

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ALLOWING FOR ELECTRONIC PARTICIPATION BY CITY COUNCIL MEMBERS IN
CITY COUNCIL MEETINGS BY RESCINDING THE CITY COUNCIL POLICY ON
ELECTRONIC PARTICIPATION IN CITY COUNCIL, BOARD, COMMISSION AND
COMMITTEE MEETINGS, ADOPTING THE CITY COUNCIL POLICY ON
ELECTRONIC PARTICIPATION IN CITY COUNCIL MEETINGS, ADOPTING THE
CITY COUNCIL POLICY ON ELECTRONIC PARTICIPATION IN BOARD,
COMMISSION AND COMMITTEE MEETINGS, AND AMENDING THE CITY COUNCIL
RULES OF PROCEDURE**

WHEREAS, the City Council of the City of Cherry Hills Village ("Council") is authorized under its home rule charter and pursuant to its general municipal powers to adopt policies and procedures in furtherance of its municipal functions and authority; and

WHEREAS, in November 2020 Council approved a policy for electronic participation in City Council, board, commission and committee meetings in the case of a declared local disaster emergency (the "Policy") pursuant to Resolution 35, Series 2020, and in May 2021, Council updated its Rules of Procedure (the "Rules") pursuant to Resolution 13, Series 2021 to reference the Policy; and

WHEREAS, Council desires to rescind the Policy, adopt a Policy for Electronic Participation in City Council Meetings, adopt a Policy for Electronic Participation in Board, Commission and Committee Meetings, and amend the Rules to allow Council members to participate electronically in City Council meetings, including public hearings, quasi-judicial matters, and executive sessions.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

Section 1. The City Council hereby rescinds the Policy for Electronic Participation in City Council or Board, Commission and Committee Meetings (adopted by Resolution 35, Series 2020 and amended by Resolution 4, Series 2022).

Section 2. The City Council hereby adopts the Policy for Electronic Participation in City Council Meetings as reflected in **Attachment A**, a copy of which is attached to this resolution.

Section 3. The City Council hereby adopts the Policy for Electronic Participation in Board, Commission and Committee Meetings as reflected in **Attachment B**, a copy of which is attached to this resolution.

Section 4. The City Council hereby amends the City Council Rules of Procedure as reflected in **Attachment C**, a copy of which is attached to this resolution.

Section 5. If any part or provision of this resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this resolution, it being the intention of the City Council that the various provisions hereof are severable.

Section 6. This resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of City Council this 2nd day of September, 2025, by a vote of 6 yes 0 no.

(SEAL)

Kathleen Brown
Kathleen Brown, Mayor

ATTEST:

Laura Gillespie
Laura Gillespie, City Clerk

APPROVED AS TO FORM:

Kathie B. Guckenberger, City Attorney
Joshua Myers

ATTACHMENT A
Policy for Electronic Participation in City Council Meetings

CITY COUNCIL POLICY FOR ELECTRONIC PARTICIPATION IN CITY COUNCIL MEETINGS

I. Purpose

The purpose of this policy is to allow City Council to meet and conduct City business by teleconference, video conference, or other electronic means (“Electronic Participation”).

II. Scope

This policy shall apply to regular and special meetings, including study sessions, of the City Council of the City of Cherry Hills Village (“Meetings”).

This policy incorporates the rules of procedure adopted by the City Council and supplements those rules to facilitate the conduct of Meetings by Electronic Participation. City Council may participate and vote in all matters within the scope of their authority at Meetings conducted by Electronic Participation.

III. Policy

- A. The City Council may hold, and a member of the City Council may participate in, a duly noticed Meeting by Electronic Participation only in accordance with this policy.**
- B. Electronic Participation by City Council Members in Otherwise In-Person Meetings**
 1. City Council members affirm their intent to attend as many Meetings in-person as possible. Electronic Participation will be used infrequently for emergency and rare convenience purposes.
 2. A limit of two Council members may participate in a Meeting by Electronic Participation, or be absent from a Meeting. At least four Council members, not including the Mayor, must be present in-person for a Meeting to proceed. If more than two Council members will be absent or participate by Electronic Participation the Mayor will cancel or reschedule the Meeting.
 3. There is no limit to the number of Meetings per year a City Council member may attend by Electronic Participation.

