

ORDINANCE NO. 2026-12

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MURRAY, IOWA, BY AMENDING PROVISIONS PERTAINING TO PUBLIC MEETINGS

Be It Enacted by the City Council of the City of Murray, Iowa:

SECTION 1. SECTION MODIFIED. Section 5.06 of the Code of Ordinances of the City of Murray, Iowa, is repealed and the following adopted in lieu thereof:

5.06 MEETINGS. All meetings of the Council, any board or commission, or any multi-membered body formally and directly created by any of the foregoing bodies shall be held in accordance with the following:

1. Definitions. The following terms are defined for use in this section.
 - A. “Closed session” means a meeting to which all members of the public do not have access as allowed by Section 21.5 of the *Code of Iowa*.
 - B. “Governmental body” means:
 - (1) A board, council, commission, or other governing body expressly created by the statutes of this State or by executive order.
(*Code of Iowa, Sec. 21.2(1)(a)*)
 - (2) A board, council, commission, or other governing body of a political subdivision or tax-supported district in this State.
(*Code of Iowa, Sec. 21.2(1)(b)*)
 - (3) A multi-membered body formally and directly created by one or more boards, councils, commissions, or other governing bodies subject to Subparagraphs (1) and (2).
(*Code of Iowa, Sec. 21.2(1)(c)*)
 - (4) An advisory board, advisory commission, advisory committee, task force, or other body created by statute or executive order of this State or created by an executive order of a political subdivision of this State to develop and make recommendations on public policy issues.
(*Code of Iowa, Sec. 21.2(1)(h)*)
 - (5) The governing body of a drainage or levee district as provided in Chapter 468 of the *Code of Iowa*, including a board as defined in Section 468.3 of the *Code of Iowa*, regardless of how the district is organized.
(*Code of Iowa, Sec. 21.2(1)(i)*)
 - (6) An advisory board, advisory commission, advisory committee, task force, or other body created by an entity organized under Chapter 28E of the *Code of Iowa*, or by the administrator or joint board specified in a Chapter 28E agreement, to develop and make recommendations on public policy issues.
(*Code of Iowa, Sec. 21.2(1)(j)*)
 - C. “Hybrid meeting” means a meeting involving both remote participation and in-person participation by members.

(Code of Iowa, Sec. 21.8(4)(a))

D. “Meeting” means a gathering in person or by electronic means, formal or informal, of a majority of the members of a governmental body where there is deliberation or action upon any matter within the scope of the governmental body’s policy-making duties. Meetings shall not include a gathering of members of a governmental body for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of Chapter 21 of the *Code of Iowa*.

(Code of Iowa, Sec. 21.2(2))

E. “Open session” means a meeting to which all members of the public have access.

(Code of Iowa, Sec. 21.2(3))

F. “Remote participation” means real-time participation by a remotely located individual in a meeting which is being held in a different physical location using integrated audio, video, and other digital tools.

(Code of Iowa, Sec. 21.8(4)(b))

G. “Teleconference participation” means participation using audio conference tools involving multiple participants in at least two separate locations.

(Code of Iowa, Sec. 21.8(4)(c))

H. “Virtual meeting” means a meeting involving real-time interaction using integrated audio, video, and other digital tools, in which participants do not share a physical location.

(Code of Iowa, Sec. 21.8(4)(d))

2. Meeting Notice. The City shall give notice of the time, date, and place of each meeting, including a reconvened meeting of the governmental body, and the tentative agenda of the meeting, in a meeting reasonably calculated to apprise the public of that information.

(Code of Iowa, Section 21.4(1)(a))

A. Notice conforming with this section and Section 21.4 of the *Code of Iowa* shall be given at least 24 hours prior to the commencement of any meeting of the governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given.

