

Document A

STANDING RULES

Preamble

The purpose of these Standing Rules is to provide clear, transparent, and consistent guidelines for the orderly and efficient conduct of the City of Duluth's public business by, among, and on behalf of the City Council of the City of Duluth. These rules are intended to promote accessibility, fairness, accountability, and public trust by outlining how council meetings are conducted and how residents may participate. With the adoption of clear guidelines such as these Standing Rules, the public is better able to prepare, to understand council process and actions, and to participate meaningfully in council meetings.

City council meetings are for the primary purpose of considering action on matters pertaining to city business, the operation of the city, and the provision of city services. Council members desire information from staff and the public in order to make informed decisions. Council meetings are structured to balance meaningful public participation with the orderly conduct of city business so that all voices may be heard in a safe, equitable and accessible environment.

Courtesy and respect for a safe, accessible and equitable environment are necessary for a productive discussion where all members of the public and the council can be heard. Council meetings shall be conducted in a courteous manner that recognizes the validity of differing points of view and promotes the ideal of democratic discussion and debate free of threats, intimidation, slander, personal attacks, or violence.

Rule 1. MEETINGS.

(a) Regular meetings of the council shall be held twice monthly on the second and fourth Mondays of each month at 6:00 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 6:00 p.m.; and provided, further, that the second meeting in December shall be scheduled at the discretion of the council president;

(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 and the public 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;

(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 and the public 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 and the public at least three days prior to the scheduled date of such meeting;

(e) No meeting of the council shall continue past 10:44:00 p.m. An uncompleted meeting may be adjourned at any time during a meeting to the next regularly scheduled meeting or other date and time as determined by a simple majority vote.

Rule 2. 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 and online. The secretary must provide public notice of the time and place of all regular meetings, special meetings, agenda meetings, committee meetings, and public hearings of the council by posting such information online and 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 Duluth City Hall (3rd floor, 411 W. 1st St).

Rule 3. NOMINATION OF OFFICERS - TERM OF OFFICE.

The council shall elect a president and vice-president in accordance with the Duluth City Charter to serve as council officers. No later than the end of the last scheduled regular council meeting of the year, every nomination of a city councilor for a position as officer of the council for the following year shall be made known to the council by the nominator(s).

Each councilor elected as an officer of the council shall hold office for a term of one year or until ~~his or her~~their 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 by a simple majority vote from among the members present. The presiding officer shall:

1. Preserve order and decorum;
2. Observe and enforce all rules adopted by the council;
3. Decide all questions of order, in accordance with these rules;
4. Recognize members of the council in the order in which they request the floor. No member should be recognized and given the floor to speak on the same matter more than once until all other members of the council have had an opportunity to be recognized and heard; and
5. Retain the authority during public comment to determine whether a speaker's remarks fail to comply with these rules.

~~preserve order and decorum, and shall decide questions of order, subject to an appeal to the council.~~No person or member shall address the other members without being recognized by the

presiding officer to ensure orderly discussion, prevent interruption or cross-talk, maintain fairness in the recognition of speakers, and ensure all remarks are accurately recorded in the public record.

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 ~~is~~ 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~~ their 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 REGULAR MEETINGS AND THE EXCEPT ANNUAL ORGANIZATION MEETING.

Upon the appearance of a quorum, the council shall then proceed to the business before it in the following order, except that at the annual organization meeting, the election of officers shall follow the Pledge of Allegiance:

1. Roll call;
2. Pledge of Allegiance;
3. Approval of minutes of previous meeting(s);
4. Reports from the Administration;
5. Public Hearing(s)/Appeals;
6. First public comment period (Agenda Items) ~~Opportunity for citizens to be heard;~~
7. Consent agenda; ~~Unfinished business;~~
8. Regular agenda; ~~New business, motions, resolutions;~~
9. Tabled items;
9. 10. Introduction and consideration of ordinances;
11. Second public comment period (Non-agenda Items);
- ~~10~~12. Councilor/Administration questions and comments;
- ~~11~~13. Councilor/Administration preview of upcoming business;
14. Adjourn.

City council meetings are the forum for conducting the city's business in a manner that ensures clarity, fairness, and equitable participation. While open to the public pursuant to Minnesota's Open Meeting Law, members of the public are not permitted to participate directly in Council discussion and debate unless invited or formally recognized by the presiding officer. This structure preserves order, ensures fairness to all participants, and supports transparent and effective decision-making while providing designated opportunities for meaningful public input.

All persons in council chambers shall conduct themselves with decorum and respect. To ensure safety, accessibility, and equitable participation, these conduct standards apply equally to all persons present, including members of the public and councilors, regardless of viewpoint. Any citizen desiring to be heard may be given three minutes for such purpose. With the unanimous consent of member 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. To preserve the order and decorum of city council meetings, the volume of all electronic devices including but not limited to cellular telephones, pagers, or computers shall be turned off or set to silence.

For safety and security reasons, members of the public may not enter the area between the podium and council seating immediately before, during, or immediately after the meeting. Any materials to be distributed to the council with the presiding officer's permission shall be delivered to the city clerk for distribution to the council.

