

# **CITY OF CLOQUET STANDING RULES FOR CONDUCTING CITY COUNCIL MEETINGS**

## **INTRODUCTION**

In the belief that the best decisions are made by the best informed decision makers and that public decisions are best served when the public has every opportunity to present views, the following rules are established to govern Regular and Special Council meetings as well as formal public hearings. There are several goals behind these rules.

- In general, free and open discussion by all interested parties should be an essential part of the decision making process.
- The Council process should have as little procedural overhead as possible.
- Time is better spent on substantial matters rather than Performa matters.

## **RULE 1. MEMBERSHIP**

The formal Council membership consists of six Council members and the Mayor. All seven have one vote each and all seven can introduce motions.

## **RULE 2. PRESIDING OFFICER**

The Mayor shall preside at all meetings of the Council, and in case of the non-attendance of the Mayor at any meeting, the Acting Mayor of the Council shall preside and be considered the Chairperson at the meeting. In the case that both the Mayor and Acting Mayor of the Council should be absent, the Council shall appoint a Chairperson from the members present.

The presiding officer is entitled to participate in the discussion and debate, and is entitled to vote on all business before the Council. Because the presiding officer conducts the meeting, it is common courtesy for the Chairperson to take a less active role than other members of the Council in debates and discussions. This practice in no way precludes the presiding officer from participating in the meeting fully and freely.

## **RULE 3. QUORUM**

At all meetings of the Council a quorum is required to do official business. A quorum of the Council shall consist of four (4) members.

## **RULE 4. REGULAR MEETING**

The Regular City Council meeting shall be held at 7:00 p.m. on the first and third Tuesday of each month, unless that day is a legal holiday, in which case no meeting shall be held.

- **Roll Call and Order of Business**

At the hour appointed for the meeting, the members shall be called to order by the Mayor, or in his/her absence by the Acting Mayor, or in the absence of the Mayor and Acting Mayor of the Council, by the City Administrator/Clerk, who shall proceed to call the roll, note the absentees and announce whether a quorum be present. Upon the appearance of a quorum, the Council shall then proceed to the business before them, which shall be conducted in the order following:

1. Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes
5. Consent Calendar

6. Public Hearings
7. Presentations
8. Council Business
9. Public Comments
10. Council Comments, Announcements and Updates
11. Adjournment

Communication from the Mayor may be presented at any time, except when other business is under consideration.

The Mayor may at any time permit a member to introduce an Ordinance, Motion or Resolution, out of the regular order for the same, provided two-thirds of the members present shall concur.

- **Agenda**

To be considered, an item must be on the agenda and the agenda must be distributed to all the Council members and any other persons having responsibility for an item at least three working days prior to the meeting. An agenda can be modified or amended with addendum by a majority vote but this should be used only for minor items or items with extreme time constraints.

An item can be moved from the consent agenda to the action agenda at the request of the Mayor or Council member.

With there being a cable TV and in-person audience who are not as familiar with each item, the Mayor and/or City Staff will give a brief explanation of each item as it is addressed.

The order of items on the agenda need not be followed absolutely. The Mayor may adjust the order in the interest of:

- Fill in time before a scheduled item, i.e. a public hearing
- Grouping several items to best make use of consultant time
- Accommodating individuals who have attended the meeting specifically to provide input on an item

- **Process for Regular and Special Council Meetings**

For these proceedings the Council will use the “open discussion” procedure. That is, discussion is open to any member before or after a motion is made. The privilege is also extended to the City Administrator, Department Heads and any of the consultants who may have an interest in or can contribute to the item at hand.

The standard motion procedure is that each motion requires a second. This also applies to amendments. Any motion, by any member, shall be reduced to writing upon request of any member. No motion shall be put to a vote until it has been stated by the recorder at the request of any member of the Council.

To eliminate confusion, only one amendment will be considered at a time and that amendment must be germane to the motion. An amendment cannot itself be amended. If a change to an amendment is deemed appropriate, the amendment should be withdrawn and reintroduced accordingly.

The general mode of voting will be by acclamation but with enough clarity that individual votes can be recorded in the minutes. If in doubt, the recording secretary can request clarification. Each individual’s vote will be entered in the minutes.

Any member may abstain from voting or disqualify himself/herself. The reason for disqualification or abstention must be stated by the member and entered into the minutes. If a member disqualifies himself/herself, he/she may leave the room while the issue is being considered.

Roberts Rules of Order (revised) shall govern the City Council procedures not covered by the Standing Rules of the City Council.

