

Standing Rules

Rule 1. ~~TIME OF MEETINGS.~~

- (a) Regular meetings of the council shall be held twice monthly on the second and fourth Mondays of each month at ~~6:00~~~~7:00~~ p.m.; provided, however, that if any such Monday falls on a legal holiday, the meeting scheduled for that day shall be held the following Tuesday at ~~6~~~~7~~:00 p.m.; and provided, further, that ~~if the second meeting fourth Monday in December shall be scheduled at the discretion of the president falls on December 24, the regular meeting set for that day shall be held on December 26 at 7:00 p.m;~~
- (b) Special meetings may be held as provided for in the City Charter and subject to proper notice as required in accordance with the Minnesota Open Meeting Law, Minnesota Statutes Chapter 13D and Rule 2 herein;
- (c) The president of the council may cancel any regular meeting of the council by giving notice to each member of the council at least three days prior to the scheduled date of such meeting; provided that at least two regular or special meetings shall be held each month;
- ~~(b)~~(d) Agenda meetings shall be held at 5:15 p.m. on each Thursday preceding a regular meeting of the council unless such agenda meeting falls on a legal holiday, in which case the president shall set another time and date for such agenda meeting and shall give notice of such time and date to each member of the council at least three days prior to such meeting. The council president may cancel or reschedule any agenda meeting by giving notice to each member of the council at least three days prior to the scheduled date of such meeting;
- ~~(c)~~(e) No meeting of the council shall continue past 11:00 p.m. An uncompleted meeting may be adjourned to the next regularly scheduled meeting.

Rule 2. ~~PUBLIC NOTICE AND LOCATION OF MEETINGS.~~

The secretary of the council shall maintain a schedule of regular meetings available to the public for inspection during regular business hours. The secretary must provide ~~give~~ public notice of the time and place of all special meetings, agenda meetings, committee meetings, and public hearings of the council by posting such information in a conspicuous place in the office of the city clerk at least three days prior to the time any such meeting is to be held. Unless another location is designated in advance by the council, all regular meetings of the council must be held in the Council Chambers at City Hall. Any change in location must be designated in advance and noticed pursuant to these Rules and Minnesota law. If a regular council meeting is to be held at a location other than the Council Chambers in City Hall, the secretary shall give public notice of such change in location in the same manner as specified herein for giving notice of council meetings.

Rule 3. NOMINATION OF OFFICERS - TERM OF OFFICE.

No later than the end of the last scheduled regular council meeting of the year, every nomination of a councilor for a position as officer of the council for the following year shall be made known to the council by the nominator.

Document A

Each councilor elected as an officer of the council shall hold office for a term of one year or until his or her successor is elected.

An officer of the council may be removed from office by resolution passed by two-thirds vote of the council, but only after there has been a showing of just cause for such removal. If a resolution of removal is passed, then the next order of business at that meeting shall be the election of a councilor to serve in place of the removed officer for the remainder of the removed officer's unexpired term.

Rule 4. PRESIDING OFFICER.

The president shall preside at the meetings of the council, and in case of the president's non-attendance, the vice president shall preside. If both are absent, the council shall appoint a temporary chair from the members present. The presiding officer shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the council.

Rule 5. QUORUM.

At all meetings of the council other than agenda meetings and committee meetings, six members shall constitute a quorum.

Rule 6. ROLL CALL.

At the time appointed for any regular or special meeting of the council, the presiding officer shall call the meeting to order and the secretary shall proceed to call the roll, note the absentees and announce if a quorum be present. The secretary shall note in the minutes the time and point in the proceedings when any member absent for roll call takes his/her seat in the council, or when any member leaves prior to adjournment.

Rule 6A. PLEDGE OF ALLEGIANCE.

All regular and special meetings of the council shall begin with a pledge of allegiance to the United States flag.

Rule 7. ORDER OF BUSINESS FOR ALL MEETINGS EXCEPT ANNUAL ORGANIZATION MEETING.

Upon the appearance of a quorum, the council shall then proceed to the business before it in the following order:

1. Roll call;
2. Pledge of allegiance;
3. Approval of minutes of previous meeting(s);
4. ~~Presentation of petitions and other communications;~~
5. Reports from the administration;
6. Public Hearing(s)
- 6. ~~Reports from other officers;~~
- 7. ~~Reports of boards and commissions;~~
- 8. ~~Reports of council committees;~~
- 9. ~~Reports of council open issues;~~
10. Opportunity for citizens to be heard;

Document A

11. Unfinished business;
12. New business, motions, resolutions;
13. Introduction and consideration of ordinances;
14. Councilor questions and comments;
15. Councilor preview of upcoming business.

Any citizen desiring to be heard may be given three minutes for such purpose and with the unanimous consent of members of the council then present, such citizen may be heard on the same subject for such additional period of time as may be permitted by the presiding officer.

Rule 7A. CONSENT AGENDA.

At the consent of all city council members present at a city council meeting, any number of resolutions may be combined on a consent agenda and approved by one city council vote provided that the written resolutions, including a statement of purpose, have been presented to each city councilor 12 hours before the meeting in the manner provided by Section 8(i) of the City Charter.

Rule 7B. ORDER OF BUSINESS AT ANNUAL ORGANIZATION MEETING.

Upon the appearance of a quorum, the council shall then proceed to the business before it in the following order:

1. Roll call;
2. Pledge of allegiance;
3. Election of officers;
4. Unfinished business;
5. New business, motions, resolutions;
6. Introduction and consideration of ordinances.

