

PART II - CODE OF ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE II. - CITY COUNCIL
DIVISION 4. - MEETINGS

DIVISION 4. - MEETINGS ^[10]

⁽¹⁰⁾ **Charter reference—** Meetings, § 2.8.

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Sec. 2-111. - Organizational.

The city council shall meet at the usual place for holding meetings on the first Monday in October following the regular general city election, at which meeting the members elected shall be sworn to the faithful discharge of their duties by the city clerk.

(Code 1960, § 2.206(c))

Sec. 2-112. - Agenda.

The agenda for each regular meeting of the city council shall be prepared by the city clerk. The city clerk may set the closing of the agenda at a date and time which shall allow legal publication of agenda items as provided by this Code. Such agenda shall be distributed to each member of the city council preceding the regular meeting.

(Code 1960, § 2.206(b))

Sec. 2-113. - Location; changing notice.

(a) The date and time of the regular meetings of the city council shall be Monday following the first and third Thursdays of each month at 7:00 p.m., and the place for the meeting shall be held in the city council chambers or such other place as the city council by resolution shall authorize. The meetings shall start at 7:00 p.m. unless changed by unanimous consent of the city council.

(b) The place of the meetings may be changed by a resolution of the city council, if adopted, at least two weeks prior to the changing of the location of the city council chambers; and such resolution shall be published at least once in a newspaper published in the city. There shall be no tobacco smoking of any kind in the city council chambers during any public meeting.

(Code 1960, § 2.207)

Charter reference— Council meetings, § 2.8.

Sec. 2-114. - Open meetings.

All meetings of the city council shall be open to the public and may be continued to another time and location.

(Code 1960, § 2.207)

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State law reference— Open meeting required, AS 29.20.020; open meetings, AS 44.62.310.

Sec. 2-115. - Absences; teleconferencing.

(a) *Absence.* No member shall absent himself from any regular meeting of the city council except for good and sufficient cause as determined by the council.

(b) *Teleconferencing/videoconferencing.* A member may participate at any meeting of the city council by teleconferencing/videoconferencing if the member, cannot physically attend the meeting; however, the member's physical absence shall not exceed 90 continuous days for medical circumstances and shall not exceed 30 continuous days for non-medical circumstances in any calendar year.

(Code 1960, §§ 2.204, 2.206(b), (c); Ord. No. 5530, § 1, 5-5-2003; Ord. No. 5749, § 1, 5-24-2008)

State law reference— Open meeting required, AS 29.20.020; teleconferencing, open meetings, AS 44.62.310.

Sec. 2-116. - Special meetings; manner of calling; notice; time; place.

(a) Special meetings of the city council may be called by the mayor, and in case of their absence, disability or refusal, may be called by a majority of the city council.

(b) Notice of such meeting shall be given each member of the city council and the mayor at least 24 hours before the time of holding such special meeting.

(c) The place of all special meetings shall be at the regular meeting place or at such other place agreeable to a majority of the city council.

(Code 1960, § 2.208)

Sec. 2-117. - Emergency meetings; notice; justification.

The city council may meet upon shorter notice than 24 hours at any place, by unanimous consent of all of its members present, recorded in the record of such meetings, provided the city council unanimously finds and so votes at such meetings that there is an emergency justifying such meeting and the public interest so requires.

(Code 1960, § 2.209)

Sec. 2-118. - Work sessions and council committees.

The city council may hold informal work sessions to discuss matters of interest to the city council, to receive informal reports and to discuss matters to be considered at regular or special meetings. Minutes need not be kept at work sessions. Work sessions may be held jointly with city boards and commissions, and with other public bodies. Public notice of work sessions and committee meetings shall be given and the public is entitled to attend work sessions and committee meetings. Public testimony at work sessions and committee meetings is at the option of the majority of the council for work sessions or the option of the majority of council members attending a committee meeting. Except for regularly held work sessions and committee meetings, the place, time and subject of each work session shall be given to local news media prior to the session. No final official action shall be taken at any work session or committee meeting, but the city council may hold a special meeting during or after a work session or committee meeting as provided in sections 2-116 and 2-117.

(Code 1960, § 2.210; Ord. No. 5626, § 1, 11-19-2005)

Sec. 2-118.1. - Council finance committee.

(a) A city council finance committee is hereby established as a standing committee of the city council with the duties of considering all matters relating to the fiscal operation of the city. The finance committee shall make recommendations regarding fiscal matters to the full city council. Examples of topics to be reviewed include budget requests, ordinances amending the budget estimate, applications for grants and the annual audit.

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(b) The finance committee shall meet at regular times in compliance with section 2-118. The finance committee shall consist of the city mayor, all current members of the city council and one non-voting public member with experience in finance, accounting or management appointed by the city mayor for a three year term subject to confirmation by the city council. Council members whose term of office is concluded shall be replaced. The city chief financial officer and chief of staff shall be ex-officio members of the committee.

(Ord. No. 5626, § 2, 11-19-2005)

Sec. 2-119. - Order of business; citizens addressing city council.

