

Legislation Text

File #: 23-1011, Version: 1

Motion 2023-054

City Council Meeting Date: March 7, 2023

To: Mayor and City Council

From: Lynette Peterson, City Clerk

Consider Amendment to Council Rules of Business and Appendices.

Action Requested:

The Northfield City Council approves the amendment to the attached City Council Rules of Business and related Appendices.

Summary Report:

The City Council annually reviews City Council Rules of Business and related Appendices and incorporates any amendments as necessary. Staff has incorporated an additional amendment as a result of the Charter Commission discussion regarding Charter Amendments to include all Charter Amendments will include a roll call vote. Staff previously had included the consent agenda addition but there also is interest in being explicit in the roll call vote. As you know, our current software already is tracking individual voting but that isn't expressly included in the Rules of Business. It appears this could avoid future conflict by just clarifying this and staff believes adding roll call is reasonable.

The appendices are attached and have not changed.

The following is the underlined wording is what is being added:

Meeting Agenda

- Under Consent Agenda:
 - All Ordinances pertaining to City Charter amendments or additions will be included as part of the Regular agenda and a roll call vote will be taken on the amendments. Charter Amendments should not be placed on the Consent Agenda.

Alternative Options:

Not applicable.

Financial Impacts:

Not applicable.

Tentative Timelines:

Not applicable.

Lance R. Heisler

From: Ben Martig <Ben.Martig@ci.northfield.mn.us>
Sent: Thursday, April 6, 2023 11:00 AM
To: Lance Heisler
Cc: Sara Hoffman
Subject: RE: Charter Resolution on City Council action on Charter Amendments

We included that in materials Tuesday night. Council approved the amended language in our rules of business.

I'll have Sara send the final version and highlight the two areas that address it.

From: Lance R. Heisler <lheisler@heislerlawoffice.com>
Sent: Thursday, April 06, 2023 10:55 AM
To: Ben Martig <Ben.Martig@ci.northfield.mn.us>
Subject: Charter Resolution on City Council action on Charter Amendments

CAUTION: This email originated from outside of the organization.

Hi Ben,

Attached is the resolution adopted by the Charter Commission. Can you take care of making this resolution part of the Council's consideration on this issue? Thanks

Lance R. Heisler
Chairman, Charter Commission

**NORTHFIELD CHARTER COMMISSION RESOLUTION REGARDING
CONSIDERATION BY THE CITY COUNCIL OF PROPOSED NEW AND AMENDED
CHARTER PROVISIONS**

BE IT RESOLVED THAT THE NORTHFIELD CHARTER COMMISSION STRONGLY RECOMMENDS THAT THE NORTHFIELD CITY COUNSEL ADOPT AS A RULE OF BUSINESS POLICY THE FOLLOWING LANGUAGE REGARDING CITY COUNCIL ACTION ON ALL PROPOSED NEW NORTHFIELD CHARTER PROVISIONS AND ALL PROPOSED AMENDMENTS TO NORTHFIELD CHARTER PROVISIONS:

1. THAT CONSIDERATION BY THE CITY COUNCIL OF ALL SUCH PROPOSED NEW PROVISIONS AND AMENDMENTS SHALL BE PLACED ON THE REGULAR CITY COUNCIL AGENDA, AND **NOT ON THE CONSENT AGENDA**
2. THAT **WHEREAS** SECTION 2.4 OF THE NORTHFIELD CHARTER REQUIRES THAT APPROVAL BY THE CITY COUNCIL OF ALL PROPOSED NEW PROVISIONS AND ALL PROPOSED AMENDMENTS TO THE NORTHFIELD CHARTER REQUIRES A UNANIMOUS VOTE OF THE FULL CITY COUNCIL; **NOW THEREFORE** EVERY VOTE BY THE CITY COUNCIL ON A PROPOSED NEW OR AMENDED CHARTER PROVISION SHALL BE BY **ROLL CALL VOTE**

Passed

Honorable Charter Commissioners;

