

RESOLUTION 24-23

A RESOLUTION APPROVING THE HYRUM CITY COUNCIL RULES OF ORDER
AND PROCEDURE FOR CITY MEETINGS

WHEREAS, the City Council finds that Hyrum City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, Utah State Code 10-3-606 directs municipal legislative bodies to adopt procedures to facilitate business, ensure equal opportunity, and encourage ethical behavior in civil discourse.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum, Cache County, Utah, that the Hyrum City Council hereby adopts and approves the Rules of Order and Procedure for City Meetings as attached as "Exhibit A".

THIS RESOLUTION shall become effective immediately upon its passage.

ADOPTED AND PASSED by the Hyrum City Council this 20th day of June, 2024.

HYRUM CITY CORP.

BY:


Stephanie Miller
Mayor

ATTEST:


Stephanie Fricke
City Recorder

HYRUM CITY COUNCIL

Rules of Order and Procedure for City Meetings

(Approved June 20, 2024 – Res. 24-23)

TABLE OF CONTENTS

Section 1.....Role and Authority of the Mayor as Council Chair

1. Role of the Mayor as Council Chair

Section 2.....General Information on Public Meetings

1. General Rules
2. Regular Meetings
3. Workshop Meeting
4. Special Meetings and Emergency Meetings

Section 3.....Agenda Submission Deadlines and Distribution

1. Deadline for Submission and Removal of Agenda Items.
2. Agenda Posting and Material Upload
3. Agenda Item Information

Section 4.....Participation in Public Meetings

1. Councilmembers Right to Speak
2. City Employees Right to Speak
3. General Participation in Public Meetings

Section 5.....Motion Procedures

1. Motions
2. Using General Consent for Motions
3. Allowed Motions
4. Allowed Number of motions on the Floor at Same Time
5. Motions Not Debatable
6. Reconsidering a Motion
7. Appealing the Ruling of the Chair

Section 6.....Voting Procedures

1. Council Voting

Section 7.....Order of Business for Regular Meetings

1. General Order
2. Mayor and City Council reports
3. Standard Adjournment

Section 8.....Order of Business for Public Hearings

1. General Order

Section 9.....Closed Meeting

- 1. Purpose of Closed Meeting**
- 2. Prohibited Actions in Closed Meeting**
- 3. Noticing and Posting of Closed Meeting**
- 4. Required Statements and Vote to approve Closing Meeting**
- 5. Records of the Closed Meeting**
- 6. No Vote in Closed Meeting**
- 7. Motion to end closed portion of meeting**

Section 1 – Role and Authority of the Mayor as Council Chair

1.1 Role of the Mayor as Council Chair

The Mayor:

- A. Serves as Council Chair and presides at all City Council meetings.
- B. Determines that a quorum is present before transacting business.
- C. Recognizes and calls upon speakers.
- D. Determines if motions are in order.
- E. Preserves order and enforces the rules of procedures and conduct.
- F. Opens discussion and introduces items listed on the agenda. The Mayor may change the order of the agenda at his/her discretion.
- G. Determines the seating arrangement of Councilmembers. However, any two or more Councilmembers may exchange seats.
- H. While the Mayor has the authority to preserve decorum in meetings, the City Administrator is also responsible for the orderly conduct and decorum of all city employees under the City Administrator's direction and control.

Section 2 – General Information on Public Meetings

2.1 General Rules

- A. **Quorum** - The minimum number of City Council members necessary to constitute a quorum is three (3), excluding the Mayor.
- B. **Council Attendance** - Excused absence shall be granted to any Councilmember when requested in advance.
- C. **Robert's Rules of Order** - Robert's Rules of Order, 12th Edition or newer, are adopted and incorporated herein by reference.

