



ORDINANCE NO. 775

AN ORDINANCE ADOPTING A NEW SECTION IN TITLE 1, ADMINISTRATION, CHAPTER 6, MAYOR AND CITY COUNCIL, SECTION 4, CITY COUNCIL BY INSERTING LANGUAGE RECOGNIZING THE ADOPTION OF CITY COUNCIL RULES AND PROCEDURES DESIGNED TO EXPEDITE AND FACILITATE THE TRANSACTION OF BUSINESS OF THE CITY COUNCIL, PROVIDING FOR REVIEWS OF THE RULES AND THAT REVISIONS TO SAID RULES MAY BE MADE HEREAFTER BY RESOLUTION OF THE CITY COUNCIL; PROVIDING FOR A REPEAL, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Riverdale City (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah; and

WHEREAS, Utah Code § 10-3-606 empowers municipalities to establish their own rules of conduct for the governing body within of the municipality; and

WHEREAS, in an effort to better clarify powers, duties and responsibilities of the Mayor and City Council, the City seeks to establish a set of Rules and Procedures that will help expedite and facilitate the transaction of City business; and,

WHEREAS, the Mayor and City Council of Riverdale City find and declare that it is desirable, and in the public interest to compile a single set of rules and procedures to be followed by the Council; and

WHEREAS, the City Council further finds that said rules and procedures may, from time to time, need to be amended and shall be binding on all Council members but may also be amended, adopted or even deleted by a majority vote of future Councils; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and public interest of the residents and businesses within the City to create and adopt a set of City Council Rules and Procedures as more particularly set forth herein.

NOW, THEREFORE, BE IT ORDAINED in accordance with the authority vested in the City Council of Riverdale City, State of Utah, as follows:

Section 1. The following Ordinance is hereby enacted:

Section 2. Creating Code Section. Title 1, Chapter 6, Section 4 A. 1. Rules and Procedures, of the Riverdale City Code is hereby created and shall read as follows:

1-6-4: CITY COUNCIL

A. General Duties Of Council Members: The city council shall perform all the duties prescribed by statute and by the city ordinances, and all such other duties consistent with law as may be

necessary for the efficient government of the city; and it shall be the duty of each council member to faithfully perform the duties of his office. (1985 Code § 2-3-1)

1. The Riverdale City Council hereby adopts the “Riverdale City Council Rules and Procedures” to guide and direct the governing body in it’s transaction of city business and purposes and to inform the public of the processes, rules and procedures used by the City Council. The Council is hereby empowered to change, modify or amend the rules and procedure as set forth therein, or as needed, by resolution duly presented and voted upon by said Council. A true and correct copy of the currently adopted Riverdale City Council Rules and Procedures shall be made available to the public during regular business hours and posted upon the City website.

Section 3. Adopting Riverdale City Council Rules and Procedures. The attached “Riverdale City Council Rules and Procedures”, is hereby adopted to read in its entirety as set forth in Exhibit " A" and the rules and procedures listed therein, are hereby adopted.

Section 4. It is the intent of the City Council that said Rules and Procedures, attached hereto and incorporated herein by this reference, (Exhibit A), may be updated and amended from time to time by resolution of the City Council.

Section 5. It is not intended by this ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws, except to reflect the intent of the City Council and to provide uniformity city wide.

Section 6. Review of the Riverdale City Rules and Procedures. The Rules and Procedures contained in this Ordinance may be reviewed by the City at any regular scheduled meeting of the Council from the effective date of this Ordinance.

Section 7. Repealer. All rules and regulations contained in any concurrent ordinances or resolutions inconsistent herewith, are hereby repealed to the extent of the inconsistency, but in all other respects such ordinance and resolutions shall remain in full force and effect.

Section 8. Severability. This Ordinance is to be construed to be consistent with any and all State, County, and Federal laws and regulations concerning the subject matter hereof. If any provision or clause of this Ordinance or application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses or applications hereof which can be implemented without the invalid provision(s), clause(s) or application(s) hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

Section 9. Effective Date. This Ordinance shall take effect upon enactment and publication.

