

**ORDINANCE 2007-01
CITY OF JOSEPH
COUNCIL RULES**

**AN ORDINANCE AMENDING ORDINANCE 2004-07, COUNCIL RULES,
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HEREWITH**

The City of Joseph ordains as follows:

The Common Council of the City of Joseph amends Ordinance 2004-07 and adopts the following rules for the governance of its members and proceedings.

SECTION 1. AUTHORITY

1.1 The Charter of the City of Joseph, Chapter II, Section 4. Powers of the City states, "The City has all powers which the constitution, statutes, or common law of the United States or of this state expressly or implicitly grant or allow municipalities as fully as though this Charter specifically enumerated each of those powers." Chapter IV Section 13. Meetings specifies "It [the Council] shall adopt rules for the governance of its members and proceedings."

1.2 The rules adopted in this ordinance shall be in effect upon their adoption by the council and until such time as they are amended, added to, deleted or replaced in the manner provided by these rules.

1.3 These rules apply equally to the Mayor and Councilors.

1.4 These rules are to be observed in addition to and may not be contradictory to the current City Charter.

1.5 The consistent theme underlying these rules is "respect". Demonstrating respect for each individual through words and actions is the touchstone that can help guide Council members to do the right thing in even the most difficult situations.

SECTION 2. THE MAYOR AND COUNCIL

2.1 The City Council (hereafter, Council) is the policy making body of the City. The Council shall adopt administrative policy on Media. Councilors are expected to encourage and respect diversity among the viewpoints brought to the Council. Council decisions may not be unanimous but once voted upon define the position of the entire Council. Councilors who do not agree with the Council's decisions are encouraged to not publicly undermine Council decisions.

2.2 No member of the Council shall be authorized to speak or write on behalf of the Council unless authorized by a majority vote of the Council.

2.3 Council decisions shall predominantly be Policy Decisions. The Council is

encouraged to have a collective philosophy, embody beliefs, values, commitments, and vision.

2.4 Presiding Officer. The Mayor shall be the presiding officer and conduct all meetings, preserve order, enforce the Rules and determine the order and length of discussion on any matter before the Council, subject to these rules. The Mayor Pro Tem shall preside in the absence of the Mayor. The Presiding Officer shall not be deprived of any of the rights and privileges of a Councilor. In case of the absence of the Mayor and the Mayor Pro Tem, the City Recorder shall call the meeting to order and the Council shall elect a chairperson for the meeting by majority vote.

2.5 Councilors shall diligently prepare for meetings and shall be ready to vote on the Consent Agenda during meetings. Meetings flow more smoothly and take less time when all Councilors are well informed on issues including law, policy and general information. Councilors will read all information prepared by City Staff prior to meeting time.

2.6 Council members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate for Council members to mention endorsements during council meetings or other official City meetings.

SECTION 3. COUNCIL MEETINGS

3.1 Regular meetings of the Council will be held the first Thursday of each month beginning at 7:00 p.m. at the Joseph City Hall or the Joseph Community Center.

3.2 Times, dates, and locations of regular Council meetings may be adjusted because of changing circumstances, to facilitate work sessions or in order to have a quorum of Councilors at the meeting. Temporary changes to times, dates, and locations of regular Council meetings may be made by the Mayor or three Council members. Permanent changes require the common consent of a quorum of all members of the Council. Regular meeting notice requirements must be followed and the meeting must be held within the city limits.

3.3 Special meetings of the Council may be called at any time on the request of three members of the Council, by the Mayor, or by the Mayor Pro Tem in the Mayor's absence, by giving notice of the meeting to the Council members, news media which have requested notice and the public at least 24 hours in advance in a manner and for such time as the exigencies of the case may permit, but with a view to obtaining the largest possible attendance of Council members.

3.4 Additional or Alternate meetings. Although the Council may choose other days on which to hold its meetings, the third Thursday of the month shall be the preferred alternate meeting time.

3.5 Emergency meetings of the Council are special meetings which can be called when no more than 24 hours notice can be given. The minutes of the meeting need to state the nature of the emergency. Emergency meetings may be held by consent of a majority of Councilors. An attempt must be made to notify the public or the

press of the need for any emergency meeting.

