are objections or are corrections to be made to the summary of minutes of the preceding meeting as published. If there are no objections, the summary of minutes shall be approved.

B. Precedence of Motions

When a question is before the City Council, no motion shall be entertained except:

- (1) To fix the hour of adjournment;
- (2) To adjourn;
- (3) To lay on the table;
- (4) To ask for the previous question;
- (5) To postpone to a certain day;
- (6) To refer;
- (7) To amend; and
- (8) To postpone indefinitely.

These motions shall have precedence in the order indicated. Any such motion, except a motion to amend a motion to postpone indefinitely, shall be put to a vote without debate.

C. Motions to be Stated by Chair - Withdraw

Any member may demand that a motion be put in writing. A motion may not be withdrawn by the mover without the approval of City Council.

D. Division of Question

If the question contains two or more divisible propositions, the presiding officer may and upon request of a member divide the same.

E. Amend To Strike Out, Etc.

On an amendment to strike out and insert, the paragraph to be amended shall be read, as it stands, first. Then the words proposed to be stricken out and those to be inserted shall be read; finally, the paragraph as it would stand, if so amended, shall be read.

F. Amend an Amendment

An amendment of a motion shall be in order, but one to amend an amendment shall not be introduced. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.

G. Motion to Postpone

All motions to postpone, except a motion to postpone indefinitely, may be amended as to time. If the motion to postpone indefinitely is carried, the principal question shall be declared lost.

H. Ayes and Nays

On the passage of every ordinance or resolution, and on the appointment of any officer, on all motions concerning the expenditure of funds, the vote shall be taken by Ayes and Nays and entered in full in the record. Every member present shall be required to vote unless excused for cause by unanimous consent of the remaining members of the City Council present. The vote shall be for or against a pending ordinance or resolution and not the report of the committee thereon.

I. Reconsideration

A motion to reconsider any action taken by the City Council may be made at any time subject only to the following limitations.

Passage of an ordinance may be reconsidered at any time prior to the time such ordinance becomes effective. Any action of the City Council having as its ultimate purpose the vesting of any contractual or quasi-contractual right may be considered at any time before the actual vesting of such right. A motion to reconsider must be made by a member of the prevailing side but may be seconded by any member. A motion to reconsider may be made at any time and have precedence over all other motions, and while the maker of the motion has the floor, it shall be debatable. Nothing herein shall be construed to prevent any member of the City Council from making or remaking the same or any other motion at the subsequent meeting of the City Council.

J. Emergency Ordinances

Emergency ordinances WHICH ARE necessary for the immediate preservation of public property, health, peace or safety, must be unanimously approved by a quorum present at any meeting of the City Council. The facts showing such urgency and need shall be specifically stated in the ordinance. Emergency ordinances shall take effect immediately upon final passage and shall be published within seven (7) days thereof. No ordinance making a grant of any special privilege, levying taxes, incurring indebtedness, authorizing borrowing money, or fixing rates charges by any city-owned utility shall ever be passed as an emergency measure.

K. Procedure in Absence of Rule

Roberts Rules of Order, Revised shall govern the procedure of the meeting in all cases where applicable and where consistent with the Charter or the rules of proceedings herein fixed by the City Council.

L. Anonymous Communications

Unsigned communications shall not be introduced at City Council meetings.

M. Tie Votes

In case of a tie in votes on any proposal, the proposal shall be considered lost.

N. Ordinances, Resolution, Motions and Contracts

(1) Introduction

All ordinances and resolutions shall be introduced to the City Council in printed or written form. Ordinances, resolutions, and other matters or subjects requiring action by the City Council must be introduced by a member of the City Council except that the City Manager or City Attorney may present ordinances, resolutions and other matters or subjects to the City Council, and any City Council member may assume sponsorship of an ordinances, resolutions or subjects.

(2) Review

All proposed ordinances shall be reviewed by the City Attorney and bear his/her certification that they are in correct form. The City Manager shall attach to each proposed ordinance a brief digest of the provision thereof and where it is proposed to amend an existing ordinance. Said digest shall indicate the change sought to be made and shall also show the name of the department or party at whose request the proposed ordinance was prepared.