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF RIVERDALE CITY THIS 3RD DAY OF NOVEMBER, 2010.

Bruce Burrows, Mayor

ATTEST:

Marilyn Banasky, City Recorder

Exhibit A



COUNCIL RULES AND PROCEDURES

As adopted November 3, 2010 by Ordinance #775

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Section 1 - POWERS AND CONDUCT

1.1 Authority.

The City of Riverdale, Utah, provides for open meetings of the City Council at which reasonable opportunity shall be given for citizens to be heard under such rules as the council may provide and that the public is able to see the business of the city conducted in a public forum. These Rules of Procedure establish guidelines to be followed by the Mayor, City Council members and all persons attending a City Council meeting, including members of the City Council, administrative staff, news media, and visitors.

The City Council of the City of Riverdale shall determine and provide its own rules of order of business, rules and procedures for meetings. These shall be in effect upon adoption by the City Council and until such time as amended, suspended or new rules are adopted in the manner provided.

These rules are adopted to expedite and facilitate the transaction of the business of the City Council in an orderly fashion and shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by, the City Council.

These Council Rules and Procedures may be amended by a majority vote of the entire Council at any regular meeting of the Council after having been read at one previous regular Council meeting. Any of the foregoing rules may be temporarily suspended for the meeting then in session by a majority vote of the members of Council then present, unless such waiver is in conflict with the City or State law.

These Council Rules and Procedures shall be reviewed within six months after newly elected officials are sworn in, every two years.

No rule or procedure within this document is valid that would remove or limit the powers and responsibilities given to the City Council that is given to them by state or federal law.

1.2 General Code of Conduct

- A. Our current form of government is a six member Council with the Mayor presiding as the Chairman of the Council. The City Council body functions as a group/committee. Each member of the group has only one vote, with the Mayor voting only in the event of a tie vote. No one member of the City Council or the Mayor can make decisions for the group nor should any member of the group, knowingly or otherwise, give the perception to an organization or individual citizen that they represent the full body of the council without the Councils vote and approval.
- B. Council members must represent unconflicted loyalty to the interests of the citizens of Riverdale City. Council members should consider the interest of all of the citizens of Riverdale City and vote accordingly.
- C. Council members should not attempt to exercise individual authority or influence over the City and its enterprises.

- D Council members will respect the confidentiality appropriate to issues of a sensitive or legal nature. Any Councilmember who discusses confidential matters publicly will be subject to censure by the majority of Council.
- E. Council members and supporting staff will come on time and be properly prepared for Council Meetings. If a quorum of a City Council has not arrived at a Council meeting within 15 minutes after the scheduled starting time of the meeting, the Mayor may cancel the meeting.

1.3 Adherence To Procedures

During City Council discussions, deliberations and proceedings, the Mayor has been delegated the primary responsibility to ensure that the City Council, staff and members of the public adhere to the Council's adopted procedures.

1.4. Procedure In Absence Of Rule

In the absence of a rule to govern a point of procedure or rule, the Mayor, as chair, or in his absence, the Mayor pro tempore shall temporarily rule on the issue until a meeting and discussion of the full Council can consider the issue. Only a full vote made by the council may override this decision.

Section 2 - MEETINGS

2.1. Regular Meetings. The City Council will meet at 6:00 p.m. on the first and third Tuesday of each and every month, unless a special, emergency or posted meeting, or a meeting has been postponed or canceled for valid reasons and according to these rules. Regular meetings are preceded with a 30 minute planning session. In order to cancel a scheduled meeting, a poll of the Councilmembers will be held. If two Councilmembers oppose the cancellation of the meeting, the meeting will be held as scheduled.

2.2. Special Meetings. The City Recorder shall call special meetings upon written request of the Mayor, the City Administrator, or two members of the council.

2.3. Telephonic Appearance. Council Members may appear at a council meeting via telephone or other electronic means as is outlined in the Riverdale City Code. Telephonic appearances are for the benefit of the City of Riverdale and not for the benefit of an individual Council Member.