3.6 Workshop or Training meetings of the Council may be held at the convenience of the Council at a time when as many Council members as possible can attend. These meetings may be held for Council goal setting, new Councilor training, or longer workshops for planning programs or projects. Goal setting retreats may be held out of town so long as no decision making or discussion toward decisions occurs. Any goals arrived at by any process should be confirmed in public at a regular Council meeting. The Council may decide the public is welcome at any of these meetings and they may be held without opportunity for public input.

3.7 Executive sessions may be held by the Council pursuant to ORS 192.640, 650, 660 and 670. Only those staff members required to attend will be present. Normally the City Recorder is required to attend.

3.8 Public meetings of the Council will be held in accordance with ORS 192.610-710. All regular and special meetings will be open to the public and provide an opportunity for public input.

3.9 Public Hearings. Public hearings shall be held i) to gather public input; or ii) in anticipation of legislation; or iii) sitting in a quasi-judicial capacity. Public hearings shall be preceded by the notice required by law and shall be conducted in compliance with all applicable law.

3.10 Pre-meeting Conferences. Except for quasi-judicial hearings, a pre-meeting conference with the issues' chief proponents, City staff members and opponents may be useful. Questions of fact may be resolved at such conferences and time may be saved at the hearing. To preserve the impartiality required for quasi-judicial hearings and to avoid violation of the open meeting law, pre-meeting conferences should be conducted by City Staff members rather than Councilors.

3.11 Attendance. Councilors shall inform the Mayor or City Recorder as soon as practical if unable to attend any Council meeting. The Mayor will inform the Mayor Pro Tem if unable to attend any council meeting.

3.12 Seating. Seating in the Council Chambers of the Joseph City Hall is limited to a small number of citizens in attendance. When the Council or Staff anticipates a large number of citizens in attendance for a particular meeting, the meeting place shall be moved to the Joseph Community Center or another facility if the Community Center is unavailable.

SECTION 4. AGENDA AND ORDER OF BUSINESS.

4.1 An agenda for each regular Council meeting shall be prepared by the City Recorder. The Mayor or the City Council may direct that specific items be included on the agenda. The City Staff shall be given enough time to do necessary research or prepare necessary reports to address the agenda items. Agendas and informational material shall be distributed to the Council at least 4 business days prior to each regular meeting.

4.2 Order of Business: The normal order of business for a regular Council meeting shall be as follows:

1. Call to Order
2. Police Report
3. Fire Chief Report
4. Committee Reports
5. Public Comments
6. Public Hearings
7. New Business
8. Old Business and Follow Ups
9. Presentations
10. Ordinances, First Reading
11. Ordinances, Second Reading and passage
12. Consent Agenda, includes Minutes, Liquor Licenses, Bid Awards, Resolutions
13. City Staff Items
14. Councilors' Items
15. Mayor's Items
16. Correspondence
17. Public Comment
18. Bills Reviewed and Approved
19. Executive Session
20. Action as the result of Executive Session (if required)
21. Motion for Adjournment

4.3 The Mayor may consider agenda items out of order as he/she deems necessary to facilitate the efficient management of the agenda and the needs or convenience of those in attendance.

4.4 Except in emergency, proposals or requests to the Council to change, suspend, or amend City Policy must be submitted in writing with accompanying support documentation to the City Recorder at least seven (7) business days prior to the Council meeting.

SECTION 5. PROCEDURE FOR COUNCIL MEETINGS.

5.1 Rules of Order. Unless otherwise provided by law or by these rules, the procedure for Council meeting shall be governed by Robert's Rules of Order (Current Edition). The Mayor, or Presiding Officer, shall maintain order, allow full discussion of all items on the agenda and get through all agenda items in the allotted meeting time.

5.2 The Mayor shall remain impartial during all debate, but may express his/her views, and should have the respect of all meeting participants. As per the City Charter, Chapter IV, Section 17. Mayor's Function at Council Meetings, "The Mayor shall be chairman of the Council and preside over its deliberations. He/she will cast a vote but he/she shall have authority to preserve order, enforce the rules of the

Council, and determine the order of business under the Rules of the Council.”

5.3 Call to Order. Includes welcoming public members, a brief explanation of general conduct and courtesy, meeting procedure, and a reminder that, except for staff, we are all volunteers. If possible, a copy of the meeting agenda will be provided for all in attendance at the meeting.

5.4 Recognition. Every Councilor desiring to speak shall first address the Presiding Officer, and await recognition to obtain the floor. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer.