2.2 Regular Meetings

- A. **Standing Location, Date and Time** – Regular City Council meetings shall be held on the first and third Thursdays of each month. City Council meetings shall be convened in the City Council Chambers at 60 West Main Street, in Hyrum City, beginning at 6:30 p.m. MST.
- B. **Alternate Location, Dates and Times** – The City Council may meet at alternate locations, dates and times if public notice is given of the change in accordance with Utah State Law.
- C. **Cancellation and/or Rescheduling of Meetings** - Any regular meeting may be canceled or rescheduled by the Mayor or the majority vote of the City Council. The City Recorder shall ensure that any cancellation, alternate date/time or alternate location is published on the City's website or other generally accepted medium, as designated by city ordinance or State Law. The City Council shall have at least one meeting per month.

2.3 Workshop Meetings

- A. When necessary, the City Council may conduct workshop meetings prior to regular City Council meetings, or on other days approved by the City Council, in order to allow the City Council to informally review items of interest. The time of the workshop meeting will be posted in accordance to State Law. The City Council may not take formal action on items during the workshop and shall otherwise comply with State Law.

2.4 Special Meetings and Emergency Meetings

- A. Consistent with State Law, special meetings may be called at any time by the Mayor or by two or more members of the City Council. The City Recorder shall post notice thereof as provided by State Law. Special meetings may be held at any location, if such meetings are conducted in accordance

with State Law.

1. At least three hours' notice will be given of any special meeting.
2. An order of the special meeting is to be entered in the minutes of that meeting.

Section 3 – Agenda Submission Deadlines and Distribution

3.1 Deadline for Submission and Removal of Agenda Items -

- A. Deadline for the Public** - All items submitted by the public to be presented at a Regular City Council Meeting must be in writing, and include all desired supporting documentation and material. The public deadline for submitting an item to the City Recorder is 5:00 p.m., the Thursday before the next regular scheduled City Council Meeting at which the item(s) are to be presented. As an alternative, the public may raise any item with the City Council that is not on the Council agenda, during a regular meeting's public comment section of the agenda.
- B. Deadline for City Council** - The deadline for a City Council Member to submit an item to the City Recorder is 5:00 p.m. the Thursday before the next regular scheduled City Council meeting. Items, including staff reports and supporting material, submitted by the City Council to present at the Regular City Council Meeting must be in writing and submitted per the referenced deadlines to ensure sufficient time to complete internal administrative reviews of proposed agenda items.
- C. Removal of Agenda items –**
 1. Staff Reports must be independent of edits or modifications by members of the governing body prior to their submission to the Recorder and placement on the Council Agenda. If a member of the governing body desires specific information be included in staff reports, such requests shall be directed to the City Administrator.
 2. The Mayor has the authority to remove agenda items unless two Councilmembers have placed it on the agenda.
 3. Individuals may request the Mayor remove an item he or she submitted from the agenda at any time.

3.2 Agenda Posting and Material Upload

- A. Annual Meeting Notice posting in General Circulation** -The City Recorder shall publish in at least one newspaper in general circulation within the city, a statement of dates, times and places of the City Council meetings for the calendar year. Posting shall occur at least one week prior to the first regular meeting of the calendar year. The notice must also be posted on the City's website and Utah Public Notice Website.
- B. Electronic Postings** – Pursuant to Utah Code Sections 52-4-207, 63G-3-201 and 4-2-103, and State Rule 51-7, Open and Public Meetings Act Electronic Meetings, Hyrum City has approved Resolution 17-09 that allows the City Council and Planning Commission to convene and conduct electronic meetings in accordance with Utah State Code 52-4-207. Alternate and electronic postings, the City Recorder shall post in compliance with the current State Code requirements. City virtual/ remote meetings are governed in the same manner, including posting and noticing requirements, as physically attended and in person meetings.
- C. Posting of the Agenda** -The Regular City Council meeting agenda shall be posted at least 48 hours before the regular scheduled meeting. Urgent or time sensitive agenda items and agenda information may be posted up until 24 hours prior to the City Council meeting as provided by law. Any emergency items may also be posted up until said 24 hours prior to the City Council Meeting as provided law.
- D. Conformity** - The City Recorder shall check at reasonable intervals to ensure that these postings remain accurate, are accessible to the public, and conform to State Code.