2.4. Public Notice. The agenda for all regular meetings and the notice listing items to be considered shall be posted by the City Recorder on the City's official website and in accordance with the Utah Open Meetings Act.

2.5. Quorum. Three members constitute a quorum. A quorum of the City Council must be present to conduct a City Council meeting, except that a quorum is not required to hear proclamations and special recognitions.

2.6. Compelling Attendance. A lesser number than a quorum may adjourn from time to time and compel the attendance of absent members as allowed under Utah State Code.

2.7. City Administrator Participation. The City Administrator, or designee, shall attend all meetings of the City Council unless excused. The City Administrator may make recommendations to the City Council and shall have the right to take part in all discussions, but shall have no vote.

2.8. City Attorney Participation. The City Attorney, or designatee shall attend all meetings of the City Council unless excused and shall, upon request, give an opinion, either written or oral, on questions of law. The City Attorney shall act as the City Council's parliamentarian.

2.9. City Recorder Participation. The City Recorder or designatee shall attend all meetings of the City Council and shall keep accurate records of all actions taken by the City Council.

2.10. City Department Heads Participation. The City Department Heads or designated assistants shall be available during all City Council meetings to respond to inquiries made by the City Council unless excused.

2.11. Executive Sessions. The City Council may meet in executive session when it is scheduled by the Mayor, upon request by the Mayor, the City Attorney, City Administrator, or any member of the City Council and when it is in compliance with the Utah Open Meetings Act. No vote shall be taken in an executive session on any matter under consideration, nor shall any City Council member enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the City Council. Closed executive sessions shall be kept to a minimum. Council Members shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City's position is not compromised, and to comply with state and local law or policy relating to disclosure of confidential information.

2.12. Planning Session Meetings. Planning session meetings may occur 30 minutes before a regularly scheduled meeting. All Planning meetings shall be noticed and open to the public. No official action shall be taken during the Planning session. During Planning session meetings, City Council members shall refrain from calling on members of the public to speak unless arrangements with the Mayor are made in advance of the meeting.

2.13. Cautions. Council members should be diligent in enforcing these rules and all state provisions and the spirit of open meetings at all times. Members should be cognizant of the fact that even casual conversations among themselves give public perception of closed door communications and members should take all necessary measures to ensure that they conduct the public business in public and on record. Personal communications amongst themselves should be avoided whenever possible and only when necessary to complete a needed public function.

Section 3 - CODE OF CONDUCT

3.1. City Council Members.

- (a) During City Council meetings, City Council members shall assist in preserving order and decorum and shall, neither by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the orders of the chair or the rules of the City Council.

- (b) A City Council member desiring to speak shall address the chair and, upon recognition by the chair, shall confine discussion to the question under debate, avoid discussion of personalities and indecorous language, and refrain from personal attacks and verbal abuse, sidebar discussions, or political partisan rhetoric.
- (c) A City Council member desiring to question the administrative staff shall address questions to the City Administrator who shall be entitled either to answer the inquiries or to designate some member of city staff for that purpose. City council members shall not berate nor admonish staff members. Nor is it appropriate for anyone to berate or admonish the mayor, council members or staff, in public meetings.
- (d) A City Council member, once recognized, shall not be interrupted while speaking unless called to order by the chair, unless a point of order is raised by another member, or unless the speaker chooses to yield to questions from another member if recognized by the chair. If a City Council member is called to order while speaking, that member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or make additional remarks so as to comply with rules of the City Council.
- (e) City council members shall confine their questions to the particular matters before the council and in debate shall confine their remarks to the issues before the City Council.
- (f) When there is more than one speaker on the same subject, City Council members will delay their comments until after all speakers on the subject have been heard.