5.5 Main Motion. The basis of discussion at a meeting is a motion. A motion is announced or put forward by a Councilor for the purpose of focusing the discussion. Each motion requires a “Second” before debate. No motion shall be debated until it has been seconded and announced clearly by the Presiding Officer.

5.6 Discussion. When a motion is “put on the floor” for discussion by the Council, that discussion must focus on the substance of the current motion. All other discussion is out of order and not allowed. Another motion cannot be introduced while there is a motion on the floor.

5.7 Order. Councilors shall be acknowledged by the Presiding Officer in order. Once a motion has been introduced and seconded, it is the Presiding Officer’s responsibility to manage the discussion in an orderly manner. The Councilor who seconds the motion is always given an opportunity to speak after the Councilor who made the motion. In order to make sure that all participants who wish to speak are heard, the Presiding Officer will allow speakers who have not yet spoken to speak ahead of those who have already spoken.

5.8 Amending a motion. A Councilor who has the floor can move to amend the main motion currently being debated. An amendment is another motion that is used to change, by adding, subtracting or completely changing the main motion under discussion. When the amendment has been moved and seconded, all subsequent discussion must be on the substance of the current motion as amended. An amended motion can be amended once. An amendment can be passed by a simple majority vote of the Council. If an amendment is passed, defeated or withdrawn, the discussion goes back to the main motion on the floor with comments based on whether the amendment passed or not.

5.9 Calling the Question. If a Councilor thinks that additional debate will be unproductive, he/she may “call for the question” which can end the debate. If no other Councilor objects, the meeting proceeds to the motion. If there is an objection, the Councilors vote on whether to end the debate. A 2/3rds majority vote is required to pass the motion and no debate is allowed. If the “call for the question” motion is passed, a vote on the main motion is taken with no additional debate.

5.10 Voting. Prior to a vote, the Presiding Officer shall restate the motion or have the maker of the motion restate it to assure clarity of the issue. Except as otherwise provided by these rules or applicable law, when a quorum is present, a majority of the Council present in person or by speaker phone and voting shall decide a motion. Each Councilor's vote shall be recorded individually. A Councilor who is present but abstains from voting is still counted in the quorum. A Councilor must be present in person or by speaker phone to vote.

5.11 Abstentions. Councilors should abstain from voting only when they have a conflict of interest or are not well informed on the issue that is being voted upon.

5.12 Tie Votes. A motion fails in the event of a tie vote.

5.13 Point of Order. If a Councilor believes that the meeting is progressing outside the rules of order, he/she can raise a "point of order." In such case, he/she states what rule or order has been violated or not enforced by the Presiding Officer. A point of order can be used to interrupt a speaker. The Presiding Officer has the responsibility of determining if the point is valid or not. A point of order cannot be used to comment on a motion out of turn.

5.14 Point of Privilege. A point of privilege can be used to interrupt a speaker. Any meeting participant who feels that his/her rights have been infringed upon or violated may bring this point by simply stating their problem. Privilege involves the comfort or accessibility of the meeting participant and can include such things as can't hear, too noisy, unclear copies, etc., or more personal actions such as misquotes, misinterpretations or insults. The Presiding Officer has the responsibility of determining if the point is valid.

5.15 Challenge the Chair. If a meeting participant feels that his/her point of order or point of privilege was ruled on unfairly by the Presiding Officer, a challenge can be made to the chair. The Presiding Officer will then ask for a motion to uphold the chair's decision and a vote is taken. The vote by the Council shall decide whether the Presiding Officer's action on the point was valid or not.

5.16 Point of Information. A point of information is a question raised by a Councilor while another has the floor. The Presiding Officer asks the speaker if he/she wants to entertain the question when asked. The speaker can refuse. A point of information is only a question and cannot be used to speak out of turn or harass a speaker or disrupt the flow of the meeting.

5.17 Table. Normal discussion or debate at a meeting may end in one of several ways. If a Councilor feels that the decision and vote on a motion needs to be delayed for any legitimate reason, that person can move to "table" the motion. A Councilor must be recognized by the Presiding Officer in order to table a motion and cannot request this action at the end of a speech. Generally, a specific time limit is mentioned when tabling the motion so as not to leave the motion dangling. A motion to table requires a simple majority vote of councilors present in person or by speaker phone. The discussion allowed after a motion to table is solely about the length of time the motion is to be tabled.