(Code of Iowa, Sec. 21.4(2)(a))

(1) When it is necessary to hold a meeting on less than 24 hours’ notice, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

(Code of Iowa, Sec. 21.4(2)(b))

(2) If the governmental body is prevented from convening an otherwise properly noticed meeting under the requirements of this subsection, the governmental body may convene the meeting if the governmental body posts an amended notice of the meeting conforming with all of the requirements of Paragraph B.

(Code of Iowa, Sec. 21.4(2)(c))

B. Giving notice under this subsection shall include all of the following:

(Code of Iowa, Sec. 21.4(1)(a)(1))

(1) Advising the news media who have filed a request for notice with the governmental body.

(Code of Iowa, Sec. 21.4(1)(a)(1)(a))

(2) Posting the notice in a prominent and conspicuous place which is annually designated for such purposes by the governmental body, in a manner such that the notice is visible at all times.

(Code of Iowa, Sec. 21.4(1)(a)(1)(b))

(3) Posting the notice on the primary internet site owned or maintained and regularly updated by the governmental body or other primary internet presence moderated by the governmental body, if applicable.

(Code of Iowa, Sec. 21.4(1)(a)(1)(c))

C. If a tentative agenda has been posted and is amended within the time frame established in Paragraph A, the governmental body shall mark the agenda "AMENDED" and identify the amended provisions. Upon amendment, the governmental body shall give notice in accordance with this subsection.

(Code of Iowa, Section 21.4(1)(a)(2))

D. The requirements of this section do not apply to any of the following:

(1) A meeting reconvened within four hours of the start of its recess, where an announcement of the time, date, and place of the reconvened meeting is made at the original meeting in open session and recorded in the minutes of the meeting and there is no change in the agenda.

(Code of Iowa, Section 21.4(3)(a))

(2) A meeting held by a formally constituted subunit of a parent governmental body during a lawful meeting of the parent governmental body or during a recess in that meeting of up to four hours, or a meeting of that subunit immediately following the meeting of the parent governmental body, if the meeting of that subunit is publicly announced in open session at the parent meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the parent governmental body.

(Code of Iowa, Section 21.4(3)(b))

3. Open Session. All meetings shall be held in open session unless closed sessions are expressly permitted by State law.

(Code of Iowa, Sec. 21.3(1))

4. Minutes. Minutes shall be kept of all meetings showing the date, time, and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection.

(Code of Iowa, Sec. 21.3(2))

5. Closed Session. A closed session may be held only by affirmative public vote of either two-thirds of the body or all of the members present at the meeting and in accordance with Section 21.5 of the *Code of Iowa*.

(Code of Iowa, Sec. 21.5(1))

6. Cameras and Recorders. The public may use cameras or recording devices at any open session.

(Code of Iowa, Sec. 21.7)

7. Electronic Meetings. A governmental body shall provide for hybrid meetings, teleconference participation, virtual meetings, remote participation, and other hybrid options for the members of the governmental body to participate in official meetings. A governmental body conducting a meeting pursuant to this subsection shall comply with all of the provisions of Section 21.8 of the *Code of Iowa*.

(Code of Iowa, Sec. 21.8)

8. Quorum. A majority of all governmental body members is a quorum.

(Code of Iowa, Sec. 372.13(1))

9. Rules of Procedure. The governmental body shall determine its own rules and maintain records of its proceedings.

(Code of Iowa, Sec. 372.13(5))

SECTION 2. SECTION MODIFIED. Section 17.04 of the Code of Ordinances of the City of Murray, Iowa, is repealed and the following adopted in lieu thereof:

17.04 COUNCIL MEETINGS. Procedures for giving notice of meetings of the Council and other provisions regarding the conduct of Council meetings are contained in Section 5.06. Additional particulars relating to Council meetings are the following:

1. Regular Meetings. The regular meetings of the Council are on the second Wednesday of each month at 6:00 p.m. at the Council Chambers at City Hall. If such day falls on a legal holiday, the meeting is held the following day at the same time unless a different day or time is determined by the Council.