(a) At every regular meeting of the city council, the order of business shall be as follows:

- (1) Roll call.
- (2) Invocation.
- (3) Flag salutation.
- (4) Approval of agenda and consent agenda. (Approval of consent agenda passes all routine items indicated by asterisk (*) on the agenda. Consent agenda items are not considered separately unless a councilmember so requests. In the event of such request, the item is returned to the general agenda.)
- (5) Citizens' comments, oral communication to the city council on any item not up for public hearing (unscheduled; testimony limited to five minutes per topic).
- (6) Approval of minutes of previous meetings.
- (7) Special orders (testimony limited to five minutes).
- (8) Mayor's comments and report.
- (9) Unfinished business (testimony limited to five minutes).
- (10) New business.
- (11) Discussion items (information and reports).
- (12) Written communication to the city council.
- (13) Councilmembers' comments.
- (14) City clerk's report.
- (15) City attorney's report.
- (16) Adjournment.

(b) Any person who desires to raise any matter not on the agenda shall be heard under citizens' comments, oral communications to city council on nonagenda items or councilmember comments. Any councilmember who desires to raise any matter not on the agenda shall be heard under citizens' comments, oral communications to the city council on nonagenda items or councilmember comments. After such a matter has been raised and fully presented no further debate or action shall be taken by the city council except by unanimous consent, but the matter may be referred or may be ordered placed on the agenda for a future conference session, special or regular city council meeting.

(c) Any person may raise any matter by a written communication to the city council, which matter shall be placed on the agenda for the next city council meeting for which the agenda has not been closed. Any councilmember may raise any matter by requesting the city clerk to place such matter on the agenda for the next city council meeting for which the agenda has not been closed.

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- (d) Any subject may, by motion of the city council or direction of the mayor, be made a special order of business for a future day or a future time; and when the time fixed for its consideration arrives, the presiding officer shall lay it before the city council.
- (e) Persons not members of the city council may be permitted to address the city council by leave of the presiding officer or of the city council at any time on any matter before the city council at public hearings.
- (f) The rules of section 2-120 and section 2-121 shall be applicable to persons addressing the city council.
- (g) Prior to any public hearing held by the city council, the presiding officer or any council member may request a staff report regarding the subject of the public hearing at which time staff will provide information on the topic and respond to questions posed by councilmembers.

(Code 1960, § 2.212; Ord. No. 5431, § 1, 3-24-2001; Ord. No. 5447, § 1, 8-25-2001; Ord. No. 5777, § 1, 7-11-2009)

Sec. 2-120. - Rules of procedure.

- (a) A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be entertained.
- (b) No appeal from any decision of the presiding officer shall be entertained unless it is seconded, and no other business shall be in order until the question on appeal has been decided. The question on the appeal is not debatable and shall be put as follows: "Shall the decision of the chair stand as the judgment of the city council?" It shall be deemed to be decided in the affirmative unless a majority of the votes given are to the contrary.
- (c) Any member may make a parliamentary inquiry of the chairman at any time during the meeting.
- (d) Any member may make a point of order without a second at any time. The presiding officer may speak to points of order in preference to other members and shall decide all such questions, subject to appeal to the city council by motion duly seconded, and no other business shall be in order until the question on the appeal has been decided.
- (e) When the previous question is moved by any member, all debate on the main question shall be suspended immediately and the presiding officer shall put the question in the following form: "The previous question is moved on (specifying the motion on which the previous question is demanded). As many as are in favor of ordering the previous question will so indicate." If four members vote "aye," the affirmative has it, the previous question is ordered, and the chairman will proceed immediately to put to a vote the question on which the previous question was ordered. If less than four members so indicate, the negative has it, the motion is lost, and the question reverts to the immediately pending question which is again open to debate and amendment as if the previous question had not been demanded.
- (f) The presiding officer shall put all questions in the order in which they are moved unless a subsequent motion shall be previous in its nature; except in naming sums and fixing times, the largest sum and the longest time shall be put first.
- (g) Except as otherwise provided, no resolution or ordinance shall be reconsidered on the day upon which the final vote was taken. A member who voted on the prevailing side may:
 - (1) On the day upon which final vote was taken, give and have entered in the minutes a notice of intention to move a reconsideration at the next city council meeting.
 - (2) On the day immediately following the vote on a resolution or ordinance, give the city clerk written notice of reconsideration.

When such notice is given, any member may at the next city council meeting move a reconsideration of the question. The affirmative votes of four members of the city council, excluding the mayor, may order a reconsideration taken up at the same meeting that notice of reconsideration is given. The motion for reconsideration opens for debate, and the question to be considered shall have precedence over every other motion except the motion to adjourn. When a motion is reconsidered, that vote is canceled as though it had never been taken. When a majority votes to reconsider, the question immediately recurs upon the question reconsidered. There shall be but one reconsideration, even though the action of the city council after reconsideration is opposite the action of the city council before reconsideration.