5.18 Rescind. A Councilor may make a motion to rescind only if the motion it refers to was passed at another meeting or on another day. This motion requires a 2/3rds majority of the councilors present in person or by speaker phone to pass.

5.19 Reconsider. A Councilor can make a motion to reconsider if the motion under reconsideration was passed at that same meeting. The motion can only be made by a Councilor who voted with the prevailing majority on the earlier vote on the motion. A 2/3rds majority of the councilors present in person or by speaker phone is required.

5.20 Suspension of the Rules. Any motion for temporary suspension of the rules of order (usually used so that meeting participants can do something in violation of the rules) must have a majority vote of the councilors present in person or by speaker phone to succeed. There is no debate allowed. This motion cannot be amended and cannot be reconsidered at the same meeting.

5.21 Adjourn. A motion to adjourn takes precedence over all other motions, except a motion to fix the time to adjourn. This motion cannot be debated or amended, nor can a vote to adjourn be reconsidered. A motion to adjourn cannot be made when a speaker has the floor, or when a vote is being conducted. A meeting cannot be adjourned without a motion by a Councilor, a second, and a majority vote of the Councilors present in person or by speaker phone.

5.22 Public Comment. Members of the public desiring to address the Mayor and Council shall first sign in with their signature, printed name, address, and phone number before being recognized by the Presiding Officer. They must then state their name and address for the record. Unless otherwise designated by the Presiding Officer, each person shall have up to three minutes to present his or her comments. Groups with like comments should choose a spokesperson that will present their joint remarks.

5.23 City Councilors normally should not directly respond to a public comment during the public open comment period. Councilor comments should be held until the Councilor comment period later in the meeting or referred to the City staff or a response at a subsequent time.

5.24 The Council addresses policy and goals while the City Staff addresses customers of City services. Councilors should refer people with questions or complaints about City services to the City staff, explaining that if they are not satisfied with the results of the staff's response, they should ask to be put on the next council meeting agenda or present their issue during the public comment portion at the next council meeting or address a letter to the City Council.

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

5.26 Public comment during public hearings. Remarks shall be limited to the question then under discussion. All remarks and questions shall be addressed to

the Council as a whole and not to any individual Councilor. Any remarks and questions regarding personnel or administration of the City shall be referred to the appropriate City staff by the Presiding Officer. The Presiding Officer may redirect other questions to a Councilor as appropriate.

5.27 Questions of City Staff by City Councilors. Every Councilor may address questions directly to the City staff, who may either answer the inquiry or designate another staff member to do so. Councilors are encouraged to present their questions to the City staff prior to the meeting when possible.

SECTION 6. DECORUM AND ORDER.

6.1 Definition of Decorum according to Webster's Seventh New Collegiate Dictionary; "decorum, 2. Propriety and good taste in conduct or appearance, synonyms: DECENCY, PROPRIETY, DIGNITY, ETIQUETTE: DECORUM suggests conduct according with good taste, often formally prescribed; DECENCY implies behavior according with normal self-respect or profession or condition in life; PROPRIETY suggests an artificial standard of what is correct in conduct or speech; DIGNITY implies reserve or restraint in conduct prompted less by obedience to a code than by a sense of personal integrity or of social importance; ETIQUETTE is the usual term for the detailed rules governing manners and conduct and for the observance of these rules."

6.2 The Presiding Officer (chair) shall preserve decorum and decide all points of order, subject to appeal to the Council.

6.3 The Councilors shall help the Presiding Officer preserve decorum during Council meetings and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to follow the authorized directions of the Presiding Officer or these Council Rules.

Councilors are encouraged to avoid the use of facial expressions which may convey "smirking", disbelief, anger or boredom while others are speaking.

Councilors shall, when addressing City Staff, the Council, or members of the public, confine themselves to the questions or issues then under discussion, shall not engage in personal attack, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.

It is never appropriate for Council members to engage in hostile cross-examination, belligerently challenge or belittle a speaker or make personal attacks or bigoted remarks of any kind, under any circumstance. Council members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

Councilors shall dress with dignity and avoid clothing with written messages, especially those which suggest the Councilor is not impartial on an issue which is or is likely to come before the Council or which can reasonably be

considered an effort to intimidate the Council and/or members of the public.

6.4 Members of the City Staff and all other persons attending Council meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Council.