2. Special Meetings. Special meetings shall be held upon call of the Mayor or upon the request of a majority of the members of the Council.

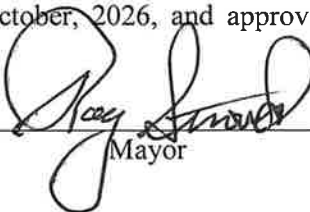
(Code of Iowa, Sec. 372.13(5))

3. Compelling Attendance. Any three members of the Council can compel the attendance of the absent members at any regular, adjourned, or duly called meeting, by serving a written notice upon the absent members to attend at once.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 14th day of October, 2026, and approved this 14th day of October, 2026.



Mayor

ATTEST:



City Clerk

First Reading: 10-14-26

Second Reading: Waived 10-14-26

Third Reading: Waived 10-14-26

I certify that the foregoing was published as Ordinance No. 2026-12 on the _____ day of

_____, _____.

City Clerk

CHAPTER 5

OPERATING PROCEDURES

5.01 Oaths
5.02 Bonds
5.03 Powers and Duties
5.04 Books and Records
5.05 Transfer to Successor
5.06 Meetings

5.07 Conflict of Interest
5.08 Resignations
5.09 Removal of Appointed Officers and Employees
5.10 Vacancies
5.11 Gifts

5.01 OATHS. The oath of office shall be required and administered in accordance with the following:

1. **Qualify for Office.** Each elected or appointed officer shall qualify for office by taking the prescribed oath and by giving, when required, a bond. The oath shall be taken, and bond provided, after such officer is certified as elected but not later than noon of the first day that is not a Sunday or a legal holiday in January of the first year of the term for which the officer was elected.

(Code of Iowa, Sec. 63.1)

2. **Prescribed Oath.** The prescribed oath is: "I, (name), do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully and impartially, to the best of my ability, discharge all duties of the office of (name of office) in Murray as now or hereafter required by law."

(Code of Iowa, Sec. 63.10)

3. **Officers Empowered to Administer Oaths.** The following are empowered to administer oaths and to take affirmations in any matter pertaining to the business of their respective offices:

- A. Mayor
- B. City Clerk
- C. Members of all boards, commissions, or bodies created by law.

(Code of Iowa, Sec. 63A.2)

5.02 BONDS. Surety bonds are provided in accordance with the following:

1. **Required.** The Council shall provide by resolution for a surety bond or blanket position bond running to the City and covering the Mayor, Clerk, Treasurer, and such other officers and employees as may be necessary and advisable except as allowed in Subsection 5.

(Code of Iowa, Sec. 64.13)

2. **Bonds Approved.** Bonds shall be approved by the Council.

(Code of Iowa, Sec. 64.19)

3. **Bonds Filed.** All bonds, after approval and proper record, shall be filed with the Clerk.

(Code of Iowa, Sec. 64.23(6))

4. Record. The Clerk shall keep a book, to be known as the "Record of Official Bonds" in which shall be recorded the official bonds of all City officers, elective or appointive.

(Code of Iowa, Sec. 64.24(1)(a))

5. Insurance Policy in Lieu of Bond. In lieu of a bond, a public officer required to obtain a bond pursuant to Chapter 64 of the *Code of Iowa* may obtain an insurance policy in an amount not less than the amounts required of a bond.

(Code of Iowa, Sec. 64.3)

(Section 5.02 – Ord. 2024-13 – Aug. 24 Supp.)

5.03 POWERS AND DUTIES. Each municipal officer shall exercise the powers and perform the duties prescribed by law and this Code of Ordinances, or as otherwise directed by the Council unless contrary to State law or City charter.

(Code of Iowa, Sec. 372.13[4])

5.04 BOOKS AND RECORDS. All books and records required to be kept by law or ordinance shall be open to examination by the public upon request, unless some other provisions of law expressly limit such right or require such records to be kept confidential. Access to public records that are combined with data processing software shall be in accordance with policies and procedures established by the City.