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- (h) Any motion must be reduced to writing if the presiding officer so requires or any member so demands, and no other motion shall be entertained until reasonable time (not over ten minutes) is afforded for compliance with this rule.
- (i) Any previous vote may be rescinded by vote of four members of the city council at any time, provided the subject matter has not passed out of the control of the city council.
- (j) All motions shall require a second, unless otherwise provided.
- (k) Any member may require the division of a question, when the sense of it will admit.
- (l) When a question is under debate, the presiding officer shall receive any of the following motions but no other:
 - (1) To adjourn.
 - (2) To recess.
 - (3) To raise a question of privilege.
 - (4) To call for the order of the day, or the regular order.
 - (5) To lay on the table.
 - (6) For the previous question.
 - (7) To limit or extend limits of debate.
 - (8) To postpone to a certain time.
 - (9) To refer.
 - (10) To amend.
 - (11) To postpone indefinitely.

When one of the motions referred to in subsections (l)(1)—(15) has been made, none of the others inferior to it in the order in which they stand above shall be made, and in proceeding to vote, motions pending shall be put in the order of their rank as arranged in subsections (l)(1)—(15). The first seven are not subject to debate. A motion to postpone to a certain time, refer, amend or to postpone to a certain time, refer, amend or to postpone indefinitely may be amended; the previous question may be demanded before an amendment, which motion shall be decided without debate. A motion to adjourn shall always be in order provided that business of a nature to be recorded in the journal has been transacted since any previous motion to adjourn has been defeated. No motion or proposition of a subject different from that under consideration shall be admitted under color of an amendment. When a matter has been especially assigned to be taken up at a fixed time, or at certain stage of proceedings, such matter shall, at the appointed time or at any subsequent time, be in order upon the call of any member, and take precedence over all other business.

(m) After a motion is stated or read by the presiding officer, it shall be deemed to be in the possession of the city council and shall be disposed of by vote; but the mover may withdraw it at any time before decision or amendment, by consent of the second.

(n) In all matters of parliamentary procedure not covered by this section, the most current edition of Robert's Rules of Order, Newly Revised, shall be applicable and govern. In those cases where Robert's does not address the question before the chair in sufficient detail to assist in the resolution of the question, the city council shall be guided by parliamentary law as it may be collected from the best authorities.

(o) The city council rules and order of business shall be observed in all cases unless suspended temporarily for good cause by a vote of five members present. Any member may move at any time for the suspension of any rule, and such motion must be seconded to entitle it to consideration.

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(p) If any member, in speaking or otherwise, transgresses the rules of the city council, the presiding officer shall, or any member may, call him to order; in which case the member so called to order shall immediately cease discussion unless permitted by the presiding officer to explain; and the city council, if appealed to, shall decide the question without debate. If the decision is in favor of the member so called to order, he shall be at liberty to proceed; if otherwise, he shall not proceed without leave of the city council to proceed in order.

(Code 1960, §§ 2.213, 2.215(b)—(d))

Charter reference— Rules of procedure, § 2.10.

Sec. 2-121. - Speaking; recognition; germane; interruption; limitation.

(a) A member about to speak shall respectfully address the chair, and shall not commence to speak until recognized by the presiding officer. When two or more members request to speak at the same time, the presiding officer shall determine which one is recognized.

(b) Every member while speaking shall confine himself to the subject under debate, shall refrain from personalities, and shall not refer to any other member of the city council except in a respectful manner.

(c) Unless a member who has the floor yields for that purpose, no member shall interrupt another while speaking, except to propound a parliamentary inquiry or make a point of order.

(d) No member shall speak more than twice or for more than ten minutes continuously to any one question, except that one or more additional periods of ten minutes may be granted by unanimous consent. The reading of papers desired by any member shall be read by himself or by the city clerk within the member's time limitation unless permission for the city clerk to read such paper outside the time limitation is unanimously granted.

(Code 1960, § 2.216)

Sec. 2-122. - Voting.

(a) The presiding officer shall declare all votes; but if any member doubts a vote, the presiding officer, without further debate upon the question, shall request the members voting in the affirmative and negative respectively to so indicate, and he shall declare the result.

(b) In all meetings of the city council, the vote shall be taken by yeas and nays on the passage of all ordinances, resolutions and authorizations for the payment of money, and on the passage of any motion when called for by any member of the city council; and such yea and nay votes of each member shall be permanently entered on the record of the proceedings of the city council by the city clerk. Other votes may be by voice or show of hands.

(c) Every member who shall be present when a question is put, where he is not disqualified by personal interest, shall vote, unless the city council for special reason excuses him. Applications to be so excused may be made before the vote, and shall be decided without debate.

(d) Anything to the contrary in this division notwithstanding, in all cases where an extraordinary majority is not required, and when no motion is before the city council, the chairman may, in lieu of calling for or awaiting a motion to be made, put the question in the following form: "Without objection, it will be so ordered." If no objection is heard, he shall announce: "It is so ordered," which will have the same effect as if a motion to that effect had been made and voted upon favorably. If a single objection is reasonably expressed when the question is put, the chairman shall not proceed further under this rule, but instead shall call for a motion, which motion shall be handled in the regular manner.

(Code 1960, § 2.217)

⁽¹⁰⁾ **State Law reference—** Open meeting required, AS 29.20.020; open meetings act, AS 44.62.310. (Back)