6.5 Any person who makes personal, impertinent, or irrelevant remarks or who becomes boisterous while addressing the Council or attending a Council meeting or who interferes with the conduct of the meeting in violation of these rules, may be removed from the room, after fair warning, if the Presiding Officer so directs. In case the Presiding Officer should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, the person or persons shall be removed as if the Presiding Officer so directed. Stamping of the feet, whistles, yells and cursing are similarly not permitted.

Such person or persons may be barred from further in person audience before the Council and, in aggravated cases, an appropriate complaint shall be issued by the Presiding Officer to prosecute this person or persons.

6.6 If a meeting is disrupted by members of the audience, or the Council, the Presiding Officer may order that the Council Chamber be cleared and a recess called until order is restored.

6.7 Peace Officer. It shall be the policy of the City to have such an officer present at all regular and special meetings. The officer shall carry out all authorized orders and instructions given by the Presiding Officer for the purposes of maintaining order and decorum at the Council meetings. If the officer determines that the actions of any person who violates the order and decorum of the meeting constitutes a violation of any provision of any law, the officer may cite such person, or place such person under arrest and cause such person to be prosecuted under the provisions of the applicable law, or take other appropriate action as outlined in the **Wallowa County Official Police Manual**.

Before the officer is directed to remove any person from a Council meeting for inappropriate behavior as described in these rules, that person shall be given a warning by the Presiding Officer to cease his or her conduct.

SECTION 7. CENSURE, SUSPENSION AND DISMISSAL

7.1 The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Councilors who repeatedly do not follow these rules may be reprimanded or formally censured by the Council and/or by suspended or terminated from their positions on city boards, committees, commissions and task forces. Serious infractions may also lead to other sanctions as deemed appropriate by the Council and authorized by law.

7.2 To exercises such inherent right, the Council has the right to investigate the

actions of any Councilor. Such investigation shall be referred to the Council as a whole in executive session to discuss any evidence or finding that reasonable grounds exist that a substantial violation or repeated violation has occurred. Under O.R.S. 192.660(2)(b), individual has the right to request an open meeting.

7.3 No individual Councilor shall have the right to make public any information obtained through such investigation, unless individual has requested it to be an open meeting.

7.4 If the offenses continue, then the matter should be brought to the attention of the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro Tem.

7.5 It is the responsibility of the Mayor or Mayor Pro-Tem to initiate action if a Councilor's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

7.6 Any Councilor has the right to interrupt a speaker and raise a "point of order" during a meeting if he/she believes that a Council rule is being violated. When raising a "point of order", the Councilor states what rule or order has been violated or not enforced by the Presiding Officer. The Presiding Officer has the responsibility of determining if the point is valid or not.

SECTION 8. CODE OF ETHICS

8.1 Councilors are encouraged to conduct themselves so as to bring credit upon the City as a whole, and to set an example of good ethical conduct for all citizens of the community. Councilors shall review and be bound by the requirements of the State Ethics Law dealing with use of public office for private financial gain. Councilors should constantly bear in mind these responsibilities to the entire electorate, and refrain from actions benefitting any individual or special interest group at the expense of the City as a whole. Councilors should likewise do everything in their power to insure impartial application of the law to all citizens, and equal treatment of each citizen before the law, without regard to race, national origin, sex, age, social station or economic position.

8.2 If the Mayor or a Councilor represents the City before another public body, governmental agency, community organization or with the media, the Mayor or Councilor should always present the majority position of the Council. Personal opinions and comments may be expressed only if it includes clarification that these statements do not represent the position of the City Council.

8.3 A Councilor must have another Councilor's concurrence before representing that Councilor's view or position with the media, if it is different from the majority.

8.4 Councilors are encouraged to visit with other Council Members outside of meetings, so long as they observe the Oregon Open Meeting Law.

SECTION 9. COUNCIL RELATIONS WITH CITY STAFF

9.1 There will be mutual respect from both staff and Councilors of their respective roles and responsibilities when and if expressing criticism in a public meeting.

9.2 No individual Councilor or City Council Committee have Authority over the City Staff or Employees.

9.3 The Council sets City policies and goals, the City staff implements and administers the policies and goals. City staff is controlled by Executive Limitations, Reasonable Interpretation, and Monitoring.

9.4 The Councilors may seek information from Staff members regarding the operation of their department, but will not attempt to change or interfere with the operation or practice of any City department or personnel except by directing their concerns about policy to the Council at large.

