

**MILLVILLE CITY CODE
TITLE 2 - ADMINISTRATION AND PERSONNEL
CHAPTER 2.04 - CITY COUNCIL**

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2.04.010: TIME, PLACE; EXCEPTIONS

The governing body shall hold two (2) regular meetings which shall be held on the second and fourth Thursdays of each month at the city office which meetings shall begin promptly at six thirty (6:30) P.M., during Mountain Standard Time and at six thirty (6:30) P.M., during Mountain Daylight Time provided that:

- A. If the meeting date is a legal holiday, then the meeting shall be held at the same time and place above described on the date which is rescheduled or the meeting may be canceled;
- B. If the meeting date conflicts with training for city officials or there is no essential business to be transpired, the meeting may be rescheduled or canceled.
- C. The governing body may by resolution provide for a different time and place for holding regular meetings of the governing body.

D.

1. The mayor of a municipality or two (2) council members may order the convening of a special meeting of the council.
2. Each order convening a special meeting of the council shall:
 - a. Be entered in the minutes of the council; and
 - b. Provide at least three (3) hours' notice of the special meeting.
3. The municipal recorder or clerk shall serve notice of the special meeting on each council member who did not sign the order by delivering the notice personally or by leaving it at the member's usual place of abode.
4. The personal appearance by a council member at a special meeting of the council constitutes a waiver of the notice required under subsection D3 of this section. (Ord. 2019-2, 2019: Ord. 2011-5, 2011: Ord. 2010-2, 2010: Ord. 2000-3 § 2)

2.04.011: QUORUM DEFINED

The number of council members necessary to constitute a quorum is:

- A. In a municipality with a seven (7) member council, four (4);
- B. In a municipality with a five (5) member council, three (3);
- C. In a municipality operating under a six (6) member council form of government, three (3), excluding the mayor. (Ord. 2011-5, 2011)

2.04.012: COMPELLING ATTENDANCE AT MEETINGS OF LEGISLATIVE BODY

The legislative body of a municipality may compel the attendance of its own members at its meetings and provide penalties it considers necessary for the failure to comply with an exercise of the authority to compel attendance. (Ord. 2011-5, 2011)

2.04.020: ROLL CALL

- A. The minimum number of yes votes required to pass any ordinance or resolution, or to take action by the council, unless otherwise prescribed by law, is a majority of the voting members of the council, without considering any vacancy in the council.

- B.
 - 1. Any ordinance, resolution, or motion of the council having fewer favorable votes than required in this section is defeated and invalid.

 - 2. Notwithstanding subsection B1 of this section, a council meeting may be adjourned to a specific time by a majority vote of the council even though the majority vote is less than that required in this section.

- C. A majority of the council members, regardless of number, may fill any vacancy in the council as provided under Utah state code 20A-1-510. (Ord. 2011-5, 2011: prior code § 3-331)

2.04.030: RECORD OF PROCEEDINGS

The recorder shall keep a record of the proceedings of the meetings of the governing body, except that minutes of the executive session shall not be available to the public until such time as the governing body shall make them public or by an order of court. (Prior code § 3-345)

2.04.040: RULES OF PROCEDURE

Policies and procedures shall be adopted by resolution. (Ord. 2011-5, 2011: prior code § 3-351)

2.04.050: AGENDA

All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the governing body shall be delivered to the recorder, at least twenty four (24) hours prior to each governing body meeting, whereon the recorder shall immediately arrange a

list of such matters according to the order of business and furnish each member of the governing body, and when present, the attorney, with a copy of the same prior to the governing body meeting and as far in advance of the meeting as time for preparation will permit. Only the foregoing matters shall be presented to the governing body by administrative officials, except those of an urgent nature, provided that the governing body may, by motion, waive the requirements of this section. (Prior code § 3-352)

2.04.060: ORDER OF BUSINESS

All meetings of the governing body of each municipality shall be held in compliance with the provisions of Utah state code, title 52, chapter 4, open and public meetings act.

- A. At the time and place set for each meeting of the members of the governing body, the business of the municipality shall be taken up for consideration and disposition in the following order unless otherwise provided by motion of the governing body:
 - 1. Roll call;
 - 2. Reading of minutes of previous meeting;
 - 3. Approval of minutes of previous meeting;
 - 4. Petitions, remonstrances and communications;
 - 5. Introduction and adoption of resolutions and ordinances;
 - 6. Report of officers, boards, committees;
 - 7. Unfinished business;
 - 8. New business;
 - 9. Miscellaneous;
 - 10. Appropriations;
 - 11. Adjournment.

- B. The governing body may by motion change, amend or delete any agenda item provided for in this section.

- C. Any action taken by the governing body may not be reconsidered or rescinded at any special meeting unless the number of members of the governing body present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved. (Ord. 2011-5, 2011: prior code § 3-353)

2.04.070: RULES OF CONDUCT

- A. For Members Of The Governing Body: The governing body may fine or expel any member for disorderly conduct on a two-thirds ($\frac{2}{3}$) vote of the members of its governing body.
- B. For The Public: The governing body on a two-thirds ($\frac{2}{3}$) vote may expel any person who is disorderly during the meeting of the governing body. This section or any action taken by the governing body pursuant hereto does not preclude prosecution under any other provision of law. (Ord. 2011-5, 2011)