

ORDINANCE NO. 632

AN ORDINANCE AMENDING CHAPTER 2.06 OF THE MUNICIPAL CODES TO ADD ANOTHER SUBSECTION, 2.06.110, PROVIDING FOR THE DEFINITION OF COMMITTEES AND WORK SESSIONS OF THE POLSON CITY COUNCIL, AND PROVIDING FOR PUBLIC PARTICIPATION AT MEETINGS OF POLSON CITY COUNCIL COMMITTEES AND WORK SESSIONS.

Whereas, the City Council of the City of Polson, hereinafter Council, is charged by law to conduct the public's business at its regularly scheduled and noticed public meetings; and,

Whereas, the Council has previously provided rules pertaining to public participation at its regular bi-monthly public meetings, all as codified at Chapter 2.06 of the Municipal Codes; and,

Whereas, the Council has determined that the body corporate is best able pursue and complete some items of business through committee and work session, such sessions typically attended by a number of councilpersons less than a quorum of the full council; and,

WHEREAS, the City Council takes due note of Sections 7-1-4142 and 4143, MCA, obliging it to develop procedures for permitting and encouraging the public to participate in open meetings, as the same are defined in law at 2-3-202, MCA, as to decisions that are of significant interest to the public and to adopt rules for conducting the meeting and affording the citizens a reasonable opportunity to participate prior to a final decision; and,

Whereas, in order to facilitate the conduct of such committee and work session meetings, the Council has determined it is necessary to define such meetings, and to provide, in the context of such definitions, for participation of the public thereat; and,

Whereas, the City Council takes due note of its own rules of meeting procedure, at 2.06.105 and 2.06.106 of the Municipal Codes, providing for a time limit for such participation in order to enhance, empower, and provide the same right to be heard to all.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

1. Chapter 2.06 is amended to include a new subsection, as follows:

“2.06.110. Committee and Work Sessions Defined; Rules of Procedure. A meeting convened at the behest of a quorum of the council, or by the mayor by his authority hereunder or under the laws of Montana, involving more than one, but less than a quorum, of the City Council, and no others, is a committee meeting and is not a public meeting, but must be open to the public. A meeting convened at the behest of a quorum of the council, and attended by at least such a quorum, and where at such meeting no vote by the council is required on any item, is a work session, and a public meeting. Notice and the agenda for a work session must be posted in the usual manner. The presiding officer at a committee meeting may be determined informally or by the council, and may conduct the meeting in any lawful manner the presiding officer sees fit in the circumstances. The presiding officer of a work session shall be as determined elsewhere in these Codes, and shall conduct the meeting pursuant to those rules pertaining to public meetings as elsewhere provided in this Code. No vote may be taken at a work session. The presiding officer of either committee or work session must provide an agenda item for public comment on non-agenda items of significant interest to the public, subject to Chapters 2.06.105 and 106 of this Code.”

REPEALING CLAUSE: All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: December 3, 2007. **SECOND READING:** December 17, 2007.

NOW, THEREFORE, the foregoing Ordinance shall become effective on January 18, 2008.

PASSED AND ADOPTED THIS December 17, 2007.

Lou Marchello, Mayor

ATTEST: _____
Aggi Loeser, City Clerk

Approved as to form: _____
James Raymond,
Raymond Law Office, PLLC, Polson City Attorney