The meeting will be videotaped and the tape will be retained for three (3) months following approval of the minutes of the meeting. The standard retention can be extended if in the judgment of the Mayor, City Administrator/Clerk or any other Council member, such action is warranted.

If the Council action is the result of a resident request and that request is denied in whole or in part, reasons of the fact supporting the denial will be made part of the public record.

Proper notices in writing of special sessions of the Council, called by the Mayor or any two members of the Council, shall be served upon the members of the Council. A copy of the notice thus served shall be entered upon the journal of the Council, said notice shall state the objects for which such meeting is called, and the action of such be confined to the objects stated.

- **Process Public Hearing**

Since a public hearing is a more formal procedure and often requires certain procedures and actions to be legal, the meeting rules are changed accordingly.

The primary aim of a public hearing is to take input from the public. To accomplish this in the most effective manner, the Mayor will introduce the hearing with an explanation of the issues. The Mayor, or a person designated by the Mayor, will give this explanation. The use of explanatory visual aids is encouraged.

Following the explanation, the Mayor will open discussion for clarifying questions from the Council and then proceed to open discussion to receive input from the public. Prior to accepting public input, the Mayor will state the areas where input will be appropriate, the maximum time to be allotted to any individual presenter, and any other procedural rules deemed appropriate to guarantee that all concerned parties have a fair and adequate opportunity to be heard.

All individuals wishing to speak must provide their name and address and speak into a recording microphone. Individuals not wishing to speak in public may provide a written statement. If the Council decides not to act on the issue at the public hearing meeting, it may, by majority, vote to extend the time where written input will be taken to a day not later than one week before the next meeting where a deciding vote is planned.

All speakers are expected to be business like, to the point and courteous. Anyone not abiding by these rules will be considered to be out of order.

The Council will refrain from initiating a discussion during the public input phase of the hearing except to clarify points brought up.

Once the public testimony phase is complete, the Mayor will announce the public hearing to be closed and the Council will revert back to its open discussion mode of operation. From this point on, public input will only be appropriate when solicited by the Council.

It shall be the intent of the Council to vote on the issue at the same meeting as the public hearing and as close in time to the public hearing as possible. Should it be necessary to defer voting until a later date, the procedure will be clearly explained to the audience.

If the motion contains conditions, as may occur in certain planning cases such as a permit request, those conditions will be conveyed in writing to the requestor.

If the public hearing is the result of a resident request and that request is denied in whole or in part, reasons of fact supporting the denial will be made part of the public record.

- **Work Session Meetings**

The Council may call and hold Work Sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. Council Work Sessions will be called from time to time, as the Mayor and Council deem necessary. The following rules shall prevail for the call and conduct of Work Session meetings:

- **Presiding Officer** - The Mayor, or Acting Mayor in his/her absence, acts as the presiding officer of all Work Session meetings. However, the process is to be considered much less formal than a Regular Meeting.
- **Agenda** - Only a limited number of matters shall be considered by the Council during a Work Session, and sufficient time for consideration of such matters shall be provided. An abbreviated agenda order shall be used for all Work Session agendas.
- **Documents and Exhibits to be Presented** - When possible, staff shall make available to the Council all documents, exhibits, maps, specifications or other similar documents prior to the meeting. However, due to the nature of many items it is understood that materials will frequently be presented at the meeting itself.
- **Technical Questions/Discussion** - All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a Work Session. The appropriate Staff with the expertise to answer such questions shall be present at the meeting to assist the Council with any questions it may have. In addition to questions, the Council is asked to participate in the discussions such that an item can be fully vetted and to provide staff with enough clarity as to issues that may need further research and investigation prior to the item coming before the Council at a Regular Meeting.
- **Prohibitions Against Formal Actions** - No formal actions may be taken at a Work Session. Council may provide Staff direction on the matter being considered and ask that the item be placed on a future Regular or Special Meeting agenda for formal action.
- **Audience Comments or Questions** - Audience comments or questions will not be considered at a Work Session.

## **RULE 5. PARLIMENTARY PROCEDURE**

- **Priority of Business**  
All questions relating to the priority of business shall be decided without debate.
- **Duties and Privileges of the Mayor**  
The Mayor shall preserve order and decorum and shall decide questions of order, subject however, to an appeal to the Council.

