

RESOLUTION ESTABLISHING THE RULES OF PROCEDURES OF THE CITY COUNCIL

**BE IT RESOLVED BY THE SHOREVIEW CITY COUNCIL THAT THE RULES
OF COUNCIL PROCEDURES ARE HEREBY ESTABLISHED AS FOLLOWS:**

1.1 MEETINGS:

- 1.11 Regular. The City Council shall hold regular meetings on the first and third Mondays of each month at 7:00 P.M., provided that when the day fixed for any regular meeting falls on a day designated by law as a legal holiday, such meeting shall be held at the same hour on the next day succeeding day not a holiday.

The City Council may also designate the second and fourth Mondays of each month as special or workshop meetings to be held at 7:00 P.M. for the purpose of considering other business as City Council directs.

- 1.12 Special. The Mayor or any two Members of the Council by notice filed with the City Manager at least twenty-four hours before such meeting may call a special meeting. Notice of such meeting shall state the purpose or purposes thereof and shall be personally delivered to each member or be left at the member's usual place of residence with a person of suitable age and direction then residing therein, or written notice thereof shall be left in a conspicuous place at the residence if no such person can be found there. The notice shall be delivered at least one day before the meeting time designated on the notice.
- 1.13 Place. All meetings shall be held in the Council Chambers at City Hall unless there is a published notice designating another location.
- 1.14 Official Newspaper. The Council shall designate an Official Newspaper at the first meeting of each year for use for legal publication of notice of meetings, public hearings and public meetings.
- 1.15 Presiding Officers. The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Acting Mayor shall preside. (In the absence of both the Mayor and the Acting Mayor, the Council Members shall elect one of their members as temporary chair.)
- 1.16 Quorum. Three members of the Council shall constitute a quorum at any meeting of the Council. No official action may be taken without a quorum.
- 1.17 Order of Business. At the appointed hour for the meeting, the Mayor or designee shall call those present to order. The City Manager shall call the

roll, note the absentees and announce whether a quorum is present. In the absence of the City Manager, the Mayor shall appoint a secretary pro tem. Upon the appearance of the quorum, the Council shall proceed to business, which shall be conducted in the following order:

- A. Call to Order
 - 1. Roll Call
 - 2. Approval of Agenda
 - 3. Proclamations and Recognitions
- B. Citizens Comments
Council Comments
- C. Consent Agenda
- D. Public Hearings
- E. General Business
- F. Staff and Consultant Reports/Recommendations
- G. Special Order of Business
- H. Adjournment

2.1 **CONSENT AGENDA:**

The City Manager shall prepare a consent agenda for each regular meeting. The consent agenda shall contain routine, non-controversial items, which require little or no Council deliberation. Items to be placed within the consent agenda include the setting of dates and times for hearing, routine licenses, approval of vouchers, approval of specifications, reapportionment of assessments and other items (which in the judgment of the City Manager are of a routine or non-controversial nature). The City Manager may place an item normally found in the consent agenda under Council Action Items if an explanation or Council discussion is required.

No item in the consent agenda may be debated, and the motion to approve the consent agenda shall not be debatable. Prior to entertaining a motion to approve the consent agenda, the Mayor or presiding officer shall ask whether any Council Member desires an item to be removed from the consent agenda. Any Council Member who removes an item from the consent agenda by means of a non-debatable request to the Chair shall automatically become the last item prior to adjournment. If more than one item is removed, they shall be placed in the order they are found on the consent agenda.

3.1 **AGENDA:**

All matters to be submitted to the Council shall be filed not later than 12:00 Noon of the Tuesday prior to the Monday Council meeting at which consideration is desired, and shall be delivered to the City Manager. In unusual circumstances and when the matter does not require investigation, an item may be accepted after the deadline upon the approval of the City Manager.

No item of business shall be considered by the Council which does not appear on the agenda for the meeting. One exception is that of Council action arising from concerns presented in Citizen Comments, which cover non-agenda items.

The Mayor and each Council Member shall be provided with a copy of the agenda as far in advance of the meeting as time for preparation will permit.

No matter may be submitted for Council action by any administrative official, department head or employee unless it has first been presented to the City Manager for inclusion on the agenda.

4.1 **MINUTES:**

The City Manager shall keep a record of all Council meetings.

Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if each member has previously been provided with a copy.

At the time the minutes are submitted for approval, the Council may by motion carried by majority vote amend the minutes. Such amending motion shall become a part of the minutes of the subsequent meeting.

5.1 **DUTIES OF THE PRESIDING OFFICER:**

The presiding officer shall preserve strict order and decorum at all meetings of the Council; shall state every question coming before the Council; announce the decision of the Council on all subjects; and decide all questions of order. In questions of order, they shall be appealable to the Council, in which event a majority vote of the Council shall govern and conclusively determine such questions of order. The presiding officer may vote on all questions and on a roll call vote determine the order in which votes are cast.

The presiding officer may direct reports, letters, petitions, etc., to be placed into the record by stating "With the consent of the Council, I direct the letter (report, petition, etc.) be received and placed into the minutes."

6.1 **RULES OF DEBATE:**

- 6.11 Rule 1. The Mayor or other presiding officer may move, second, and debate from the chair, subject only to such limitations of debate as are by the rules imposed on all members and shall not be deprived of any of the rights and privileges of a Council Member by reason of acting as the presiding officer.