- E. **Material Upload.** Agenda Material shall be uploaded by 6:30 p.m. 48 hours prior to the regular scheduled City Council Meeting.
- F. **Media Notification** – Media notification shall be accomplished by the City’s upload to the Utah Public Notice Website; utah.gov/pmn.

3.3 Agenda Item Information

- A. **Support Material for Agenda Items** - Each agenda item shall be accompanied with any supporting material needed for Councilmembers to take action.
- B. **Numbering and Indexing of Agenda items** – All items shall be numbered or lettered sequentially for purposes of consideration on the Agenda.
- C. **Consent Agenda** - The Consent Agenda shall contain routine, non-controversial items that require City Council action but need little or no City Council deliberation.
- D- **Non-Agenda Items** - While matters not on the agenda may be discussed, no final action can be taken on any matter not on the written agenda.

Section 4 – Participation in Public Meetings

4.1 Councilmembers’ Right to Speak

- A. **Requesting to Speak** -While each member has the right to speak, the Councilmember must request this right by addressing the Chair. The Chair must recognize any Councilmember who seeks the floor when appropriately entitled to do so. Upon being recognized, the Councilmember may proceed.
- B. **Staying on Topic** - Councilmembers will limit their comments to the subject matter, time or motion being currently considered by the City Council.
- C. **Interrupting** - A Councilmember, when given the floor, shall not be interrupted while speaking unless called to order by the Chair, unless a point of order is raised by another Councilmember, or unless the speaker chooses to yield a question from another Councilmember. Councilmembers shall not be interrupted in making a motion. Any motion shall be allowed to proceed for a second.

4.2 City Employees’ Right to Speak

- A. **City Administrator and Administrative Level Officials** - The City Administrator and any other appointed, administrative level official shall be given preference and an opportunity to address questions pertaining to his or her duties, responsibilities, or authority.

4.3 General Participation in Public Meetings

- A. **Invited to Attend** - All are welcome to attend City Council public meetings and hearings, and will be admitted up to the fire safety capacity of the room unless other safety restrictions prevent attendance.
- B. **Noticed Agenda Item Representative Addressing City Council** – The Chair must first recognize the party representing a noticed item on the agenda. When called upon, the person will approach the podium and state their name and address to be included in the meeting minutes. If speaking for groups, the name of the group should be stated. No comments will be taken from the public during items noticed on the agenda unless the Chair allows and invites audience comments.
- C. **Public Comment Section for Agenda and Non- Agenda Items**– There shall be a portion of the City Council Meeting designated as Public Comments for non-agenda and agenda items. During this time the public may address non-agenda and agenda items to the Council. This segment shall be limited to twenty (20) minutes, total with each person speaking no more than three minutes. Public is asked not to restate what someone else has previously stated. Public Comments Section on the agenda is for the public to make a statement or to bring an item to the City Council’s attention. The

Chair and City Council should not discuss nor comment at this time. If the Mayor determines a public discussion is necessary to address the issue brought to the City Council's attention, he/she may place it on a future City Council agenda.