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 submitted to the city clerk by 12:00 p.m. on the day of the agenda session presented to each city councilor 12 hours before the meeting in the manner provided by Section 8 of the City Charter. All resolutions listed on the consent agenda will be voted on in block by one motion and one council vote. There will not be separate discussion of these items.

At the agenda session, the council may remove items from the agenda or change the order of the agenda upon request made to the presiding officer. Following the close of the agenda session, items may be pulled from consent agenda upon a motion made, seconded and passed by a simple majority vote taken immediately prior to approval of the consent agenda at the following city council meeting.

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/their remarks unless permitted to explain. If the member does not appeal, the decision of the presiding officer chair shall be deemed conclusive; but if the member chooses to appeal from the decision of the presiding officerchair, the council shall decide the point without debate.

Rule 9. INTRODUCTION OF RESOLUTIONS AND ORDINANCES.

A. Generally, the business agenda for each meeting will be generated by the City Clerk in conjunction with City Administration. Resolutions and ordinances should be prepared or reviewed by staff. Regular business meeting agendas are published by the end of the business day on the Tuesday before the upcoming agenda session. Pursuant to the Duluth City Charter, every resolution and ordinance (with limited exceptions per the City Charter) shall be submitted to the city clerk by noon on the day of the agenda session.

B. The city administration or any member(s) of the council may propose a resolution or an ordinance to be considered by the council by submitting such measure to the clerk for inclusion on the city council agenda. ~~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 resolution or ordinance city proposal. Once submitted to the clerk and published as the agenda, a resolution or ordinance city proposal shall remain on the agenda until one of the following occurs:

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

Rule 10. MOTIONSRECONSIDERATION.

Motions are the formal mechanism for bringing business before the council, enabling structured debate and decisions that are recorded in the minutes. Some of the most common motions include, but are not limited to, the following:

- A. **Making a Motion.** For an item to be brought to the floor, a council member shall make a motion. Items shall be brought to the floor in the order of the agenda. A council member must first be recognized by the presiding officer before the member makes a motion.
- B. **Seconding a Motion.** Generally, motions must receive a second for action. When a second is made, the Presiding Officer will state the names of the respective council members making and seconding the motion. Once seconded, the motion under consideration may be debated. When a motion does not receive a second, it dies.
- C. **Motions – No Second Required.** The following motions do not require a second:
 - 1. Call for nominations.
 - 2. Request for a roll call vote.
 - 3. Point of order.
 - 4. Raise a question of privilege.
 - 5. Withdrawing a motion (before a second is made or where no objection is stated).

6. Withdrawing a second.

- D. **Motion to Amend.** Any council member may make a motion to amend in order to change, add or omit some part of a main motion. This motion is debatable and requires a majority vote of the council members present for passage. A motion to amend is not amendable. First, a vote must be held on the motion to amend. If that vote is affirmative, the second vote is held on the main motion as amended. Only one amendment to a motion should be on the floor at any one time.
- E. **Motion to Postpone to a Date Certain.** Any council member may move to postpone an item to a certain, stated date for, among other reasons, obtaining more information. If this motion passes, it will delay consideration of that item until the specified date.
- F. **Motion to Table (Postpone Indefinitely).** Any council member may move to postpone indefinitely an item, which will delay consideration of that item until an unspecified date. This matter will be taken up at a later date when a simple majority of the council members present vote to call it from the table.
- G. **Motion to Take from the Table.** A motion to take from the table allows the council to renew their consideration of a matter. This motion is not debatable and requires a simple majority of the council members present.
- H. **Calling the Question.** Any council member may make a motion to call the question, which is a motion to end discussion on the pending matter. When seconded, the presiding officer must immediately call the vote on the motion to call the question. This motion is not debatable, is not amendable, and requires a 2/3 majority vote of the council members present for passage. If the motion passes, the presiding officer must then call for an immediate vote on the pending matter.
- I. **Point of Order.** Any council member may raise a point of order at any time. A point of order means that the council member is asking the presiding officer for a ruling on whether the rules of procedure are being followed. The point of order shall first be made to the presiding officer for a ruling. Any two members, by moving and seconding an appeal immediately after the presiding officer has made a ruling, can require the matter be submitted to a vote by the council, which may affirm or overrule the presiding officer's ruling.
- J. **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.
- K. **Motion to Adjourn.** 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 his/her is a member desire to have considered.~~
- L. **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 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 vote proposition unless a member of the council requests shall demand a roll call. If no such roll call is ~~requested~~demanded, the presiding officer of the council shall indicate whether the proposition passes or fails ~~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 committees, boards, commissions, and authorities of the city shall be accomplished in the following manner: made by the president and submitted into the public record at the second regularly scheduled meeting in January for the purposes of transparency. Council appointments shall last until the subsequent council officer election. A councilor may only be removed involuntarily from such roles by the president with the approval of 2/3 of the council. For avoidance of doubt, this section shall not apply to appointments of councilors to committees, boards, commissions, and authorities made by the mayor or other appointing authorities outside of the council's purview.