(3) Procedure of Passage

An ordinance may be introduced as a bill at any regular meeting by any member of the City Council. Upon introduction, the bill shall be read or printed a first time in full and City Council may set the day and hour at which City Council shall hold a public hearing thereon. A bill, before its final passage, shall be presented at one additional meeting of the City Council, which meeting must be held no earlier than seven (7) days after publication of the bill for an ordinance in its final amended form, except in the case of an emergency ordinance. After final passage, every ordinance shall again be published by reference or in full as City Council may determine.

(4) Substitute Ordinances

If an ordinance is proposed as an amendment to an existing ordinance, it shall be reported as a substitute ordinance. A substitute ordinance shall be accompanied by an exhibit showing the part of the original ordinance to be amended, properly identified by page, section, or paragraph, referencing to the original ordinance, and having a line drawn through the parts stricken out and that part added shown in italics or in a different colored ink or underscored. Copies of the exhibits shall be furnished to each member of City Council.

(5) Sponsorship

If a Councilperson has requested an ordinance that persons name should appear on the ordinance.

O. Addressing the City Council

Any person desiring to address the City Council shall first secure the permission of the presiding officer to do so, and speak at the appropriate time listed on the agenda.

(1) Written Communications

Interested parties may address the City Council by written communications in regard to matters then under discussion.

(2) Verbal Communications

Formal verbal communications are allowed only when scheduled on the Agenda. Interested parties may address the City Council by verbal communications on any matter concerning the City's business to any matter over which the City Council has control; provided, however, that preference shall be given to those persons who may have notified the City Manager in advance of their desire to speak in order that the same may appear on the agenda of the City Council.

(3) Reading of Protests

Interested persons may address the City Council by reading of protests, petitions or communications, relating to zoning, sewer and street proceedings, hearing on protests, appeals and petitions, or similar matters in regard to subjects then under consideration.

P. Manner of Addressing/Time Limit

Each person addressing the City Council shall give his name and address for the record and shall limit their address to a reasonable time. The length of such remarks may be specifically limited by the presiding officer. All remarks shall be addressed to the City Council as a body and not to any member thereof. No persons other than the City Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the City Council, without the permission of the presiding officer. No question shall be asked a City Council Member except through the presiding officer.

Q. Decorum

While the City Council is in session, the members must preserve order and decorum. A member shall neither, by conversation or otherwise, delay nor interrupt the proceedings, nor the peace of the City Council, nor disturb any member while speaking, nor refuse to obey the orders of the City Council or its presiding officer.

R. Suspension of Rules

Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended at any meeting of the City Council by a majority vote of all members of the City Council. The vote on any such suspension shall be taken by ayes and nays and entered in the record.

S. Amendment of Rules

These rules may be amended or new rules adopted by majority vote of all members of the City Council. Any such amendment(s) shall be submitted in writing at the preceding regular meeting and shall be placed on the agenda of the City Council.

T. Public Hearing

All those desiring to be heard on a particular issue at a regular public hearing before City Council may list their names, indicating on which side of the issue, whether for or against, they wish to speak. This list will be handed to the presiding officer who will have all those who are listed step forward to attest by sworn oath that all evidence they present will be the truth. If both sides of the issue are represented by one or more individuals, the City Council will set the length of time to be heard. Each side will be given an equal time to present their case. This will be a total time within which all those desiring to be heard will be confined.

Following the presentations of those in favor, then those opposed, the petitioner will be given a few minutes for rebuttal. At any stage in the hearing, either side may cross-examine any witnesses heretofore presented, but the time for this will be included in the original time allotted. Following the rebuttal of the petitioner, the presiding officer will declare the hearing closed and the questions remanded to City Council for consideration. If any City Council member wishes more information from any individual who spoke at the hearing, he/she may direct questions only through the presiding officer, to the individual and the response will be limited to the answer of the question as stated.

VIII. Passage Procedure

A. A STEP BY STEP PROCESS - ORDINANCES

Ordinances are used primarily for the passage of legislative matters and penal in nature. In addition certain agreements must be approved by ordinance and certain budgetary matters likewise require ordinance approval.

