



Staff Report

For City Council Meeting - 7/2/2025

Subject - Ordinance/Resolutions - Ordinance #946 - An Ordinance Amending the Start Time of City Council Meetings

Synopsis: At the May City Council meeting, Mayor Smith requested Council consider an ordinance changing the start time of regular Council meetings from 7 p.m. to 6 p.m. When the draft was presented in June, discussion proposed the possibility of amending all meeting types and additional language addressing the flow of back-to-back meetings. The item was tabled with direction for City Attorney Peter Watts to review all sections of applicable ordinances. With his unexpected passing, it was decided to include all ordinances potentially affected by amending additional language from the current draft in the packet for Council to review. When the packet is released, Council will have had time to review the ordinance copies and propose further amendments to the draft during the meeting, if so chosen. Color highlight has been used to help cross-reference across the ordinance copies.

Council Options:

- Motion to approve Ordinance #946 reading once by the title only;
- Make further changes and motion to approve as amended;
- Take other action desired by Council.

Recommended Motion: Staff has no recommendation on the start time of meetings; this is a Council decision. If motioned to approve by title only, the ordinance would be read again by title only in August, taking effect 30 days later in September.

Legal Analysis: The pattern of scheduling a public hearing, an executive session, or a worksession prior to a Council meeting was noted as something to consider. At the June meeting, Attorney Watts noted there is no legal issue with stating "regular Council meeting immediately following" on the notice/agenda in these situations, regardless of meeting times stated in the ordinance. Also for reference, this is the only paragraph in the City Charter that references meeting times:

Section 14. Meetings.

The Council will hold a regular meeting at least once each month in the City at a time and a place which it designates. It will adopt rules for the government of its

members and proceedings. The Mayor upon his own motion may or at the request of two (2) members of the council will, by giving notice thereof to all members of the council then in the City, call a special meeting of the council for a time not earlier than forty-eight (48) hours after the notice is given. Special emergency meetings of the Council may also be held at any time by the common consent of all members of the Council.

Financial Analysis: N/A

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be 'Chad', is written over the printed name.

Chad



CITY OF
GEARHART
ORDINANCE NO. 946

AN ORDINANCE FIXING THE TIME OF REGULAR COUNCIL MEETINGS, REPEALING
ORDINANCE 697, AND AMENDING SECTION 1 OF ORDINANCE 653

The City of Gearhart ordains as follows:

Ordinance 697 is repealed in its entirety.

Section 1 of Ordinance 653 shall be amended to read as follows:

Section 1. Regular Meetings. Regular meetings of the Gearhart City Council shall be held on the first Wednesday of each month and shall convene at the hour of 6:00 p.m. on said day. If the first Wednesday of any month shall fall upon a legal holiday, the regular meeting of the Council shall be held on the next succeeding Wednesday.

Passed by the City Council of Gearhart this _____ day of _____, 2025.

Yeas: _____

Nays: _____

Absent: _____

Abstain: _____

Approved and signed by the Mayor of Gearhart this _____ day of _____, 2025.

Mayor Kerry Smith

ATTEST:

City Administrator, Chad Sweet

Done
1-1

ORDINANCE NO. 653

Introduced by Councillor _____

AN ORDINANCE FIXING THE TIME OF REGULAR MEETINGS AND PROVIDING RULES AND ORDER OF BUSINESS FOR MEETINGS OF THE CITY COUNCIL AND REPEALING ORDINANCE NO. 148.

The City of Gearhart ordains as follows:

Section 1. Regular Meetings. Regular meetings of the City Council shall be held on the first Wednesday of each month and shall convene at 7:30 p.m. in the Council Chambers at City Hall. If the first Wednesday of any month falls upon a legal holiday, the regular meeting shall be held at the same time and same place on the next business day. By a majority vote of City Council, the time and/or day of a regular meeting may be changed.

Section 2. Special Meetings or Special Emergency Meetings. A call for a special meeting or a special emergency meeting shall specify the time, date, place and subject to be considered. Only such business as specified in the call for the meeting shall be considered.

Section 3. Conduct and Order of Meetings. All proceedings of the City Council shall be conducted in conformity with the City Charter, this ordinance and the accepted and recognized rules of parliamentary procedure as prescribed in Robert's Rules of Order.

Section 4. Agenda for Regular Meetings. Business to be considered by the City Council shall be placed on an agenda prepared by the City Administrator and approved by the Mayor from the following:

(a) Business considered by the City Council at a work session or executive session which requires Council action.

(b) Business requested by the Mayor or a member of the Council.

(c) All business requiring Council action.

Section 5. Publication of Agenda. All proposed agenda items must be submitted to the City Administrator no later than 5 p.m. on the fifth business day prior to a regular meeting. The agenda shall be published no later than 5 p.m. on the third business day prior to the next regular meeting. Business not on the agenda which requires immediate Council action may be added to the agenda by a majority of the Council at the beginning of a regular meeting.