(Code of Iowa, Sec. 22.2 and 22.3A)

5.05 TRANSFER TO SUCCESSOR. Each officer shall transfer to his or her successor in office all books, papers, records, documents and property in the officer's custody and appertaining to that office.

(Code of Iowa, Sec. 372.13[4])

5.06 MEETINGS. All meetings of the Council, any board or commission, or any multi-membered body formally and directly created by any of the foregoing bodies shall be held in accordance with the following:

1. Definitions. The following terms are defined for use in this section.
 - A. "Closed session" means a meeting to which all members of the public do not have access as allowed by Section 21.5 of the *Code of Iowa*.
 - B. "Hybrid meeting" means a meeting involving both remote participation and in-person participation by members.
(Code of Iowa, Sec. 21.8(4)(a))
 - C. "Open session" means a meeting to which all members of the public have access.
(Code of Iowa, Sec. 21.2(3))
 - D. "Remote participation" means real-time participation by a remotely located individual in a meeting which is being held in a different physical location using integrated audio, video, and other digital tools.
(Code of Iowa, Sec. 21.8(4)(b))
 - E. "Reasonable notice" means advising the news media who have filed a request for notice with the governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body

holding the meeting, or if not such office exists, at the building in which the meeting is to be held.

(Code of Iowa, Sec. 21.4(1))

F. “Teleconference participation” means participation using audio conference tools involving multiple participants in at least two separate locations.

(Code of Iowa, Sec. 21.8(4)(c))

G. “Virtual meeting” means a meeting involving real-time interaction using integrated audio, video, and other digital tools, in which participants do not share a physical location.

(Code of Iowa, Sec. 21.8(4)(d))

2. Notice of Meetings. Reasonable notice of the time, date, and place of each meeting and its tentative agenda shall be given.

(Code of Iowa, Sec. 21.4)

3. Meetings Open. All meetings shall be held in open session unless closed sessions are held as expressly permitted by State law.

(Code of Iowa, Sec. 21.3)

4. Minutes. Minutes shall be kept of all meetings showing the date, time, and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection.

(Code of Iowa, Sec. 21.3)

5. Closed Session. A closed session may be held only by affirmative vote of either two-thirds of the body or all of the members present at the meeting and in accordance with Chapter 21 of the *Code of Iowa*.

(Code of Iowa, Sec. 21.5)

6. Cameras and Recorders. The public may use cameras or recording devices at any open session.

(Code of Iowa, Sec. 21.7)

7. Electronic Meetings. A governmental body shall provide for hybrid meetings, teleconference participation, virtual meetings, remote participation, and other hybrid options for the members of the governmental body to participate in official meetings. A governmental body conducting a meeting pursuant to this subsection shall comply with all of the provisions of Chapter 21 of the *Code of Iowa*.

(Code of Iowa, Sec. 21.8)

(Section 5.06 – Ord. 2024-17 – Aug. 24 Supp.)

5.07 CONFLICT OF INTEREST. A City officer or employee shall not have an interest, direct or indirect, in any contract or job of work or material or the profits thereof or services to be furnished or performed for the City, unless expressly permitted by law. A contract entered into in violation of this section is void. The provisions of this section do not apply to:

(Code of Iowa, Sec. 362.5)

1. Compensation of Officers. The payment of lawful compensation of a City officer, volunteer firefighter as defined in Section 85.61 of the *Code of Iowa*, emergency medical care provider as defined in Section 147A.1 of the *Code of Iowa*, or employee holding more than one City office or position, the holding of which is not incompatible

with another public office or is not prohibited by law. This subsection shall not be construed to prohibit nominal stipends, compensation, incentives, or benefits for volunteer firefighters or emergency medical care providers.

(Code of Iowa, Sec. 362.5(3)(a))

(Subsection 1 – Ord. 2025-3 – Nov. 25 Supp.)