4. Council members participating by Electronic Participation may participate in public hearings, quasi-judicial matters, and executive sessions. If a Council member participating by Electronic Participation loses their connection during a quasi-judicial matter, the Council member will not be permitted to rejoin the Meeting until after the quasi-judicial matter is concluded, and will not be permitted to participate or vote on the quasi-judicial matter.
5. City Council members using Electronic Participation to participate in an executive session shall ensure that the privacy and confidentiality of the executive session are maintained. No individual City Council member using Electronic Participation for an executive session may permit any other person to hear, see, or otherwise have access to executive sessions or related materials. Except as required by the Colorado Open Meetings Law, no attendees of an executive session shall record executive session discussions.
6. Oaths of office shall be administered in-person only, except in accordance with Section III.C. of this policy.
7. No other person shall participate in any Meeting by Electronic Participation except in accordance with Section III.C. of this policy.
8. City Council members attending by Electronic Participation shall have their cameras on at all times, and shall be in a private, secure, focused space with a good internet connection and low noise. Council members attending by Electronic Participation shall join the Meeting at least 10 minutes prior to the meeting start time.
9. All votes shall be conducted by roll call.
10. The Mayor may discontinue the use of Electronic Participation by a Council member during a Meeting where such connection or participation results in delays or interference in the Meeting process.
11. Consent is not required from a quasi-judicial applicant in order for City Council to hold a quasi-judicial public hearing when up to two City Council members are participating by Electronic Participation in otherwise in-person Meetings.

C. Meetings Held Entirely by Electronic Participation

1. Meetings will be held entirely by Electronic Participation only when the City Council, Mayor, or the City Manager determines that meeting in-person is impractical, impossible, or unlawful.
2. The Clerk or City Manager shall contact City Council members at least twenty-four hours in advance of a regular or special Meeting to provide

notice of a Meeting conducted entirely by Electronic Participation under this policy.

3. The public shall receive at least twenty-four hours' notice of:
 - a. the time of the Meeting;
 - b. the fact that the Meeting will be conducted using Electronic Participation; and
 - c. the means by which the public may join the Meeting electronically.
4. The City Council shall provide adequate opportunity for the public to participate in the Meeting that is commensurate with the similar opportunity that is routinely given during in-person Meetings. The public may submit written comments and materials to the City Clerk by the deadline indicated on the meeting agenda. Written comments and materials received by the deadline shall be distributed to the City Council members prior to the Meeting and be made part of the record.
5. Members of the public must contact the City Clerk by the deadline indicated on the meeting agenda in order to receive information on the means by which the public may join the Meeting electronically. Requests received after the deadline will not be permitted to join the Meeting electronically but can view the live stream and recording of the Meeting on the City website.
6. The City Clerk shall initiate the Electronic Participation a reasonable time before the scheduled time of the Meeting.
7. All votes shall be conducted by roll call.
8. The Mayor may discontinue the use of Electronic Participation by members or citizens during a Meeting where such connection or participation results in delays or interference in the Meeting process. If connection of a Council member is lost, the City Clerk shall make at least two attempts to re-initiate the connection. If a quorum is no longer present, the City Council shall adjourn the Meeting. If technological difficulties impair the orderly processing of quasi-judicial matters or other public hearings, the City Council may continue the matter to a date and time certain.
9. All members of the City Council, at least one City staff member, and applicant and witnesses in quasi-judicial matters, must be able to clearly communicate with one another by Electronic Participation and be able to hear or read all discussion, evidence, and testimony in a manner designed to allow notice and participation.

10. Members of the public must be able to hear or read all discussion, presentations, evidence, testimony, and votes, unless not feasible as determined by the presiding officer of the City Council.
11. The City Council may convene executive sessions in Meetings conducted by Electronic Participation if such sessions otherwise conform to the requirements of Colorado law. City Council members using Electronic Participation to participate in an executive session shall ensure that the privacy and confidentiality of the executive session are maintained. No individual City Council member using Electronic Participation for an executive session may permit any other person to hear, see, or otherwise have access to executive sessions or related materials. Except as required by the Colorado Open Meetings Law, no attendees of an executive session shall record executive session discussions.