~~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 14~~5~~. 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 effective~~passed~~ on the date of its passage~~introduction~~. Amended or new rules will be effective at the next scheduled council meeting.

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 157. SUSPENSION OF RULES.

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

Rule 18. DELETED.

Rule 169. 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) ~~Electronic mail communications exchanged between a quorum or more of council members on matters that are or may come before the council are prohibited. 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;~~

(~~c~~d) A councilor shall not engage in a series of electronic mail communications, on ~~matters that are~~ a subject that was, is or ~~come~~ 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;

(~~d~~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.~~

Rule 17. PUBLIC COMMENT

Members of the public may provide public comment to the council body during the public comment periods. Each person may speak at only one of the two comment periods. Any person wishing to be heard on agenda items is encouraged to sign up prior to the start of the council meeting and no later than five minutes before the meeting begins to ensure orderly administration.

Providing an opportunity for public comment on agenda items before council deliberation ensures that council members have the benefit of community input prior to taking action and strengthens informed decision-making.

Comments on non-agenda items and comments by persons who miss the sign-up for the first public comment period will be heard during the second public comment period for non-agenda items. Any person wishing to be heard during the second public comment period is encouraged to sign up prior to the conclusion of the introduction and consideration of ordinances. The presiding officer may exercise reasonable discretion to ensure public participation while maintaining orderly proceedings.

This structure is intended to ensure equitable access to speaking time and allow as many community members as possible the opportunity to be heard. The council is committed to applying these participation standards consistently and equitably to all speakers.

To ensure that meetings remain safe, accessible, and conducive to hearing all voices without disruption or intimidation, while addressing the council:

- (a) No person shall speak without being first recognized by the presiding officer; nor shall any person interrupt the speech of another person, except where permitted for a council member to raise a point of order.

This ensures that each speaker can be heard fully, prevents cross-talk, and maintains an orderly and fair process for all participants.

- (b) Each person addressing the council must use the microphone on the dais designated for public speakers, state their name for the record, and state which Duluth council district they reside in or provide their zip code.

This promotes transparency, creates an accurate public record, and helps the council understand the geographic representation of community input.

- (c) To maintain focus on city business, speakers should address their remarks to the council body as a whole.

This keeps the focus on city business, prevents debate between individuals, councilors, city staff or members of the public, and ensures the meeting remains a forum for policy discussion with the council body rather than personal exchange.

- (d) Comments should not include threatening or obscene language, defamatory statements or personal attacks.

This protects the safety and dignity of all participants and ensures that discussions remain focused on issues and ideas rather than individuals.

- (e) Disorderly conduct that impedes, disrupts or disturbs the meeting, hearing or other proceeding is prohibited. Prohibited conduct includes, but is not limited to, audible demonstrations of approval or disapproval, cheering, jeering, shouting, whistling, clapping, stomping of feet or other disruptive behavior.

These standards ensure that all speakers – regardless of viewpoint – can be heard without interruption or intimidation.

- (f) Holding or placement of banners, signs or objects in a way that endangers the safety of others, or obstructs the free flow of others, or obstructs the ingress or egress from the meeting room or any emergency exits or otherwise obstructs the view of others is prohibited. Signage or banners may be no larger than 11 inches by 17 inches inclusive of handles.

These limitations balance expressive rights with public safety, accessibility, and visibility for all attendees.

- (g) Each speaker is given up to three minutes to address the council.

Time limits ensure equitable access so that as many community members as possible have the opportunity to be heard.

- (h) Large groups are encouraged to express their views through a single spokesperson rather than individually. The group representative will not receive additional time.

This encourages efficient use of meeting time while still allowing organized viewpoints to be expressed.

- (i) Speakers who do not follow these rules may be interrupted by the presiding officer and warned about their behavior.

This allows correction before enforcement and supports consistency while maintaining order.

- (j) With the unanimous consent of members of the council then present, a speaker such citizen may be heard on the same subject for such additional period of time as may be permitted by the presiding officer.

This provides flexibility when additional context may benefit council deliberation.

- (k) Public comment periods are listening sessions. Council members purposefully to not engage in dialogue during this time to ensure each speaker may be heard fully and without interruption. Members of the public who would like to engage with a councilor in advance of a meeting on a given topic are encouraged to contact them in advance.

This structure preserves fairness, prevents debate during public comment, and ensures equal treatment of all speakers.

Rule 18. ENFORCEMENT OF STANDING RULES

When a person, attendee or participant violates the above rules of order and decorum, the presiding officer is authorized to take appropriate action, including but not limited to, any one or more of the following actions:

(A) Not recognize a violating person's request to speak, or limiting their role in debate or comment, as applicable, until decorum is observed.

(B) Declare the person's actions out of order.

(C) Temporarily recess the meeting until order is restored.

(D) Issue the person a verbal warning and/or directive that the person is out of order and shall follow the rules of order, be silent unless recognized to speak, and/or immediately cease such conduct.

(E) In addition to the above, in the event disruptive conduct continues to impede the council's ability to conduct its business, the presiding officer may call for a motion to adjourn the meeting to another date and time or end the meeting.

These Standing Rules shall be posted in the Council Chambers.