3.2 Administrative Staff.

- (a) Members of the administrative staff and employees of the City shall observe the same rules of procedures and decorum applicable to members of the City Council.
- (b) Although the chair has the authority to preserve decorum in meetings, the City Administrator also is responsible for the orderly conduct and decorum of all city employees under the City Administrator's direction and control.
- (c) The City Administrator shall take such disciplinary action as may be necessary to ensure that decorum is preserved at all times by city employees in City Council meetings.
- (d) All persons addressing the City Council, including the City Administrator, other staff members, or members of the public shall be recognized by the chair and shall limit their remarks to the matter under discussion.
- (e) All remarks and questions addressed to the City Council shall be addressed to the City Council as a whole and not to any individual member.
- (f) No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the chair.

3.3 Citizens and Other Visitors.

- (a) Citizens and other visitors are welcome to attend all public meetings of the City Council and will be admitted to the City Council chamber or other room in which the City Council is meeting up to the fire safety capacity of the room.
- (b) Everyone attending the meeting will refrain from private conversations while the City Council is in session.
- (c) Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the police chief, or his designee, is so directed by the chair, and the person shall be barred from further audience before the City Council during that session of the City Council. If the chair fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the chair to act.
- (d) Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the chair, who may direct the police chief, or his designee, to remove offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the chair. In case the chair shall fail to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of the majority of the City Council shall require the chair to act.
- (e) No placards, banners, or signs will be permitted in the City Council chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.

3.4 Enforcement. The city police chief, or his designee, as chief law enforcement officer, shall be present at all Council meetings, unless excused by the mayor, and act as sergeant-at-arms for the City Council and shall furnish whatever assistance is needed to enforce the rules of the City Council.

Section 4 - DUTIES AND PRIVILEGES OF MEMBERS

4.1. Right of Floor. A City Council member who desires to speak must first be recognized by the chair. No member shall address the chair or demand the floor while a vote is being taken.

4.2. Conflict of Interest. Council members with a conflict of interest shall verbally declare the conflict immediately upon realizing the conflict and shall comply with the state law concerning conflicts of interest.

4.3. Right of Appeal. Any member may appeal to the City Council from a ruling of the chair. If the appeal is seconded, the member making the appeal may briefly explain the ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The chair shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "Aye," the ruling of the chair is sustained; otherwise, it is overruled.

4.4. Voting.

- (a) Every member present when a question is called shall vote either "Aye" or "Nay" except on matters involving a conflict of interest or the consideration of the member's own official conduct.
- (b) After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.
- (c) Tie votes. In case of a tie vote on any proposal, the Mayor shall vote to break the tie.

4.5. Demand for Roll Call. Upon demand of any member for roll call vote, made before the result is announced, the roll shall be called for aye and nay votes upon any question before the City Council. It shall not be in order for members to explain their vote during the roll call.

4.6. Personal Privilege. The right of a member to address the City Council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are assailed, questioned, or impugned.

4.7. Dissents and Protests. Any member shall have the right to express dissent from or protest against any ordinance, resolution, or other action of the City Council and have the reason for the dissent or protest entered in the minutes. Such dissent or protest may be filed in writing and presented to the City Recorder for placement in the minutes not later than the next regular agenda meeting following the date of the City Council's action on the matter.

4.8. Excusal from Attendance. City council members are expected to attend meetings and stay in attendance during each meeting. No member shall be excused from attendance at a City Council meeting except for good and valid reasons. The chair shall excuse members from a meeting when a good and valid reason is presented.

4.9. Absence Because of Official City Business. If a City Council member is absent from an entire regular City Council meeting because he or she is on official city business at the direction of the City Council, the member shall request that the City Recorder record in the minutes for that meeting that the member was absent because of official city business. The City Recorder shall maintain a record of these absences on official city business so that such absences will not count against the City Council member.

Section 5 - CHAIR AND DUTIES

5.1. Chair. The Mayor, if present, shall preside as chair at all meetings of the City Council. In the absence of the Mayor, the Mayor pro tempore shall preside. In the absence of both the Mayor and Mayor pro tempore, the council shall elect a chair.

5.2. Call to Order. The meetings of the City Council shall be called to order by the Mayor or, in the Mayor's absence, by the Mayor pro tempore or, in the Mayor pro tempore's absence, by the appointed chair.