- D. Scheduled Delegations Equitable Time to Speak** - All persons on the agenda who are acting as presenters shall be given the same amount of time to speak, up to fifteen (15) minutes per presenter. A presenter's time may be extended or shortened at the discretion of the Chair. The City Council shall have the opportunity to ask the presenters relevant questions regarding the presentation.
- E. Sharing Unused Time** - No speaker will be allowed to yield any part of his/her time to another, and no speaker will be credited with time requested but not used by another.
- F. Representative of Noticed Agenda Items Comments** –
 - 1. There shall be no opportunity for public comment on Agenda Items following the *Public Comment section*, of the meeting unless allowed by the Chair.
 - 2. Representative of Noticed Agenda Items:
 - a. The Chair must first recognize any party representing an agenda item.
 - b. Representatives and City Staff comments, limited to ten (10) minutes,
 - c. Mayor and Council questions, deliberation and discussion. This entire comment segment shall be limited to a total of fifteen (15) minutes for each Agenda Item following staff, and sponsor's presentations.
 - d. The Council shall be allowed to deliberate and discuss without interruption. Council may ask additional questions of a representative and City Staff.
 - e. No further comment from representative will be received after an initial motion unless that motion fails for lack of a second.
- G. Rules of Conduct for the Governing Body** – Subject to State Rules, Regulations, or Code, Councilmembers may expel any other Councilmember on a two thirds vote, for acts that in the Council's majority opinion, rise to a degree of substantially disrupting the orderly function of the Meeting.
- H. Rules of Conduct for the Public** - Members of the audience shall not engage in disorderly or boisterous conduct including the utterance of loud, threatening, or abusive language, clapping, whistling, stamping, or other acts that disturb, disrupt, impede, or otherwise render the orderly conduct of the meeting unfeasible. Such demonstrations shall not be permitted and those engaged in such conduct will be removed from the meeting room by the sergeant-at-arms at the discretion of the Chair.
- I. Banners and Signs** - Placards, banners, and signs are not permitted in the City Council chamber or in any room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with agenda items are permitted.

Section 5 – Motion Procedures

5.1 Motions

- A.** Any matter that requires a City Council decision shall be brought before the Council by motion.
 - 1. Motions of any kind are not permitted during Workshop meetings or Closed Meetings.
- B.** The Chair may call for a motion at any time.
- C.** The City Council can make a motion at anytime and shall be recognized by the Chair.

5.2 Using General Consent for Motions

- A.** The Chair may use General Consent (also known as Unanimous Consent) with all motions except those motions where the votes are used for purposes of the meeting minutes and require a roll call of the

council. All motions need to include all verbiage relating to the motion.

5.3 Allowed Motions

- a. There are three basic forms of motions allowed: Initial Motions, Motions to Amend, and Substitute Motions.
 1. **Initial Motion.** -The initial motion is the one that puts forward an item for the City Council's consideration. An initial motion might be: "I move that we adopt...". The commencement of an initial motion suspends debate. The Chair shall recognize the motion and allow for opportunity of a second, at which point, there may be discussion on the motion by the Council, but no further public comment. If there is no second, or a motion is defeated, debate may continue unless, or until there is another motion offered.
 2. **Motion to Amend.** - If a Councilmember wants to change the initial motion that is before the City Council, they would move to amend it. A motion to amend might be: "I move that we amend the motion to adopt ordinance number 10-1 with changes in paragraph 1 as follows...." A motion to amend takes the initial motion that is before the City Council and seeks to change it in some way. The motion to amend must be germane to the initial motion. The motion to amend must not be the same as a negative vote on the initial motion.
 3. **Substitute Motion.** - If a Councilmember wants to completely do away with the initial motion that is before the City Council, and put a new motion before the City Council, they would make a substitute motion. A substitute motion might be: "I move that we refer ordinance number 10-1 to the planning commission for its recommendation."

5.4 Allowed Number of Motions on the Floor at the Same Time

- A. There can be up to three motions on the floor at the same time and no more than three. The Chair can reject a fourth motion until the Chair has dealt with the three that are on the floor and has resolved them.

5.5 Motions Not Debatable

- A. The following motions are not debatable: a motion to adjourn; a motion to recess; a motion to fix a time to adjourn; a motion to table; and a motion to limit debate.

5.6 Reconsidering a Motion

- A. A motion to reconsider any item requires a majority vote to pass, but there are special rules that apply only to the motion to reconsider.
 1. **Timing.** A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the City Council if the item is properly placed on the agenda.
 2. A motion to reconsider cannot be made at a special meeting of the Council unless the number of Councilmembers present at the special meeting equals or exceeds the number present at the meeting when the action was approved.
 3. A motion to reconsider can only be made by a member who voted in the majority on the original motion.