D. Quasi-Judicial Matters at Meetings Held Entirely by Electronic Participation

1. Meetings will be held entirely by Electronic Participation only in accordance with Section III.C. of this policy.
2. Except for any public hearing initiated by the City or based on an appeal of an action initiated by the City, each applicant must consent to holding a public hearing electronically. Such consent must be in writing and must be received by the City Clerk no later than thirteen business days prior to the Meeting in order for the public hearing to be held electronically. If such consent is not received the public hearing will not be scheduled.
3. All notices of the public hearing shall include a notification that the public hearing will be conducted electronically, that advance registration for public comment is required, and that information for participation will be provided on the meeting agenda.
4. The meeting agenda must clearly state: (1) that the public hearing will be conducted electronically; (2) that advance registration for public comment is required; (3) the method by which the public may participate; and (4) the deadline for registration and submittal of exhibits by members of the public.
5. An applicant's final submittal of all exhibits to be referenced during the public hearing must be received by the City Clerk no later than thirteen business days prior to the Meeting to ensure all materials are included in the City Council packet. All exhibits are required to be clearly named and labeled.

6. The City Clerk shall send the City Council packet to the City Council members and to the applicant and shall require confirmation of receipt.
7. An applicant's final presentation must be received by the City Clerk no later than 9:00 a.m. the business day before the Meeting.
8. The applicant will appear by video with audio as directed by the City Clerk. The public hearing must be continued in the absence of both video and audio. The applicant should remain connected until the conclusion of the public hearing.
9. Members of the public must contact the City Clerk by the deadline indicated on the meeting agenda in order to receive information on the means by which the public may join the Meeting electronically. Requests received after the deadline will not be permitted to join the Meeting electronically but can view the live stream and recording of the Meeting on the City website.
10. Members of the public must submit any exhibits by the deadline indicated on the meeting agenda. The City Clerk will share exhibits during the appropriate testimony. Members of the public are not permitted to share their screen.
11. Members of the public must disconnect from the meeting platform once they have concluded their testimony. They are encouraged to watch the remainder of the Meeting on the City website.
12. A member of the public may only speak once during a public hearing.
13. The standard for public participation is substantial compliance. Technological errors preventing a particular member(s) of the public from participating in a public hearing shall not invalidate the hearing proceedings, unless the City Council determines that such an error fails to comply with due process requirements under applicable law.
14. The City Manager may choose to continue any public hearing conducted under this policy to a date and time certain if the City Manager determines it is not possible or prudent to hold the public hearing by electronic means.
15. The City Council may continue a public hearing to a date and time certain for reasons set forth in the Municipal Code, to provide additional public participation or obtain additional information, or upon request of the applicant.

E. Reasonable Accommodations

1. The City shall provide reasonable accommodations and shall waive or modify provisions of this policy to provide equal access to Meetings.

ATTACHMENT B

Policy for Electronic Participation in Board, Commission and Committee Meetings

CITY COUNCIL POLICY FOR ELECTRONIC PARTICIPATION IN CITY BOARD, COMMISSION AND COMMITTEE MEETINGS

I. Purpose

The purpose of this policy is to allow City boards, commissions and committees to meet and conduct City business by teleconference or other electronic means, including video conferencing, ("Electronic Participation") when meeting in person is impractical, impossible, or unlawful. A separate policy governs Electronic Participation for City Council.

II. Scope

This policy shall apply to all regular and special meetings, including study sessions, ("Meeting" or "Meetings") of all City boards, commissions, and committees ("Boards").

This policy incorporates the rules of procedure adopted by the body holding the Meeting, and supplements those rules to facilitate the conduct of Meetings by Electronic Participation. To the extent applicable, Board members may participate and vote in legislative and administrative matters within the scope of their authority at Meetings conducted by Electronic Participation. In addition, Boards may participate and vote in quasi-judicial matters within the scope of their authority at Meetings conducted entirely in-person or entirely by Electronic Participation in accordance with this policy.

III. Policy

Any City board, commission, or committee may hold, and a member of a Board may participate, in a duly noticed Meeting of such body by Electronic Participation only in accordance with this policy.