I thought I would share that the City Council adopted the following Rules of Business at their February 7th meeting related to placement of future Charter amendments on the regular agenda. As a reminder, for the last charter amendment that passed by Council the First Reading was approved following a regular meeting review and discussion on 7-0 vote. The subsequent 2nd Reading had been placed on consent as it had been supported in first reading and no subsequent changes. However, as you know there was citizen objection raised to whether a unanimous vote passed or not with the second reading. The amended Rules of Business includes the following language on page 4 as highlighted below which will lead to future charter amendments under these rules to be on the regular agenda:

4. Consent agenda. The purpose of a consent agenda is to allow for routine motions, resolutions, and ordinances to be passed with one motion when no discussion is needed. The Mayor or City Council Members may ask questions for clarification of an item. If a Mayor or City Council Member wants to discuss an item, it should be removed from the consent agenda by advance notice by noon on the Monday immediately prior to the meeting date to the Mayor, City Administrator, and City Clerk, or without said prior notice, during the approval of the agenda. o Consent agenda item titles will be posted on the screen and not read during the meeting. Items are approved by one motion unless a Mayor or City Council Member requests separate action. All items approved by majority vote unless noted.

o All Ordinances pertaining to City Charter amendments or additions will be included as part of the Regular agenda. Charter Amendments should not be placed on the Consent Agenda.

In addition, the City Council has implemented new meeting management software that includes individual voting through the Council ipad devices that will record all actions by individuals at future meetings. This also will in effect clarify specifically who voted at each meeting and how they voted.

I thought I would share these changes that have been implemented from your last discussion. I believe these changes should further advance any question on voting by individuals of the City Council at meetings particularly in your area of interest of Charter Amendments.

As it relates to the prior Charter Amendment, it is now in effect as Ordinance 1048 which you can see as a “pending codification” on the link. Municode who manages our Charter and Ordinance updates once a year but shows all ordinances approved and pending integration at the next update (screen shot below):

CHARTER COMMISSION POLICIES

1. **MEETINGS:** ROBERT'S RULES OF ORDER SHALL BE USED AS A GENERAL REFERENCE IN THE CONDUCT OF CHARTER COMMISSION MEETINGS. UPON MOTION PASSED BY THE CHARTER COMMISSION, THE RULES MAY BE SPECIFICALLY INVOKED TO ADDRESS A SPECIFIC TOPIC, OR FOR A SPECIFIC PERIOD OF TIME.
2. **QUORUM** – A QUORUM SHALL BE DEFINED AS A MAJORITY OF ALL MEMBERS ENTITLED TO VOTE. AN AFFIRMATIVE VOTE OF ALL MEMBERS ENTITLED TO VOTE SHALL BE REQUIRED TO PASS ANY MOTION BROUGHT BEFORE THE CHARTER COMMISSION.
3. **ANNUAL MEETING:** THE ANNUAL MEETING SHALL BE THE FIRST MEETING OF EACH CALENDAR YEAR. CHARTER COMMISSION OFFICERS SHALL BE ELECTED AT EACH ANNUAL MEETING, TO SERVE FOR A TERM OF ONE YEAR. AT EACH ANNUAL MEETING THE COMMISSION SHALL DETERMINE THE CHARTER COMMISSION MEETING DATES AND TIMES FOR THE COMING YEAR. THE ANNUAL MEETING SHALL INCLUDE A REVIEW OF CHARTER COMMISSION ACTIVITIES IN THE PREVIOUS YEAR.
4. **MEMBER ABSENCE FROM MEETING:** IN THE EVENT THAT A CHARTER COMMISSION MEMBER EXPECTS TO BE ABSENT FROM A MEETING OF THE CHARTER COMMISSION, THE MEMBER SHALL NOTIFY THE CHAIR PRIOR TO THE MEETING. AT THE MEETING WHERE THE MEMBER IS ABSENT, THE CHARTER COMMISSION SHALL DETERMINE BY SIMPLE MAJORITY WHETHER OR NOT THE ABSENCE IS CONSIDERED EXCUSED. IN THE EVENT THAT A MEMBER HAS THREE CONSECUTIVE UNEXCUSED ABSENCES, THE CHAIR SHALL NOTIFY THE MEMBER THAT ONE ADDITIONAL CONSECUTIVE UNEXCUSED ABSENCE WILL RESULT IN THE REMOVAL OF THE MEMBER FROM THE CHARTER COMMISSION. AS PER MINN. STAT. §410.05 SUBD. 2 WHEN ANY MEMBER HAS FAILED TO PERFORM THE DUTIES OF OFFICE AND HAS FAILED TO ATTEND FOUR CONSECUTIVE UNEXCUSED MEETINGS, THE SECRETARY SHALL FILE A CERTIFICATE WITH THE CHIEF JUDGE OF THE DISTRICT COURT SETTING FORTH THOSE FACTS, WHICH WILL RESULT IN THE REMOVAL OF THE MEMBER FROM THE CHARTER COMMISSION.