5.7 Appealing the Ruling of the Chair

- A. Any Councilmember may appeal to the City Council any ruling from the Chair. If the appeal is seconded, the Councilmember making the appeal may briefly explain the reason for the appeal; but there shall be no debate on the appeal, and no other Councilmember shall participate in the discussion. The Chair shall then put the appeal to vote, if a majority of the Councilmembers vote to drop the appeal, the ruling of the Chair is sustained; otherwise it is overruled.

Section 6 - Voting Procedures

6.1 Council Voting-

- A. Methods of Voting** - As prescribed by State Law: Roll Call Votes are to be taken for all ordinances, resolutions, and any action that creates a liability to the City; and when adjourning into a closed session. Each Councilmember's vote must be clearly set for the record. No member shall address the Chair or demand the floor while a vote is being taken. No proxy votes or comments are permitted during voting. Every resolution or ordinance shall be in writing before the vote is taken.
- B. Abstention** - Every Councilmember present has the right to abstain from voting. Abstentions are the equivalent to a no vote when determining the outcome of the vote since it takes three yes votes to pass any matter.
- C. Voting Results** - The Chair shall announce the results of the voting, and state whether the matter voted upon passed or failed.
- D. Minimum Vote Required** - The minimum number of yes votes required for passing of any ordinance or resolution or to take any action by the City Council, unless otherwise prescribed by State Law, is a majority of the voting members of the council. Any ordinance, resolution or motion of the City Council having fewer favorable votes than required is defeated and invalid.
- E. Voting by the Mayor** - The Mayor is a non-voting member of the City Council except as provided by State Law:
 - 1. The Mayor by State Law may vote on each matter for which there is a tie vote of the other Councilmembers present; or when the Council is voting on:
 - a. Whether to appoint or dismiss a municipal Administrator; or
 - b. An ordinance that enlarges or restricts the Mayor's powers, duties, or functions
- F. Tie Vote** - A tie vote results in a lost motion. In such an instance, any member of the City Council may offer a motion for further action. If there is no affirmative vote, the result is no action. A vote of 2-2 with one abstention means the motion fails. Only when one Councilmember is absent and the vote is 2-2, the Mayor is entailed to vote.

Section 7 – Order of Business for Regular Meetings

7.1 General Order

- A.** City Council Meetings will be generally conducted in the following order, unless otherwise specified.
- B. Workshop Agenda**
 - 1. Call to order and announce a quorum is present
 - 2. Item of business
- C. Regular Meeting Agenda**
 - 1- Call to order and announce a quorum is present
 - 2- Welcome
 - 3- Pledge of Allegiance
 - 4- Invocation or Thought
 - 5- Approval of Minutes
 - 6- Agenda Adoption
 - 7- Public Comment
 - 8- Public Hearing
 - 9- Consent Agenda
 - 10- Scheduled Delegations: This Section shall consist of the following format, in this particular order.
 - a. Public Information Presentations and Reports.

- b. Home Occupation Business Licenses
 - c. Subdivision and Zoning Items
 - d. City Staff Reports or Requests
- 11-** Introduction and Adoption of Resolutions and Ordinances
- 12-** Other Business:
- a. Consideration and Appointments to Boards.
 - b. Consideration and approval of agreements, contracts, etc.
 - c. Award of Bids, Contracts, etc.
 - d. Discussions on specific items.
 - e. Other items deemed necessary.
 - f. Budget report.
 - g. Mayor and City Council Reports
 - h. Closed Meeting – To discuss (refer to Utah State Code Section 52.4-205).
- 13-** Adjournment

7.2 Mayor and City Council Reports

- A. To assist keeping City Council Meetings moving in a timely manner, Mayor and City Council reports are limited to five (5) minutes per member. A written report can be provided to the Mayor and City Council including detailed information if needed.

7.3 Standard Adjournment

- A. The hour of adjournment is 10:00 p.m., and will not continue beyond that time without a majority vote of the City Council.
 - 1. To assist in making the determination to continue past the hour of adjournment, the City Council may determine if deliberation could be concluded by 10:30 p.m. and continue to that time. Otherwise, all items remaining after the hour of adjournment will be deferred until the next scheduled meeting.