A. Requirements for Conducting Meetings via Electronic Participation. The Board may conduct Meetings using Electronic Participation only if all of the following conditions are met:

1. The City Manager determines that meeting in person is impractical, impossible, or unlawful;
2. All members of the Board, at least one City staff member, and applicant and witnesses in quasi-judicial matters, can clearly communicate with one another by Electronic Participation and can hear or read all discussion, evidence, and testimony in a manner designed to allow notice and participation;
3. All votes are conducted by roll call;

4. Members of the public can hear or read all discussion, presentations, evidence, testimony, and votes, unless not feasible as determined by the presiding officer of the Board;
5. The public receives at least twenty-four hours' notice of:
 - a. the time of the Meeting;
 - b. the fact that the Meeting will be conducted using Electronic Participation; and
 - c. the means by which the public may join the Meeting electronically.
6. The Board shall provide adequate opportunity for the public to participate in the Meeting that is commensurate with the similar opportunity that is routinely given during in-person Meetings. The public may submit written comments and materials to the staff liaison by the deadline indicated on the meeting agenda. Written comments and materials received by the deadline shall be distributed to the Board members prior to the Meeting and be made part of the record.
7. The Board may convene executive sessions in Meetings conducted by Electronic Participation if such sessions otherwise conform to the requirements of Colorado law. Board members using Electronic Participation to participate in an executive session shall ensure that the privacy and confidentiality of the executive session are maintained. No individual Board member using Electronic Participation for an executive session may permit any other person to hear, see, or otherwise have access to executive sessions or related materials. Except as required by the Colorado Open Meetings Law, no attendees of an executive session shall record executive session discussions.
8. The Board Chair may discontinue the use of Electronic Participation by members or citizens during a Meeting where such connection or participation results in delays or interference in the meeting process. If connection of a Board member is lost, the staff liaison shall make at least two attempts to re-initiate the connection. If a quorum is no longer present, the Board shall adjourn the meeting. If technological difficulties impair the orderly processing of quasi-judicial matters, the Board may continue the matter to a date and time certain.

B. Arranging for Electronic Participation

1. The staff liaison or City Manager shall contact Board members at least twenty-four hours in advance of a Meeting to provide notice of a Meeting conducted under this policy.
2. Members of the public must contact the staff liaison by the deadline indicated on the meeting agenda in order to receive information on the means by which the public may join the Meeting electronically. Requests received after the deadline will not be permitted to join the Meeting electronically but can view the live stream and recording of the Meeting on the City website.

3. The staff liaison shall initiate the Electronic Participation a reasonable time before the scheduled time of the Meeting.

C. Quasi-Judicial Matters

1. Quasi-judicial public hearings must be held entirely in-person or entirely by Electronic Participation.
2. Except for any public hearing initiated by the City or based on an appeal of an action initiated by the City, each applicant must consent to holding a public hearing electronically. Such consent must be in writing and must be received by the staff liaison no later than thirteen business days prior to the Meeting in order for the public hearing to be held electronically. If such consent is not received the public hearing will not be scheduled.
3. All notices of the public hearing shall include a notification that the public hearing will be conducted electronically, that advance registration for public comment is required, and that information for participation will be provided on the meeting agenda.
4. The meeting agenda must clearly state: (1) that the public hearing will be conducted electronically; (2) that advance registration for public comment is required; (3) the method by which the public may participate; and (4) the deadline for registration and submittal of exhibits by members of the public.
5. An applicant's final submittal of all exhibits to be referenced during the public hearing must be received by the staff liaison no later than thirteen business days prior to the Meeting to ensure all materials are included in the Board packet. All exhibits are required to be clearly named and labeled.
6. The staff liaison shall send the Board packet to the Board members and to the applicant and shall require confirmation of receipt.
7. An applicant's final presentation must be received by the staff liaison no later than 9:00 a.m. the business day before the Meeting.
8. The applicant will appear by video with audio as directed by the staff liaison. The public hearing must be continued in the absence of both video and audio. The applicant should remain connected until the conclusion of the public hearing.
9. Members of the public must contact the staff liaison by the deadline indicated on the meeting agenda in order to receive information on the means by which the public may join the Meeting electronically. Requests received after the deadline will not be permitted to join the Meeting electronically but can view the live stream and recording of the Meeting on the City website.
10. Members of the public must submit any exhibits by the deadline indicated on the meeting agenda. The staff liaison will share exhibits during the appropriate testimony. Members of the public are not permitted to share their screen.