THE PASSAGE OF AN ORDINANCE - a step-by-step process:

At the first reading, the ordinance is "proposed" and is known as a "bill for an ordinance." It will have a previously assigned council bill number on the document. There are several reasons for this. First, the number is assigned so that it can be numerically identified by all parties involved. When it goes to Council, it becomes an official document which must be dealt with in some manner. That manner is approval, failure to approve, tabling, etc. To be effective, ordinances require two readings.

APPROVAL OF THE COUNCIL BILLS:

I ask that the City Clerk read the item or Council Bill.

On Englewood's agenda, Bills for Ordinances are dealt with under Section 11. A Bill for an Ordinance is individually dealt with in this section; that is, each item in Section 11 is taken separately and by itself.

At a Councilperson's request, the City Clerk reads the title of the bill out loud and Council reads the bill silently (generally, this has been done prior to the meeting to keep the meeting moving quickly).

Should a Councilperson desire to sponsor a bill, he/she would state as follows: YOUR HONOR, I MOVE THAT COUNCIL BILL NO. ___ BE APPROVED or an alternative I MOVE AGENDA ITEM ____. Another Councilperson, if he/she wants to discuss or seek approval of the bill, may second the motion. This is done as follows: "YOUR HONOR, I SECOND THE MOTION."

At that point in time, the Mayor would request if there is any debate. Just because a person sponsored or seconded a bill does not mean that they necessarily have to speak in favor of the bill. It may be awkward for a person to sponsor a bill because their name then appears on the ordinance, and if they vote against the bill or oppose the bill, their name would then be associated with approval of the bill.

Once a call for the question is made, such as, "I CALL THE QUESTION," the Mayor would then request a vote, which is electronically recorded. The City Clerk then advises the Mayor of the vote, identifying the ayes and nays, the Mayor will announce whether the Ordinance is passed or defeated.

The Bill for an Ordinance is published in full. Thereafter, at a subsequent meeting (more than 7 days after publication in final amended form), the Ordinance is presented for second reading under the Consent Agenda approval items. Approval may be done in mass, that is, all items previously approved may be approved in batch, or they may be removed from the Consent Agenda. Ordinances approved under the Consent Agenda are automatically assigned a number by the City Clerk and are not individually read by title.

Removal from the Consent Agenda allows debate on the subject. For instance, under the Consent Agenda (which appears under Section 9 of the Council Agenda,) the Mayor will ask, "IS THERE ANYONE ON COUNCIL WHO WOULD DESIRE TO HAVE A MATTER REMOVED FROM THE CONSENT AGENDA?" At that point, the Councilperson would state, "I REQUEST THAT ITEM ____ BE REMOVED FROM THE CONSENT AGENDA." This does not require a motion or vote. Merely requesting removal is sufficient. When an item is removed from the Consent Agenda, the items remaining should be approved in mass. Assumption is that they would all be approved; otherwise, a Councilperson would request removal. Those items removed are considered after all other Consent Agenda items have been approved. The procedure should be to deal with the items in the same order as they appear on the agenda, each to be debated and voted upon separately, except for those removed.

When it comes time to approve a Council Bill on second reading which has been withdrawn from the Consent Agenda, it is still identified with its Council Bill Number, but it is in proposed ordinance form. At some point, usually before discussion, a councilperson would ask that the Clerk read Council Bill NO. __, or Agenda Item NO. ____; the Clerk then reads the item by title. A Councilperson would then state as follows: "YOUR HONOR, I MOVE FOR APPROVAL OF COUNCIL BILL __," OR "YOUR HONOR, I MOVE FOR APPROVAL OF AGENDA ITEM NO. ____." A second is made, discussion follows, and then the vote is taken, much as in the case of the first reading.

Publication by title then occurs after final reading and passing.

AMENDING ORDINANCES:

- (1) After first reading or even at first reading, a Councilperson may desire to amend an ordinance. A motion must be made to amend the ordinance with the specifics of the amendment identified and stated in the motion which would be much like the following: "I MOVE TO AMEND COUNCIL BILL NO. __, SECTION __, TO INCLUDE THE FOLLOWING WORDING: _____." If the Council Bill has already been assigned an Ordinance number, then the motion would be: "I MOVE TO AMEND ORDINANCE NO. __,..." There must be a second and then debate can occur. The amendment is first voted on and then the ordinance is voted on.