5. DUTIES OF OFFICERS:

CHAIR:

- A. CALL ALL REGULAR AND SPECIAL MEETINGS
 - B. DETERMINE MEETING AGENDAS
 - C. PRESIDE AT ALL MEETINGS
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- D. APPOINT ALL COMMITTEES
- E. IMPLEMENT THE DECISIONS OF THE COMMISSION
- F. PARTICIPATE IN ALL COMMISSION DECISIONS WITH A VOTE
- G. THE CHAIR SHALL BE THE ONLY AUTHORIZED SPOKESPERSON TO RESPOND TO THE MEDIA ON BEHALF OF THE CHARTER COMMISSION
- H. NOTIFY THE CITY CLERK OF FUTURE MEETINGS AND SUBMIT TO THE CLERK AGENDAS FOR EACH MEETING AND ARRANGE FOR A MEETING ROOM .
- I. PROVIDE NEW MEMBERS WITH THE CHARTER, APPLICABLE STATUTES, THE CITY ETHICS CODE, CHARTER COMMISSION POLICIES, AND OTHER MATERIALS
- J. FACILITATE COMMUNICATION BETWEEN THE COMMISSION, THE CITY COUNCIL, CITY PERSONNEL, THE CITY ATTORNEY, AND THE DISTRICT COURT.
- K. PREPARE AND SUBMIT THE ANNUAL REPORT TO THE CHARTER COMMISSION FOR APPROVAL, AND DELIVER THE APPROVED ANNUAL REPORT OF THE CHARTER COMMISSION TO THE CHIEF JUDGE OF THE DISTRICT AND THE CITY CLERK.
- L. APPOINT A SUBSTITUTE SECRETARY IN THE EVENT OF THE SECRETARY'S ABSENCE.

VICE CHAIR:

THE VICE CHAIR SHALL PRESIDE IN THE ABSENCE OF THE CHAIR AND ASSUME ALL DUTIES AND RESPONSIBILITIES OF THE CHAIR.

SECRETARY

- A. RESPONSIBLE FOR CHARTERCOMMISSION RECORDS, MINUTES, AND CORRESPONDENCE.
- B. ATTEND ALL CHARTER COMMISSION MEETINGS.
- C. TYPE, COPY, AND MAIL ALL MINUTES, LETTERS, AND PROPOSED CHARTER AMENDMENTS AND PROPOSED ORDINANCES PASSED BY THE COMMISSION.
- D. UPDATE MEMBERSHIP ROSTER, MAILING LIST, ROLL CALL LIST, MEMBERSHIP FILES AND RELATED DOCUMENTS AND UPDATES TO THE WEBSITE

ELECTION AND TERMS OF OFFICERS:

THE TERM OF OFFICE FOR THE CHAIR, VICE CHAIR, AND SECRETARY OF THE CHARTER COMMISSION SHALL BE ONE YEAR. ELECTIONS FOR EACH OFFICE SHALL BE HELD DURING THE FIRST MEETING OF THE CHARTER COMMISSION IN EACH CALENDAR YEAR.

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