Section 8 – Order of Business for Public Hearings

8.1 General Order

- A. Unless required by State Code, the decision to hold a Public Hearing shall be subject to the consent of a majority vote of the City Council in an open meeting.
- B. The manner of conducting Public Hearings shall be subject to City Code, State Law, this Section and ultimate Council consent.
- C. Public Hearings will generally be conducted in the following order, unless otherwise specified by Council.
- D. Staff will review the matter, prepare a staff report, and may make a recommendation or propose alternatives to the City Council prior to the Public Hearing.
- E. Notice of statutory Public Hearings will be posted as required by Law. Additional or voluntary Public Hearings should be noticed as practicable or as can be reasonably accommodated.
- F. The members of the City Council will receive the staff report for the matter in the agenda packet prior to the meeting. This provides the Council with an opportunity to study the staff report, which will become part of the Public Hearing record, and to become familiar with the item prior to the Public Hearing.
- G. When the Public Hearing is called, staff will summarize the matter as contained in the staff report or request a continuance to a future meeting. The City Council may ask questions of staff for clarification.
- H. The Chair recommends opening the Public Hearing. A member of the City Council makes a motion to

open and close public hearings.

- I. Subject to reasonable administrative procedures, all members of the public should be given the opportunity to speak during the Public Hearing. General comments and questions from the public may be limited to maximum of three (3) minutes per person provided, however, the spokesperson for larger groups may be allowed up to five (5) minutes (time permitting). Individuals or groups shall not be allowed to defer any portion of their time to other speakers.
- J. No repetitive or redundant testimony is allowed.
 - 1. A speaker shall not present the same or substantially the same items or arguments to the Council repeatedly or be repetitious in presenting their oral comments.
 - 2. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Any group of individuals wishing to address the Council on the same subject matter is encouraged to designate a spokesperson. With the consent of the City Council, the Chair may extend the time allocations for a designated spokesperson as needed.
- K. Following each presentation, members of the City Council may question the speaker(s).
- L. When all parties have been heard and there are no additional requests to speak, the Chair shall call for a motion to close the Public Hearing.
- M. Upon completion of public comment, the Council shall be allowed to deliberate and discuss without interruption.
- N. If the City Council raises new issues through deliberation and seeks in its discussion to take additional public testimony, the Public Hearing may be reopened. At the conclusion of additional public testimony, the Chair shall again call for a motion to close the Public Hearing.

Section 9 – Closed Meeting Refer to UTAH STATE CODE 52-4-204, 205, & 206

9.1 Purpose of Closed Meeting:

Certain issues prohibited in closed meetings. A closed meeting described under Section 52-4-204 may only be held for the following:

- A. Discussion of the character, professional competence, or physical or mental health of an individual;
- B. Strategy sessions to discuss collective bargaining;
- C. Strategy sessions to discuss pending or reasonably imminent litigation;
- D. Strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state, if public discussion would:
 - 1. Disclose the appraisal or estimated value of the property under consideration; or
 - 2. Prevent the public body from completing the transaction on the best possible terms;
- E. Strategy sessions to discuss the sale of real property, including any form of a water right or water shares, if:
 - 1. Public discussion of the transaction would:
 - a. disclose the appraisal or estimated value of the property under consideration; or
 - b. prevent the public body from completing the transaction on the best possible terms;
 - 2. The public body previously gave public notice that the property would be offered for sale; and
 - 3. The terms of the sale are publicly disclosed before the public body approves the sale;
- F. Discussion regarding deployment of security personnel, devices, or systems;
- G. Investigative proceedings regarding allegations of criminal misconduct;

9.2 Prohibited Actions in Closed Meetings:

The City Council shall not, in a closed meeting:

- A. Interview a person applying to fill an elected position;
- B. Discuss filling a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office; or
- C. Discuss the character, professional competence, or physical or mental health of the person whose name was submitted for consideration to fill a midterm vacancy or temporary absence governed by Title 20A, Chapter 1, Part 5, Candidate Vacancy and Vacancy and Temporary Absence in Elected Office.