2. Investment of Funds. The designation of a bank or trust company as a depository, paying agent, or for investment of funds.

(Code of Iowa, Sec. 362.5[3b])

3. City Treasurer. An employee of a bank or trust company, who serves as Treasurer of the City.

(Code of Iowa, Sec. 362.5[3c])

4. Stock Interests. Contracts in which a City officer or employee has an interest solely by reason of employment, or a stock interest of the kind described in Subsection 8 of this section, or both, if the contracts are made by competitive bid in writing, publicly invited and opened, or if the remuneration of employment will not be directly affected as a result of the contract and the duties of employment do not directly involve the procurement or preparation of any part of the contract. The competitive bid qualification of this subsection does not apply to a contract for professional services not customarily awarded by competitive bid.

(Code of Iowa, Sec. 362.5[3e])

5. Newspaper. The designation of an official newspaper.

(Code of Iowa, Sec. 362.5[3f])

6. Existing Contracts. A contract in which a City officer or employee has an interest if the contract was made before the time the officer or employee was elected or appointed, but the contract may not be renewed.

(Code of Iowa, Sec. 362.5[3g])

7. Volunteers. Contracts with volunteer firefighters or civil defense volunteers.

(Code of Iowa, Sec. 362.5[3h])

8. Corporations. A contract with a corporation in which a City officer or employee has an interest by reason of stock holdings when less than five percent of the outstanding stock of the corporation is owned or controlled directly or indirectly by the officer or employee or the spouse or immediate family of such officer or employee.

(Code of Iowa, Sec. 362.5[3i])

9. Contracts. Contracts made by the City upon competitive bid in writing, publicly invited and opened.

(Code of Iowa, Sec. 362.5[3d])

10. Cumulative Purchases. Contracts not otherwise permitted by this section, for the purchase of goods or services that benefit a City officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of \$6,000.00 in a fiscal year.

(Code of Iowa, Sec. 362.5[3j])

11. Franchise Agreements. Franchise agreements between the City and a utility and contracts entered into by the City for the provision of essential City utility services.

(Code of Iowa, Sec. 362.5[3k])

12. Third Party Contracts. A contract that is a bond, note or other obligation of the City and the contract is not acquired directly from the City but is acquired in a transaction with a third party who may or may not be the original underwriter, purchaser, or obligee of the contract.

(Code of Iowa, Sec. 362.5[3])

5.08 RESIGNATIONS. An elected officer who wishes to resign may do so by submitting a resignation in writing to the Clerk so that it shall be properly recorded and considered. A person who resigns from an elective office is not eligible for appointment to the same office during the time for which the person was elected if, during that time, the compensation of the office has been increased.

(Code of Iowa, Sec. 372.13[9])

5.09 REMOVAL OF APPOINTED OFFICERS AND EMPLOYEES. Except as otherwise provided by State or City law, all persons appointed to City office or employment may be removed by the officer or body making the appointment, but every such removal shall be by written order. The order shall give the reasons, be filed in the office of the Clerk, and a copy shall be sent by certified mail to the person removed, who, upon request filed with the Clerk within 30 days after the date of mailing the copy, shall be granted a public hearing before the Council on all issues connected with the removal. The hearing shall be held within 30 days after the date the request is filed, unless the person removed requests a later date.

(Code of Iowa, Sec. 372.15)

5.10 VACANCIES. A vacancy in an elective City office during a term of office shall be filled in accordance with Section 372.13[2] of the *Code of Iowa*.

5.11 GIFTS. Except as otherwise provided in Chapter 68B of the *Code of Iowa*, a public official, public employee or candidate, or that person's immediate family member, shall not, directly or indirectly, accept or receive any gift or series of gifts from a "restricted donor" as defined in Chapter 68B and a restricted donor shall not, directly or indirectly, individually or jointly with one or more other restricted donors, offer or make a gift or a series of gifts to a public official, public employee, or candidate.

(Code of Iowa, Sec. 68B.22)