NOTES:

- (1) There may be more than two readings of an ordinance. Where an ordinance is amended, it must first be published in its final amended form before last reading.
- (2) Publication dates and notice requirements may dictate that an ordinance not come back at the next meeting of City Council.
- (3) Ordinances are always dealt with in the positive the "motion is to approve." The motion is always made to approve not to disapprove.

B. A STEP BY STEP PROCEDURE - RESOLUTIONS

Resolutions are used for formal approval of nonlegislative measures.

The Procedure for approval is:

"I ASK THAT THE CLERK ASSIGN THE RESOLUTION A NUMBER AND READ THE RESOLUTION BY TITLE."

Alternative - I move item _____. The Clerk assigns the Resolution a number and states the number, then reads the title.

I MOVE THE PASSAGE OF RESOLUTION NO. _____, SERIES OF 19__.

Resolution No. 66, Series of 1990

Ordinance No. 1, Series of 1995
(Amending the order of business and addressing the Consent Agenda)

Ordinance No. 36, Series of 2004
(Amending the order of business and addressing the Order of Business)

Ordinance No. 64, Series 2011
(Amending the election of the Mayor)

GROUND RULES FOR CITY COUNCIL

Study Session Policy:

- A. Material on new information must be received before study session to allow discussion in an educated fashion. No information presented without backup material can be presented. No decision will be made until all members have had an opportunity to review the information.
- B. Requests for information or acting to a citizen's concern must go through the City Manager's Office.
- C. Requests for information should result in information for all of City Council.
- D. Old issues may be brought back for status update or as a result of new information becoming available. If a Council Member wishes to study the issue at greater length, ask Council for a consensus vote to proceed.
- E. A consensus vote by City Council may be used to clarify direction to the City Manager.

Public Session Policy:

- A. All matters of policy should occur for debate and vote in public forum.
- B. Presentation of last minute information should be avoided whenever possible. If it is related to an emergency situation, it should be voted on by City Council for support. The City Manager or the Mayor should make certain all information is provided to City Council in an equal and timely fashion.
- C. Avoid surprises. As a matter of common courtesy, members should notify City Council prior to a public session when they plan to remove an item from the consent agenda.
- D. Learn to utilize rules as outlined in the "Procedures Manual of the City Council" whenever possible to help facilitate an orderly process. Assist each other in a positive manner, when addressing correct order of procedure.
- E. If you have a question on a consent agenda on first reading item, contact staff prior to the meeting whenever possible.
- F. Procedure for making motions under agenda item 11, Ordinances, Resolutions and Motions.
 - 1. Mayor introduces the item, staff provides general information.
 - 2. Information and questions may be directed at staff prior to making a motion.
 - 3. Council makes the motion.

4. Debate occurs between and among City Council, but should be limited to making a point or stating a position. Redundancy, grand standing, and Personal attacks will be addressed by the Mayor as being out of order or inappropriate. City Council will appoint a "Sergeant At Arms" to provide a friendly reminder of exceeding a reasonable time limit.
 5. The Mayor, out of common courtesy, will ask after the debate if there are any more questions or comments.
 6. The Mayor will direct Council to vote.
- G. It is Council's responsibility to display common courtesies at all times; avoid interruptions; avoid personalizing the issue; and avoid filibustering.
- H. Do not speak without being recognized by the Chair.

General Policy Guidelines:

- A. Focus on the issue, not on the Member presenting the issue.
- B. Treat each other and each Member coming before City Council with respect.
- C. Listen and understand before judging and making a commitment.
- D. Take time to negotiate. As a seven member board, things work best through consensus or compromise.
- E. Respect differences of opinions and perspectives.
- F. Personal problems or concerns with individual Council Members should be discussed directly with that individual and not aired in a public forum.
- G. Work together as a team on issues as they relate to what's best for the City as a whole.