

ORDINANCE NO. **02-5222**

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SECTIONS 2-211, 2-212, AND 2-215 OF SAID CODE AND ADDING A SECTION TO BE NUMBERED 2-226; PROVIDING THAT COUNCIL MEETINGS CONVENE AT 6:30 P.M.; AND, ESTABLISHING BY ORDINANCE CITY COUNCIL WORK SESSIONS AND RULES OF ORDER .

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

*Section 1.* That Section 2-211 of the Billings, Montana City Code be amended so that such section shall read as follows:

**“Sec. 2-211. Calling to order; quorum.**

The city council shall hold a regular meeting for the transaction of city business on the second and fourth Mondays in each month, and such other meetings to which the council, by order, may adjourn, or which may be called. If the regular council meeting falls on a day recognized as a holiday by the city, the meeting will not be held on that date but will be held on the following day. Any regular meeting may be canceled or rescheduled by majority vote of the council at any time prior to the date scheduled for such meeting. Regular meetings shall convene and be called to order by the mayor at 6:30 p.m. ~~the hour set forth in a resolution of the city council adopted from time to time~~, unless otherwise ordered. The mayor or any three (3) councilmembers may request that a special meeting be called. The request shall be submitted to the city administrator who shall prepare notice in writing, which notice shall be delivered or mailed to all city councilmembers and the mayor. The notice shall be delivered within a reasonable period of time prior to the meeting. If there is not sufficient time to prepare and deliver or mail the notice, the city administrator, within his discretion, may use whatever means of notification available considering the circumstances. Notice of a special meeting shall be deemed sufficient if given at a regular or special council meeting; provided, that notice in writing shall be delivered to any absent councilmember and the mayor, if absent. At any regular or special council meeting, the clerk shall proceed to call the roll, and record in the minutes the names of all members present, and announce whether or not a quorum is present. A simple majority of the members of the council duly elected and qualified, is necessary to constitute a quorum.”

*Section 2.* That Section 2-212 of the Billings, Montana City Code be amended so that such section shall read as follows:

**“Sec. 2-212. Proposed agenda.**

(a) ~~The City councilmembers, the mayor and city administrator shall prepare a draft regular council meeting may propose items for the agenda and shall provide the same to the mayor and City councilmembers in accordance with an agreed process designed to provide them with sufficient time and opportunity to review the draft agenda and request changes therein prior to its finalization by filing the same in writing with the city clerk's office prior to or during the agenda meeting preceding the regular council meeting before close of business.~~

(b) The city administrator shall prepare the final agenda of business to be considered at the regular council meeting with recommendations and proposed ordinances and resolutions attached and shall transmit copies of the same to the mayor and councilmembers and designated department heads on or before close of business on the ~~Monday Thursday~~ preceding the regular council meeting at which the matters are to be considered. Agenda items may only be removed from the agenda by the consent of the councilmember placing the same thereon, or by the consent of a three-fourths majority of the councilmembers present.

(c) Only matters which appear on the agenda shall be considered by the council at its regular meeting; matters may be added by consent of three-fourths majority of all councilmembers present.”

*Section 3. That Section 2-215 of the Billings, Montana City Code be amended so that such section shall read as follows:*

**“Sec. 2-215. Rules of order.**

*At all regular business meetings of the city council the order of business shall be as specified by a resolution duly adopted by the city council. follows:*

- (1) Call to Order;
- (2) Pledge of Allegiance;
- (3) Invocation;
- (4) Roll Call;
- (5) Correcting, if necessary, and approving Minutes of the last meeting or meetings;
- (6) Courtesies;
- (7) Proclamations;
- (8) Board, Commission and Council Reports;
- (9) Administrator Reports;
- (10) Consent Agenda;
- (11) Regular Agenda;
- (12) Council Initiatives.

The order of business may be altered for any meeting by a majority vote of the Councilmembers present. The order of business for any special meeting shall be specified in the notice calling for the special meeting.”

*Section 4.* That the Billings, Montana City Code be amended by adding a section to be numbered 2-226, to read as follows:

**“Sec. 2-226. City Council Work Sessions**

(a) In addition to its regular business meetings, the City Council may also meet for work sessions. The purpose of these meetings shall be to provide an opportunity for the Mayor and City Councilmembers to hold more in depth discussions on policy matters, give input or feedback to the City Administrator and his staff, and hear presentations on current issues and projects.

(b) Work sessions, if held, will be scheduled on the 1st and 3<sup>rd</sup> Mondays of each month at 5:30 p.m.

(c) The city administrator shall prepare the agenda for work sessions to be used in public notices based upon input from the Mayor, City councilmembers, and City staff. Work sessions shall be informal meetings conducted by the Mayor who may alter the agenda during the meeting based upon the consensus of those present.

(d) The attendance of work sessions by the Mayor and City councilmembers shall not be mandatory and attendance will not be taken. No formal action may be taken by the Mayor and City Council at these proceedings even if a quorum of the City Council is present.”

*Section 5. EFFECTIVE DATE.* This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

*Section 6. REPEALER.* All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed, including, but not limited to, Resolutions numbered 94-16837, 94-16822, AND 95-16936.

*Section 7. SEVERABILITY.* If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 9th day of September, 2002.

PASSED, ADOPTED and APPROVED on second reading this 23rd day of September, 2002.

CITY OF BILLINGS

By \_\_\_\_\_  
Mayor

ATTEST:

By \_\_\_\_\_  
City Clerk