Rule 8. CALLS TO ORDER.

A member called to order shall immediately suspend his/her remarks unless permitted to explain. If the member does not appeal, the decision of the chair shall be deemed conclusive; but if the member chooses to appeal from the decision of the chair, the council shall decide the point without debate.

Rule 9. INTRODUCTION OF RESOLUTIONS AND ORDINANCES.

No second shall be required for the introduction of a resolution or an ordinance. The city administration may propose a resolution or an ordinance to be considered by the council by submitting each such measure to the clerk for inclusion on the city council agenda. A resolution or ordinance proposed by the city administration shall, on the face of it, be identified as "city proposal." Upon request of a councilor, the councilor shall be identified on the ordinance or resolution as a sponsor of a city proposal. Once submitted to the clerk, a city proposal shall remain on the agenda until one of the following occurs:

- (a) The administration withdraws it with consent of the presiding officer of the council;
- (b) It is removed from the agenda by the council at an agenda session or at a council meeting;
- (c) It is removed from the agenda and referred by the council to another body for review, study or recommendation;
- (d) It is duly and finally acted upon by the council.

Rule 10. RECONSIDERATION.

Any member who voted with the prevailing side may move a reconsideration of any action of the council, provided that the motion be not made later than at the next regular meeting after such action was taken.

Rule 11. 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 except only that any member of the council shall, before such motion is put, be entitled to state what business he/she or any committee of which he/she is a member desire to have considered.

Rule 12. VOTING.

The manner in which each member of the council votes upon all propositions shall be entered upon the journal of the proceedings of the council, but it shall not be necessary to call for the yeas and nays on every proposition unless a member of the council shall demand a roll call. If no such roll call is demanded, the presiding officer of the council shall indicate which members, if any, voted against the prevailing side on the matter. No further discussion shall be permitted during the taking of a vote on any question.

Rule 13. VOTING PROCEDURE FOR COUNCIL APPOINTMENTS.

Council appointments to boards, commissions, and authorities of the city shall be accomplished in the following manner:

A resolution making the appointment shall be placed on the agenda by the chair of the personnel committee. Such resolution shall contain a blank instead of a name of a person to be appointed. At the meeting at which the resolution is considered, the chair of the personnel committee shall present the report of such committee and place in nomination the name of the person recommended by the committee, if any. Additional recommendations may then be made from the floor. The council shall then vote by voice ballot to fill the blank in the resolution with the name of one of the persons nominated. Balloting shall continue until such time as one person receives a majority vote or the matter is tabled.

Rule 14. COMMITTEES.

Appointments to council committees shall be made by the presiding officer with the consent of a simple council majority. Councilors previously appointed to such committees shall not be removed involuntarily without the approval of two-thirds majority of the council.

Rule 15. AMENDMENT OF RULES.

These rules may be amended or new rules adopted by a vote of 2/3 of the council, but no resolution providing for an amendment or for new rules shall be passed on the date of its introduction.

Rule 16. ROBERT'S RULES OF ORDER TO GOVERN.

In the absence of any rule upon any matters of business, the council shall be governed by *Robert's Rules of Order*.

Rule 17. SUSPENSION OF RULES.

These rules may be suspended by a 7/9 vote of the council.

Rule 18. DELETED.

Rule 19. USE OF ELECTRONIC MAIL.

(a) It is the policy of the Duluth City Council to comply with the Minnesota Open Meeting Law (Minnesota Statutes Chapter 13D, as amended, or its successor). In order to comply with this policy, neither the council, nor a member of it, shall engage in council deliberations about a matter that has been, is, or may be before the council in any forum, including use of electronic mail, other than a duly held meeting of the council that is held in compliance with the Minnesota open meeting law;

(b) When a councilor decides to use electronic mail to inform a number of councilors, which number is equal to at least a quorum of the council, or any committee or subcommittee thereof, of any matter, he or she should make the distribution through the city clerk's established council distribution group (which is public). The councilor's notice shall not invite any response or discussion;

(c) If a councilor decides to use electronic mail to invite a response, or analysis, from another councilor, then the electronic mail shall be sent only to one other councilor, without copies to any other councilors. Likewise, the response shall be sent only to the sender, without copies to other councilors;

(d) A councilor shall not engage in a series of electronic mail communications, on a subject that was, is or may be before the council, with more than one other councilor and then inform other councilors, in a number that is equal to at least a quorum of the council or any committee or subcommittee of it, of the substance or outcome of the series of e-mail communications;

(e) If more than one councilor receives the same electronic mail communication from a sender, and the communication concerns a matter of council business or concern, and it invites a response, then any response sent by the councilor shall be sent only to sender, without copies to other councilors the number of which is at least equal to a quorum of the council or any committee or subcommittee of it.

Rule 20. ACTIONS AT AGENDA MEETINGS.

At an agenda meeting, provided for in Rule 1, the council may add items to the agenda, remove items from the agenda, change the order of the agenda. The agenda may be changed or determined by rule of the presiding officer. In that event, any member may challenge the ruling, and the appeal will be had as set out in Robert's Rules. Any member may propose to change or determine the agenda by a motion made and seconded. Any such challenge or motion shall require a vote of 2/3 of the members present in order to pass. If a quorum, as defined in the Charter, be not present at the agenda meeting, then the vote on a motion or challenge made shall be taken as the first order of business at the following city council meeting.