5.3. Preservation of Order. The chair shall preserve order and decorum, call upon the sergeant-at-arms or the parliamentarian as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion.

5.4. Questions to be Stated. The chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken when requested by a member in accordance with Subsection 4.5.

5.5. Call for Recess. The chair may call for a recess at appropriate points in the meeting agenda.

Section 6 - ORDER OF BUSINESS

6.1. Agenda.

(a) Preparation and Distribution. A written agenda for each regular meeting shall be prepared under the direction of the Mayor with assistance from the City Administrator. The order of business of each meeting shall be as contained in the agenda prepared as follows:

- (1) The agenda shall be a listing by topic of subjects to be considered by the City Council, and shall be delivered to members of the City Council in advance of each meeting as early as practicable but normally no later than close of business the Friday prior to the meeting.
- (2) The Mayor shall determine the contents of the agenda. The Mayor shall transmit these items to the City Administrator in time for distribution to the City Council at the same time operational items are distributed.
- (3) In the event that any member of the governing body desires to add an item or items to any prepared agenda, then consent must be obtained from the Mayor and one City Council Member or two City Council Members. Upon receiving the request from the Mayor and one City Council Member or two City Council Members, the City Administrator shall add items to prepared agendas as requested. Once posted, amendments may be made to the agenda in the same manner, up to 24 hours prior to the meeting or as prescribed by state law.

(b) Briefing – Planning session meetings.

- (1) Prior to all regularly scheduled meetings, the City Council may hold a briefing/planning meeting. At a planning meeting, the chair shall present any and all orders of business for the regularly scheduled meeting. A council member may speak no more than two times on any briefing item, and each time will be limited to three minutes.
- (2) Voting items will not be scheduled during planning meetings except for emergencies and in accordance with applicable rules established in these Rules and by state law.

6.2. Presentations by Members of Council.

- (a) The Mayor shall prepare and designate all meeting agendas and shall include on an agenda any item requested by two City Council members to be brought before the City Council. Unless the request is withdrawn by either of the requesting members, the item must be placed on:
 - (1) The first regularly scheduled meeting agenda after receipt of the request by the Mayor and the City Administrator, so long as lawful legal notice can be provided.
- (b) The Mayor shall not place on an agenda any item that has been voted on by the City Council within the previous six month time period preceding the date requested for placement of the item on the agenda unless otherwise allowed under these rules (Proper Motion to Reconsider).

6.3. Citizen Speakers (Open Communications). At City Council meetings, a person may address the City Council concerning any item or may present a subject for the City Council's consideration during the open communication periods in accordance with the following rules:

- (a) Speakers to Register or sign-in. A person wishing to address the City Council may first register or sign-in with the City Recorder and provide the following information: Name, residence address, telephone number, the subject matter to be presented, and whether the subject is on the current City Council meeting agenda. A person may register either in person, by telephone or at the meeting.
- (b) Speaker Rules. In order that the City Council may properly consider each matter brought to it by citizens, speakers are asked to observe the following rules:
 - (1) Only one person may approach the microphone at any one time unless approved by the chair, and only the person at the microphone will be allowed to speak. Speakers must identify themselves at the beginning of any comments.
 - (2) In an effort to reduce replication and to save time, pooling of speakers is encouraged wherein one person may speak for and on behalf of a group of individuals. Nothing in the foregoing precludes submission of comments to the City Council in writing, for such action or non-action as the Council, in its discretion, may deem appropriate.
 - (3) Speakers shall address their comments to the governing body.
 - (4) Speakers may file copies of their remarks or supporting information with the City Recorder. The City Recorder will make the information available to the City Council and City Administrator if requested.
 - (5) A person who addresses the City Council during a public hearing must limit remarks to the specific subject matter being considered by the City Council in that public hearing.

(c) Time Limits on Items. The length of time a person will be allowed to speak on items at City Council meetings will be determined according to the following rules:

(1) Speakers will have approximately three minutes to speak regardless of the number of items they wish to address unless the Mayor grants longer periods of time. The Mayor may also shorten the amount of time if there are high numbers of individuals wishing to speak. The Mayor may determine the order in which speakers are called. The order in which speakers are called is not required to be in the order that items appear on the agenda, nor are all speakers on a particular item required to be called at the same time.