Section 6. Order of Business for Regular Meetings. The order of business for each regular meeting shall proceed as follows unless otherwise altered by a majority vote of the Council:

(a) Routine business to proceed as follows: approval of minutes, awarding of bids, reports of standing or special committees.

(b) Public hearings.

(c) Council action on issues presented at the public hearings.

(d) Reports of City officers.

(e) Citizen communications (written or oral), advice or requests from the public on items not on the agenda. (Oral comments shall be limited to issues involving City business and shall not exceed five minutes unless additional time is granted by the Chair.)

(f) Reading and adoption of ordinances.

(g) Reading and adoption of resolutions.

(h) Old business. (Citizen comment permitted prior to debate by Council subject to limitations by the Chair.)

(i) New business. (Citizen comment permitted prior to debate by Council subject to limitations by the Chair.)

(j) Council communications. (Discussion of any matters not on the agenda, but on which no decision can be made until next Council meeting.)

(k) Adjournment.

Section 7. Suspension of Rule or Order. No rule or order of procedure shall be suspended except on the majority vote of all members of the Council present.

Section 8. Repeal. Ordinance No. 148 is hereby repealed.

Passed by the Common Council of the City of Gearhart this 3rd day of April, 1991.

YEAS: 3

NAYS: 1

1-1

ORDINANCE NO. 697

Introduced by Councilor _____

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 653 FIXING THE TIME OF REGULAR MEETINGS TO BE AT THE HOUR OF 7:00 P.M.

The City of Gearhart does ordain as follows:

SECTION 1 OF ORDINANCE 653 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 1. Regular Meetings. Regular meetings of the Common Council shall be held on the first Wednesday of each month and shall convene at the hour of 7:00 p.m. on said day. If the first Wednesday of any month shall fall upon a legal holiday, the regular meeting of the council shall be held on the next succeeding Wednesday.

Passed by the Common Council of the City of Gearhart this 1st day of February, 1995.

YEAS: 41

NAYS:

ABSENT:

ABSTAIN:

1st Signed and approved by the Mayor of the City of Gearhart this day of February, 1995.

Kent Smith
Kent Smith, Mayor

ATTEST:

Dennis McNally
Dennis McNally
City Administrator

ABSENT:

ABSTAIN:

4th Signed and approved by the Mayor of the City of Gearhart this
day of April, 1991.

Candy Russo
Candy Russo, Mayor

ATTEST:

Bruce Maltman
Bruce Maltman, Auditor

ORDINANCE NO. 937

AN ORDINANCE AMENDING RULES AND ORDER OF BUSINESS FOR MEETINGS OF THE GEARHART CITY COUNCIL

The City of Gearhart ordains as follows:

Section 6 of Ordinance 653 shall be amended to read as follows:

Section 6. Order of Business for Regular Meetings. The order of business for each regular meeting shall proceed as follows unless otherwise altered by a majority vote of the Council:

- (a) Public hearings.
- (b) Routine business to proceed as follows:
 - i. Declaration of conflict of interest, approval of minutes, reports from standing or special committees.
- (c) Reports from the Mayor, City Councilors, and City officers.
- (d) Visitors. (Those on the agenda invited to speak and/or present.)
- (e) Public comment (oral) from the public on items not on the agenda. Public comment is a time for comment. It is not a time for debate, nor is it time for members of the public to inundate Council or City staff with questions. Oral comments shall be limited to issues involving City business and shall not exceed five minutes. If a speaker chooses to ask a question during their commentary and it can be readily addressed, it will be within the speaker's allotted speaking time; There is no time extension due to Council reply. Questions needing investigation and/or to avoid further questioning (back-and-forth), Council will respond by the next regular meeting, if not sooner. Written correspondence received or submitted electronically, and requests to speak electronically, must be submitted to the City Recorder by 4:00 p.m. the day of the meeting. In person attendees wishing to speak are required to sign in prior to the meeting.
- (f) Reading and adoption of ordinances.
- (g) Reading and adoption of resolutions.
- (h) Old business. (3 minute citizen comment permitted prior to debate by Council subject to limitations by the Chair.)
- (i) New business. (3 minute citizen comment permitted prior to debate by Council subject to limitations by the Chair.)
 - i. Includes awarding of bids.
 - ii. Includes Council action on issues presented at the public hearings.
- (j) Council concerns. (Discussion of any matters not on the agenda, but on which no decision can be made until the next Council meeting.)
- (k) Adjournment.

Passed by the City Council of Gearhart this 3 day of May, 2023.


Yeas: 5

Nays: 0

Absent: 0

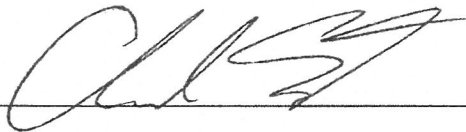
Abstain: 0

Approved and signed by the Mayor of Gearhart this 3 day of May, 2023.



Mayor Kerry Smith

ATTEST:



City Administrator, Chad Sweet