11. Members of the public must disconnect from the meeting platform once they have concluded their testimony. They are encouraged to watch the remainder of the Meeting on the City website.
12. A member of the public may only speak once during a public hearing.
13. The standard for public participation is substantial compliance. Technological errors preventing a particular member(s) of the public from participating in a public hearing shall not invalidate the hearing proceedings, unless the Board determines that such an error fails to comply with due process requirements under applicable law.
14. The City Manager may choose to continue any public hearing conducted under this policy to a date and time certain if the City Manager determines it is not possible or prudent to hold the public hearing by electronic means.
15. The Board may continue a public hearing to a date and time certain for reasons set forth in the Municipal Code, to provide additional public participation or obtain additional information, or upon request of the applicant.

D. Reasonable Accommodations.

1. The City shall provide reasonable accommodations and shall waive or modify provisions of this policy to provide equal access to Meetings.

ATTACHMENT C
City Council Rules of Procedure

**CHERRY HILLS VILLAGE
CITY COUNCIL
RULES OF PROCEDURE**

Adopted August 7, 2012

Amended March 3, 2015; January 19, 2016; May 18, 2021; May 17, 2022, and September 2, 2025

ARTICLE 1.	<p><u>Authority.</u></p> <p><i>Section 1.</i> These Rules of Procedure are adopted by the City of Cherry Hills Village City Council pursuant to the authority vested in Section 3.7 of the City of Cherry Hills Village Home Rule Charter and Section 2-2-10 of the City of Cherry Hills Village Municipal Code. Deviations from these Rules that do not violate the Charter or any law may be permitted at the discretion of the Mayor.</p>
ARTICLE 2.	<p><u>Roles and Responsibilities.</u></p> <p><i>Section 1.</i> Refer to Article III of the Charter.</p>
ARTICLE 3	<p><u>Meetings.</u></p> <p><i>Section 1.</i> The City Council consists of the Mayor and six Council members. Four members of the Council constitute a quorum (see Section 3.7 of the Charter). The Mayor is not counted for the purposes of establishing a quorum.</p> <p><i>Section 2.</i> An organizational meeting shall be held at the first Council meeting in the month of January following each regular City election (see Section 3.7 of the Charter). At this meeting elected City Council members and the Mayor-elect shall assume the duties of office; the newly elected Mayor and Council members shall take their oath of office; and the Mayor Pro Tem shall be elected by the Council.</p> <p><i>Section 3. Regular Meetings.</i></p> <p>(A) Regular meetings of the City Council shall be scheduled for the first and third Tuesday of each month with the following exceptions:</p> <ul style="list-style-type: none">• In July only one meeting shall be held on the third Tuesday of the month.• In December only one meeting shall be held on the second Wednesday of the month.• Regular meetings that fall on a major secular or religious holiday shall be rescheduled or cancelled. <p>Regular meetings may be rescheduled or cancelled at the discretion of the Mayor, provided that the Council shall meet at least once each month as required by Charter Section 3.7. All meetings will be held at the Village Center at 2450 East Quincy Avenue, or at such other venue as Council shall select and provide notice thereof in accordance with applicable law. All meetings will begin at 6:30 p.m. unless otherwise noted on the agenda. City Council meetings may be conducted electronically, and Electronic Participation in City Council meetings is permitted, in accordance with the City Council Policy for Electronic Participation in City Council Meetings.</p>