(d) During designated speaker times, City Council members may ask factual questions or make a brief acknowledgement of speakers, if recognized by the Chair. Speakers will have one minute to respond. More time may be granted to the speaker for a response at the discretion of the Chair. Council members will refrain from debate on any item during time allotted to speakers unless a specific time is granted by the Chair or by a nondebatable motion approved by the City Council.

6.4. Communications to City Council. The Mayor through the City Administrator shall provide the City Council with an analysis of major items to be acted upon by the City Council at its meetings. The analysis shall be delivered to the City Council members preceding the meeting at which the item is to be discussed. To avoid ex parte communications and ensure that all City Councilmembers are privileged to deliberate and act upon the same guidance, opinions regarding agenda items should be reserved for the City Council meeting itself and not requested of the City Administration outside the official open meeting. If two Councilmembers feel more information is needed, they may request it of administration.

6.5. Oral Presentations. Matters requiring the City Council's attention or action may be presented orally by the Mayor or City Administrator. If matters have developed since the deadline for delivery of the agenda, the Mayor, City Administrator, or any City Council member, may make an oral report to the City Council, but formal action, if required, shall be delayed until the next meeting, unless said matter is deemed an emergency and immediate action is required and state law is complied with.

6.6. Public Hearings.

(a) The Mayor shall schedule public hearings on the City Council's agenda in accordance with state law.

(b) The City Council may schedule public hearings at times other than its regular meetings when it determines that the matter to be heard is a significant issue that requires more time than is available at regular meetings. The Mayor may call an advertised public hearing at a specified time on any matter.

Section 7 - CONSIDERATION OF ORDINANCES, RESOLUTIONS, AND MOTIONS

7.1. Printed Form. All ordinances and resolutions shall be presented to the City Council in printed form.

7.2. Distribution of Ordinances. The City Administrator shall prepare copies of all proposed ordinances to be available for distribution to all members of the City Council at the meeting at which the ordinance is introduced, or at such earlier time as is appropriate.

7.3. Rules of Order. The most recent edition of Roberts Rules of Order Revised shall govern the proceedings of the City Council in all cases, unless they are in conflict with these rules.

7.4. Reconsideration.

(a) A motion to reconsider an action of the City Council may only be made by a member who voted with the prevailing side. It can be seconded by any member.

Section 8 - VOTES REQUIRED

Approval of every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of the quorum present unless state statutes impose other voting requirements on various questions.

Section 9 - MISCELLANEOUS

9.1. Complaint. Personal complaints, especially those of a derogatory nature against any official or employee of the City shall not be discussed at a Council meeting. Citizens wishing to make such complaints shall be instructed that the same should be first processed and handled through the Mayor's office. Then, if the citizen feels appropriate action has not been taken, it shall be proper for the complaint to be communicated in writing to the members of the Council. The City Attorney should be consulted regarding confidentiality, rights to privacy and other legal concerns.

9.2 Councilmember investigations. Whenever a verbal or written communication is received by other Council members, Appointees, or employees stating allegations of misconduct about a Council member, the Council shall schedule a Closed Executive Session to discuss the matter. If deemed merited by the Council, an independent third party investigation may be requested and work under direction of the City Attorney or may be handled by the Council. In order to summarily deal with untruthful complaints, the independent third party investigator shall commence an investigation. If the complaint is without merit, the independent third party investigator shall close and seal the file and report that the matter has been investigated without any finding of merit to Council. If the complaint merits further investigation, the third party investigator shall make a report and request authorization for further investigation. All investigative work shall be considered work product and may be otherwise privileged. Completed final investigation reports shall be made to the Council.

Section 10 - PENALTY

Willful or intentional disruption of a Riverdale City Council meeting is declared to be a class B misdemeanor subject to penalty of up to six (6) months in jail and/or a fine of \$1,000, or both.