- **Rule of Order**  
While the Mayor is putting the question, no member shall walk across or out of the Council Room.
- **Members Must Address the Presiding Officer**  
Every member, previous to speaking, shall address the Mayor and say "Mayor \_\_\_\_\_", but shall not proceed with remarks until recognized and named by the Chair.
- **Duties and Privileges of Members**  
No member shall speak except from his or her own desk, nor more than twice on the same general question, nor longer than five minutes at one time without leave of two-thirds of the members of the Council, and no member shall be allowed to speak more than once in any case until every member choosing to speak shall have spoken, and no member shall be permitted to leave the room while the Council is in session, except by permission of the Presiding Officer, and any member who shall leave the room while the Council is in session, without permission being granted, and any member leaving without first obtaining said permission, shall be deemed guilty of contempt, and may be dealt with for such contempt as provided for in Rule 16.
- **Private Discussion Restricted, When**  
While a member is speaking, no member shall entertain private discourse.
- **Member to Be Called To Order When**  
A member called to order shall immediately suspend remarks unless permitted to explain. If there is no appeal, the decision of the Chair shall be deemed conclusive; but if the member appeals to the Council from the decision of the Chair, the Council shall decide without debate.
- **Motions Reduced to Writing**  
Motions upon subject under consideration shall have precedence in the following order:
  1. To lie on the table
  2. To postpone
  3. To commit
  4. To amend
- **Reconsideration**  
Any member who voted with the prevailing side may move a reconsideration of any action of the Council provided that the motion be made not later than the next Regular Meeting after such action was taken. A motion to reconsider shall be in order at any time except when motion on some other question is pending. A motion to reconsider being laid upon the table may be taken up and acted upon at any time when the Council is engaged in transacting miscellaneous business. No motion to reconsider shall be made more than once on any matter or subject and the same number of votes shall be required to reconsider any action of the Council as is required to pass or adopt the same.
- **Motions Reduced to Writing**  
All Motions or Resolutions shall be reduced to writing, if required by the Mayor or a member, and when seconded and stated by the Mayor shall be open for consideration, and no motion or resolution can be withdrawn after it shall have been amended or so decided.
- **Adjournment**  
A motion to adjourn shall be in order at any time, shall have precedence over all other motions and shall be decided without debate excepting only that any member of the

Council shall before such motion is put be entitled to state what business he or she or any committee of which he or she is a member desires to have considered.

- **Voting Ayes and Nays, Members Excused, When**

Every member present shall vote on any question on the calling of the Ayes and Nays unless excused by the unanimous consent of the Council; and any member not being excused who refuses to vote upon any question when the Ayes and Nays are being taken, shall be deemed guilty of contempt of the Council and may for such contempt be censured by a majority vote of the Council or may be expelled by a vote of two-thirds of all the members. If a member of the Council has a conflict of interest with the questions, such member may abstain from voting providing the reason for the conflict of interest is stated.

- **Division of Question**

If the question in debate contains several distinct propositions, any member may have the same divided.

- **When Amendment And Debate Not in Order**

A motion for a previous question, to lay the previous question on the table, or to commit until it is decided, shall preclude all amendment and debate on the main questions, and a motion to postpone a question indefinitely, or to adjourn it to a certain day, shall until it is decided, preclude all amendments to the first question.

- **Previous Question**

The previous question shall be as follows: "Shall the main question now be put."

#### **RULE 6. SPECIAL COMMITTEES**

All committees shall be appointed by the Council. Special committees shall in all cases report in writing and shall address such reports to the City Council of the City of Cloquet.

#### **RULE 7. APPROPRIATION OF CITY FUNDS**

The appropriation of City Funds for regular operations, planned budgeted expenditures, or those items authorized by a majority vote of the City Council shall be approved at each meeting as recommended by City Staff.

#### **RULE 8. JOURNAL/MINUTES**

The Council shall keep a journal/minutes of its proceedings, which shall be open at all times for inspection, shall make and enforce rules of proceedings, and compel attendance, when necessary, of absent members.

#### **RULE 9. CITY PROPERTY AND BUILDINGS**

All matters pertaining to the sale of any general real estate owned by the City shall be referred to the Planning Commission for its recommendation before final action thereon by the City Council. All matters pertaining to the sale of real estate for the purpose of economic development shall be referred to the Economic Development Authority for its recommendation before final action thereon by the City Council.

#### **RULE 10. RULES, HOW AMENDED**

These rules may be amended or new rules adopted by the vote of a majority of all the members elected, but no Resolution providing for such amendment or for new rules shall be passed on the day of its introduction.

#### **RULE 11. RULES, HOW SUSPENDED**

These rules may be suspended by a two-thirds vote of the City Council. If suspended, the rules are automatically reinstated at the next meeting.

**RULE 12. ANNUAL REVIEW**

These rules will be reviewed annually at the first meeting in January.

**RULE 13. INTERPRETATION**

The Mayor will interpret the rules. However, the Mayor's interpretation can be appealed by any Council member and can be overruled by a majority vote.