	<p>(B) The order of business at regular meetings shall be as follows unless adjusted by the Mayor.</p> <ol style="list-style-type: none"> 1. Call to Order 2. Roll Call of Members 3. Pledge of Allegiance 4. Audience Participation 5. Reports from City Boards, Commissions and Committees 6. Consent Agenda 7. Items Removed From Consent Agenda 8. Unfinished Business 9. New Business 10. Reports <ol style="list-style-type: none"> a. Mayor b. Members of City Council c. City Manager and Staff d. City Attorney 11. Adjournment <p>(C) The Mayor may adjust the order of business and allow scheduled presentations, at a time and in a manner most convenient for the public, staff, and Council.</p> <p><i>Section 4.</i> Special meetings of the Council shall be called by the City Clerk on the oral request of the Mayor, or of any two members of the Council, on at least 24 hours' advanced written or telephonic notice to each member of the Council, but a special meeting may be held on shorter notice if all members of the Council are present or those absent waive notice thereof (Section 3.8 of the Charter) provided that public notice requirements for the meeting are met. Special meetings may be conducted electronically, and Electronic Participation in special meetings is permitted, in accordance with the City Council Policy for Electronic Participation in City Council Meetings.</p> <p><i>Section 5.</i> The purpose of a study session shall be to hear, study, and discuss matters in a forum that allows for more attention to the matter than a regular meeting. Study sessions shall be open to the public but audience participation will not necessarily be taken. No business shall be transacted and no formal action shall be taken at a study session. However, the Council may by consensus provide City staff with direction concerning agenda related items. When possible, study sessions shall be held directly before a regular meeting of the Council. Study sessions may be conducted electronically, and Electronic Participation in study session is permitted, in accordance with the City Council Policy for Electronic Participation in City Council Meetings.</p> <p><i>Section 6. Executive Sessions</i></p> <p>(A) Executive sessions may only be held at a regular or special meeting and shall comply with the provisions of C.R.S. § 24-6-402.</p>
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(B) A motion to move into executive session from a regular or special meeting shall set forth the matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized. The motion shall include specific citation to the provision of C.R.S. § 24-6-402 authorizing the executive session. The motion shall be approved by 2/3 majority or more of the Council members present on roll call.

(C) The Council shall make no final policy decision, nor shall it adopt or approve any resolution, rule, ordinance, regulation or formal action at any session closed to the general public.

(D) Discussions that occur during executive session, except attorney-client privileged communications as identified in C.R.S. § 24-6-402(d.5)(II)(A), shall be recorded by making an audio recording that shall be retained for ninety (90) days after the date of the executive session. The audio recording shall be kept for the required ninety (90) days by the City Attorney unless the City Attorney was the topic of the executive session.

(E) All persons present shall preserve the confidentiality of the matters discussed in executive session.

(F) Executive sessions may be conducted electronically, and Electronic Participation in executive sessions is permitted, in accordance with the City Council Policy for Electronic Participation in City Council Meetings.

Section 7. Agendas and Council Packet.

(A) The agenda shall be maintained by the City Clerk and may be modified by the City Manager or Mayor. The City Manager will submit a proposed agenda to the Mayor for review prior to the Council packet being distributed. Any Council member may submit to the City Clerk items for the agenda, which shall be included on the agenda for the next scheduled meeting if provided to the City Clerk at least 24 hours prior to distribution of the Council packets. Draft agendas shall be made available to the City Council at the previous meeting. Agendas shall be posted at the location designated by Council for notices of meetings at least 24 hours prior to any regular or special meeting. The agenda shall be made available to the public through the City website or by request at the Village Center.

(B) The Council packet shall generally be provided to Council members no later than the Wednesday preceding any regularly scheduled meeting. Supporting information not available the Wednesday before the meeting may be provided to Council subsequent to the packet or at the meeting. The Council packet shall be made available to the public through the City website or by request at the Village Center. A public copy of the Council packet will be provided at the Council meeting.

Section 8. The Mayor, Mayor Pro Tem, or other designated Council member in their absence, shall serve as the presiding officer in the conduct of meetings. In the event of

absence or disability of both the Mayor and the Mayor Pro Tem, the Council shall designate another of its members to serve as Acting Mayor during such absence or disability. Any Mayor Pro Tem or Acting Mayor, while serving as such, shall retain all powers granted to Council members by the Charter and Municipal Code (Sections 3.3, 5.1 and 5.5 of the Charter). References to the Mayor's powers and duties during a Council meeting in these Rules shall apply to the presiding officer at the meeting.

Section 9. At all times, the discussions and motions of the Council and remarks of members of the public shall be directed to the Mayor, and shall be preceded by recognition from the Mayor.