- 6.12 Rule 2. Every member desiring to speak shall address the chair, and upon recognition by the presiding officer shall be confined to the question under debate, avoiding all personalities and indecorous language.
- 6.13 Rule 3. A member, once recognized, shall not be interrupted when speaking unless it be for a call to order or to vote on a motion to close a debate, or as herein otherwise provided. A member, while speaking, when called to order, shall cease speaking until the question of order is determined and if in order shall be permitted to proceed.
- 6.14 Rule 4. Any Council Member may make a non-debatable request to not have a letter, report, petition, etc., received for inclusion in the minutes. When such request is made, the letter, report, petition, etc., may be formally received into the minutes only upon a majority vote of the Council.
- 6.15 Rule 5. A motion to reconsider any action taken by the Council may be made only at the meeting at which such action is taken or the next regular meeting. (It may be made either immediately during the same session, or at a recessed or adjourned session thereof.) Such motion must be made by one of the prevailing side, but may be seconded by any member and may be made at any time and have precedence over all other motions or while a member has the floor. The motion shall be debatable.
- 6.16 Rule 6. A Council Member may request, through the presiding officer, the privilege of having any abstract of any statement on any subject under consideration by the Council, or the reason for dissent from or support of any action of the Council, entered in the minutes. Unless the Council, by motion objects, such statements shall be entered in the minutes.
- 6.17 Rule 7. The City Manager may be directed by the presiding officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.

7.1 **ADDRESSING THE COUNCIL:**

Any person desiring to address the Council shall first secure the permission of the presiding officer.

Each person addressing the Council shall, if requested by the presiding officer, give name and address in an audible tone for the record, and unless further time is granted by the presiding officer, shall limit remarks to three minutes. All remarks should be addressed to the Council as a body and not to any members. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without

the permission of the presiding officer. No question shall be asked a Council Member except through the presiding officer.

8.1 **GENERAL RULES OF ORDER:**

Robert's Rules of Order Revised shall be accepted as an authority on parliamentary practice on matters not specifically covered and in case of a conflict these rules shall govern. The City Manager shall provide a copy of the parliamentary authority for use by the presiding officer and Council Members.

9.1 **VOTING:**

Silence shall be recorded as an affirmative vote unless a Council Member indicates as not voting.

A motion will be defeated unless there are three votes in favor of a motion, unless otherwise prescribed by law.

A motion with even number of votes for and against shall be declared as a negative motion.

10.1 **DECORUM AND ITS ENFORCEMENT:**

The Council Members, while the Council is in session, must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, not disturb any member while speaking, or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.

Members of the Ramsey County Sheriff's Department may be requested to attend meetings of the Council by the City Manager or any member of the Council. The deputies shall carry out all orders and instructions given by the presiding officer or by a majority of the Council present, for the purpose of maintaining order and decorum at the Council meetings. Upon instructions by the presiding officer or a majority of the Council, it shall be the duty of the deputy or those called to take necessary and appropriate action to restore order, including removal or arrest.

11.1 **ORDINANCES, RESOLUTIONS, MOTIONS AND REPORTS:**

Ordinances, resolutions and other matters or subjects requiring action by the Council shall be introduced or moved by a member of the Council, except that the City Manager or City Attorney may present ordinances, resolutions, and other matters or subjects for consideration by the Council.

Every ordinance and resolution shall be presented in writing and read in full at a Council meeting; provided however, that the reading of an ordinance or resolution

may be dispensed with by unanimous consent. Upon the vote on ordinances, resolutions and motions, the ayes and nays shall be recorded unless the vote is declared unanimous. Upon the request of any member of the Council, the vote shall be by roll call of all members of the Council as provided under Duties of the Presiding Officer of this resolution. A majority vote of all members of the Council shall be required for the passage of all ordinances, motions, and resolutions except as otherwise provided by law.

An emergency ordinance necessary for the immediate preservation of the public peace, morals, safety, or welfare in which the emergency is defined and declared, passed by a vote of at least four members of the Council, as recorded by ayes and nays. No prosecution shall be based upon the provisions of any emergency ordinance until the same has been filed with the City Manager or until the ordinance has been published, unless the person, persons, firms, or corporations charged with violations thereof shall have had notice of the passage thereof prior to the act or omission complained of.

All ordinances, resolutions and reports shall be filed with the City Manager and made a part of the minutes by reference.

12.1 **CONDUCT OF CITY EMPLOYEES:**

The City Manager may take part in the discussions of the City Council and may recommend to the Council such measures as are deemed necessary for the welfare of the people and efficient administration of the affairs of the City. The City Manager shall have all the rights, powers, and duties prescribed by Minnesota Statutes in regard thereto; however, it is recognized that the City Council is the policy making body for the City and the City Manager shall confine discussions at Council meetings to statements of fact, recommendations based upon knowledge and experience and explanations for the same, and any matters pertaining to administration.

The City Attorney may not take part in the discussion of the City Council except to answer questions so directed, comment on matters involving legal cases and procedure of the City and to present factual material to the Council.

No City employee, other than the City Manager and City Attorney, shall enter into the discussion of the City Council except to answer questions directed to such employee or to present factual information.

The above regulations of City employees shall not be construed to limit the appearance before the City Council of any City employee or member of the public, for or against some particular issue under discussion by the Council where such employee has an interest in the outcome thereof.

13.1 **WAIVER:**

By 4/5 consent of all Council Members these rules or parts thereof may be waived.

14.1 **ADJOURNMENT:**

A motion to adjourn shall always be in order and decided without debate.

15.1 **PUBLICATION AND AVAILABILITY OF RULES OF PROCEDURES:**

Council Rules of Procedures and changes as they occur shall be published in the official newspaper of the City. At least one (1) copy of the Rules of Procedures shall be made available to the public at all Council meetings.

16.1 **CHANGES OF RULES OF PROCEDURES:**

Rules of Procedures may be changed at any regular or special Council meeting provided publication of changes are published in the official newspaper of the City.