9.3 Noticing and Posting of Closed Meeting

- A. A Closed Meeting is to be placed upon the City Council Agenda as a Closed Meeting – To discuss items allowed by Utah Code (listed in Section 9.1 above)
- B. Published and posted in accordance with Utah State Law.

9.4 Required Statements and Vote to approve Closing Meeting 52-4-204

- A. The following information shall be publicly announced and entered on the minutes of the open meeting at which the closed meeting was approved:
 - 1. The reason or reasons for holding the closed meeting;
 - 2. The location where the closed meeting will be held; and
 - 3. The vote by name, of each member of the public body, either for or against the motion to hold the closed meeting.
- B. A closed meeting may be held if: (a) (i) a quorum is present; (ii) the meeting is an open meeting for which notice has been given under Section 52-4-202; and (iii) (A) two-thirds of the members of the public body present at the open meeting vote to approve closing the meeting; (B) for a meeting that is required to be closed under Section 52-4-205, if a majority of the members of the public body present at an open meeting vote to approve closing the meeting;

9.5 Records of the Closed Meeting 52-4-206

- A. Except as provided under Subsection (6), if a public body closes a meeting under Subsection 52-4-205
 - 1. the public body:
 - a. shall make a recording of the closed portion of the meeting; and
 - b. may keep detailed written minutes that disclose the content of the closed portion of the meeting.
 - 2. A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment of the closed meeting.
 - 3. The recording and any minutes of a closed meeting shall include:
 - a. The date, time, and place of the meeting;
 - b. The names of members present and absent; and
 - c. The names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.
 - 4. Minutes or recordings of a closed meeting that are required to be retained permanently shall be maintained in or converted to a format that meets long-term records storage requirements.
 - 5. A recording, transcript, report, and written minutes of a closed meeting are protected records under Title 63G, Chapter 2, Government Records Access and Management Act, except that the records:
 - a. may be disclosed under a court order only as provided under Section 52-4-304; and b. shall be disclosed, upon request, to the Office of the Legislative Auditor General under Section 36-12-15.
 - 6. If a public body closes a meeting exclusively for the purposes described under Subsection 52-4-

205(1)(a), (1)(f), or (2):

- a. the person presiding shall sign a sworn statement affirming that the sole purpose for closing the meeting was to discuss the purposes described under Subsection 52-4-205(1)(a),(1)(f), or (2); and
- b. the provisions of Subsection (1) of this section do not apply.

9.6 No Voting in Closed Meeting 52-4-204

- A. An ordinance, resolution, rule, regulation, contract, or appointment may not be approved at a closed meeting.

9.7 Motion to end closed portion of meeting 52-4-204


- A. A public body may not take a vote in a closed meeting, except for a vote on a motion to end the closed portion of the meeting and return to an open meeting.
- B. A motion to end the closed portion of a meeting may be approved by a majority of the public body members present at the meeting.

CERTIFICATE

STATE OF UTAH)
 :ss
COUNTY OF CACHE)

I, Stephanie Fricke duly appointed and acting City Recorder for Hyrum City, Cache County, State of Utah, do hereby certify that the foregoing is a true copy of a Resolution duly adopted and passed by the City Council of Hyrum City, Utah, at a regular meeting thereof, held the 20th day of June 2024 which appears of record in the City Recorder's office. I further certify that a quorum was present and acting throughout said meeting and that this Resolution is in full force and effect in the form so adopted and that it has not been subsequently modified, amended, or rescinded.

In witness whereof, I have hereto set my hand this 21st day of June 2024.


Stephanie Fricke
City Recorder

(SEAL)

Resolution 24-23

A resolution approving the Hyrum City Council rules of order and procedure for city meetings.