Section 10. General Discussion.

(A) Each member of Council shall be afforded an opportunity to speak on the matter under discussion before moving on to another topic of discussion. The Mayor may set a time limit on any such discussion of members of Council.

(B) Council members shall not be permitted to explain their vote during a roll call. Such explanation is permitted during the discussion of the question or motion.

Section 11. Audience Participation.

(A) Any person may speak to the Council on any matter during the Audience Participation period at the beginning of each regular and special Council meeting. The City Clerk shall post an audience participation sign-up form before each regular meeting. Immediately prior to the audience participation portion of the meeting, the City Clerk shall hand the sign-up form to the Mayor. The Mayor shall call those signed up to speak before Council in the order they have signed up.

(B) Audience participation shall be limited to 5 minutes per speaker.

(C) The Mayor may restrict cumulative or redundant presentations.

(D) Those attending Council meetings shall refrain from disruptive, vulgar or abusive language, applause, heckling or other actions that interfere with the orderly function of the Council. The Mayor may take any reasonable steps to maintain the order and dignity of Council meetings.

Section 12. Public Hearings

(A) Public hearings will be held as required by the Charter and the Municipal Code. The Mayor will open each hearing and allow any person in attendance to address the issue subject to the rules contained in Section 11 concerning audience participation. The purpose of any Public Hearing shall be to: (1) allow applicants an opportunity to present evidence in support of their application; (2) ensure compliance with due process principles; and (3) provide everyone an opportunity to present their views and recommendations on the issue that is the subject of the hearing.

(B) The Mayor and Council members shall not debate or challenge the position of any speaker, but may question a speaker in order to fully understand their position.

The Mayor and Council shall reserve their comments on public testimony until the issue is before the Council for discussion.

(C) Written communications submitted directly to City staff or Council must be submitted at least 24 hours in advance of the public hearing to ensure inclusion in the record. Written comments or postings related to a public hearing that are submitted on the City's social media, including but not limited to Facebook, shall not be considered part of the record, unless specifically included in the record via staff report or by acknowledgement of Council. All written materials submitted to the City Clerk or the Council at the public hearing shall be considered part of the record.

(D) Public hearings may be conducted electronically, and Electronic Participation in public hearings is permitted, in accordance with the City Council Policy for Electronic Participation in City Council Meetings.

Section 13. Method of Voting

(A) On motions that do not require a roll call of votes, the Mayor shall ask that all those in favor of the motion signify by saying yes. Those members in favor shall give said sign. The Mayor shall then ask that all those opposed signify by saying no. Those members opposed shall give said sign. The Mayor shall signify if the motion passes or fails. The City Clerk shall record the results of the motion in the minutes of the meeting.

(B) On motions that require a roll call of votes, the Mayor shall ask the City Clerk for a roll call. The City Clerk shall perform the roll call and record each member's vote in the minutes. The Mayor shall signify if the motion passes or fails.

(C) All votes shall be conducted by roll call if any Council member is attending by Electronic Participation

Section 14. If a member of Council has a personal, financial or other conflict of interest, or appearance thereof that would affect public confidence in any matter to be voted upon or otherwise officially considered, deemed by the affected Council member to require recusal, then a brief statement of such disclosure shall be presented prior to any consideration of the matter by Council, and the recusing Council member shall then not participate in any discussion or vote of the matter.

Section 15. Record of proceedings shall be taken by the City Clerk in the form of written minutes. Written minutes will be prepared by the City Clerk and be presented for Council's approval at the next regular or special meeting. Following approval, the written minutes will be made available to the public at the Village Center and on the City website.

Section 16. City Council meetings shall be live-streamed on the City website and the recordings of the meetings maintained on the City website.