9.5 During a City Council meeting, all requests for information shall be directed to the Presiding Officer who may then redirect the request to the appropriate Staff. At other times, if the request for information would entail an effort that would require time to be spent in researching and/or preparing a response, the request shall be made directly to the Council at the next scheduled meeting.

9.6 Councilors shall not attend meetings with City Staff unless requested by Staff or the Council.

9.7 Legal Advice. Requests to the City attorney for advice shall not be made by a Councilor except with the concurrence of the majority of the Council present in person or by speaker phone. The City shall not accept financial responsibility for any legal requests to the City Attorney made by private citizens. Before requesting research or other action by the City Attorney, the Council is encouraged to consider consulting with the City Recorder to ascertain whether the request of action can be accomplished more cost-effectively by alternate means. Outside a Council meeting, a Councilor should make requests of the City Attorney through the City Recorder. The rare exceptions to this are issues related to the performance of the City Staff and unique and sensitive personal, yet City business-related requests. The City attorney shall in either case provide any written response to the full Council and City Recorder.

9.8 List of Items to be Done. The City Recorder shall keep a written running list of all actions to be done as determined by the Council during Council meetings. The list shall include "What is to be done, by whom, by when, what has been done and when" and be available at all times during and between meetings.

SECTION 10. COMMITTEES

10.1 As per the City Charter, Chapter V, Section 20. "The Mayor shall appoint the committees provided by the rules of the council." In the absence of the Mayor, the

Mayor Pro Tem or appointed Chair may appoint committees provided by the Council Rules.

10.2 Qualifications. All appointees to City board, commissions or committees shall be registered electors, and shall have resided in the City of Joseph for a period of at least one year. Task force members may be appointed from inside and outside the city limits but should be involved in the city in some way, such as with a business located within the city.

10.3 The Mayor may, for cause, remove a member from any City board, committee, commission or task force prior to the expiration of the term of office. Reasons for removal may include, but are not limited to: missing three consecutive regular meetings, disruptive or inappropriate behavior prior to, during, or after meetings which prohibit the advisory body from completing its business in a timely manner, or not acting in the best interest of the citizens or City.

10.4 Members of the Council will not attempt to lobby or influence board, committee, task force or commission members on any item under their consideration. It is important for the advisory bodies to make objective recommendations to the Council on items before them. Councilors that attempt to influence board, committee, task force or commission members on any items may prejudice or hinder their role in reviewing the recommendation as Councilors.

10.5 The Budget Committee shall consist of 7 resident lay members and the members of the City Council for a total of 14. The committee shall annually elect a committee chair, vice chair, and secretary. The lay members' terms shall be 3 years, overlapping.

10.6 A Task Force may be appointed for the length of time necessary to accomplish their mission. The appropriate number of appointees may be determined at the time of appointment. Resolutions adopted by commissions and boards may be created by the Council from time to time.

SECTION 11. CONFIDENTIALITY

11.1 Councilors must keep in complete confidence all written material and verbal information provided to them on matters that are confidential under law, to ensure that the City's position is not compromised. No mention of information read or heard which is confidential under law should be made to anyone other than other Councilors, the senior City Staff or Attorney and then only on a "need to know" basis.

11.2 If the Council, in executive session, provides opinions or information to Staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, a proposed, pending or likely claim or litigation, and/or employee negotiations, all contact with the other parties shall be made by the designated staff representative handling the negotiations or litigation.

11.3 All public statements, information or press releases on confidential matters

shall be handled by the designated staff or Council spokesperson.

11.4 Public Records. The disposition of public records created or received by Councilors shall be in accordance with Oregon Public Records Law. Written information incidental to the official duties of a Councilor, including electronic mail, messages, notes, memos and calendars (e.g. "Daytimers") are public records and are subject to disclosure under the Public Records Law.

SECTION 12. SUSPENSION OR AMENDMENT OF COUNCIL RULES

12.1 Any provision of these rules not governed by State law, the City Charter or City Code may be temporarily suspended by a majority vote of the Council present or by speaker phone.

12.2 Amendments, deletions or additions to these Council Rules shall be by Ordinance approved by the City Council.

Passed by the Joseph City Council this 5th day of April, 2007.

Peggy Kite Martin, Mayor

Attest:

Noma McDaniel, City Recorder