ARTICLE 4.	<p><u>Ordinances</u></p> <p><i>Section 1.</i> Any legislative action by the Council shall be by adoption of an ordinance. All other matters may be decided by adoption of a motion or resolution as the Council deems appropriate.</p> <p><i>Section 2.</i> The Mayor, any Council member, or the City Manager may request that a proposed ordinance be placed on a Council agenda. A proposed ordinance may be introduced by any member of Council. Introduction may be by title only, or in full text (Section 4.5 of the Charter). Where feasible, the person proposing the ordinance may present the proposed text together with a written or oral explanation for the purpose and content of the proposed ordinance at a regularly scheduled meeting before first consideration.</p> <p><i>Section 3.</i> Any ordinance approved on first consideration shall be placed on the agenda of the next regular or special Council meeting for second and final consideration provided said meeting is at least six days after passage on first consideration. The proposed ordinance must be completed in written form and a copy provided to each Council member before second consideration (Section 4.5 of the Charter). If a public hearing is required for the second consideration of an ordinance then said ordinance shall be placed on the agenda of the next regular or special meeting after the required publication is accomplished.</p> <p><i>Section 4.</i> Emergency ordinances shall be governed by the procedures set out in Section 4.5 of the Charter.</p> <p><i>Section 5. Ordinances and Public Hearings for Rezonings and Vested Rights</i></p> <p>(A) Approval on first consideration of an ordinance does not constitute final approval or indicate approval of the ordinance at second consideration. An approval on first consideration will authorize second consideration of the ordinance and set the date for the future public hearing, consistent with allowing an applicant the requisite process and hearing opportunity provided for in the Municipal Code.</p> <p>(B) The public hearing will be held on second consideration of the ordinance. The second consideration and public hearing shall include the full staff presentation, applicant presentation, and public comments.</p> <p>(C) Public hearings may be conducted electronically, and Electronic Participation is permitted, in accordance with the City Council Policy for Electronic Participation in City Council Meetings.</p>
ARTICLE 5	<p><u>Conflicts of Interest and Ethical Considerations.</u></p> <p><i>Section 1.</i> Members of Council shall adhere to Article IX of Chapter 2 of the Municipal Code, the Code of Ethics.</p>

ARTICLE 6	<p><u>Attendance and Absences.</u></p> <p><i>Section 1.</i> The Council must have a quorum to do business. Therefore, governance of the City requires that all members of the Council attend Council meetings in order to fulfill their obligation to the citizens of the City by fully participating in the process of government. Additionally, each member of the Council has an obligation to his or her fellow members to be informed and attend Council meetings.</p> <p><i>Section 2.</i> Attendance by Electronic Participation is permitted in accordance with the City Council Policy for Electronic Participation in City Council Meetings.</p> <p><i>Section 3.</i> If it is necessary for a Council member to be absent from a regular meeting of the Council, the Council member shall notify the Mayor and City Clerk prior to the meeting.</p> <p><i>Section 4.</i> If it is necessary for the Mayor to be absent from a regular meeting of the Council, the Mayor shall notify the City Clerk's office prior to the meeting.</p>
ARTICLE 7	<p><u>Finances.</u></p> <p><i>Section 1.</i> The City shall pay or reimburse the Mayor and Council members for necessary bona fide expenses incurred in service on behalf of the City if authorized, itemized and maintained as a matter of public record. The City will pay or reimburse the Mayor and Council members for travel expenses and mileage allowance according the City's generally applicable policies governing employee travel expenses and mileage allowance (Sections 3.6 and 5.3 of the Charter).</p> <p><i>Section 2.</i> The City will not pay or reimburse the Mayor or Council members for any costs associated with a member's spouse attending any related function.</p>
ARTICLE 8	<p><u>Electronic Mail and Social Media</u></p> <p><i>Section 1.</i> Electronic communications such as email shared among the Council may constitute a meeting to which open meetings and open records requirements may apply. The Elected Officials Email Policy included as Appendix A to these Rules shall provide a guide to elected officials.</p>
ARTICLE 9	<p><u>Amendment of Rules.</u></p> <p><i>Section 1.</i> Any additions hereto or modifications or amendments hereof shall be submitted in writing at a regular meeting and shall be acted upon no sooner than at the next meeting of Council as an agenda item. This requirement may be waived only upon the unanimous affirmative-recorded vote of all members of Council.</p>
ARTICLE 10	<p><u>Robert's Rules of Order</u></p> <p><i>Section 1.</i> To the extent helpful, relevant and not inconsistent with these Rules, Robert's Rules of Order Newly Revised shall apply.</p>