



## **Board/Commission Member Orientation Materials**

January 2018

Thank you for your commitment and interest in serving on a City of Northfield board or commission. Your service is greatly appreciated. The orientation materials were assembled as a guideline for board/commission members. The City Council Rules of Business and Meeting Rules are attached to the materials. As noted in the document, insofar as practical, City boards and commissions shall be governed by these rules of procedure unless they adopt other rules of procedure which shall be approved by the Council. Staff liaisons will provide addition applicable documents such as ordinances, enabling resolutions and by laws.

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### Appendices:

**City Council Rules of Business and Meeting Rules**  
**Applicable ordinances, enabling resolutions, and bylaws**

## **1. Cities are a product of state statute**

A. The state of Minnesota created laws that permit cities to exist. Therefore, cities must abide by state law.

- 1) Statutory Plan A cities have managers. \*
- 2) Statutory Plan B cities have administrators.\*
- 3) Charter cities, like Northfield, describe how the city functions without relying on a plan A or B model. The Charter cannot be in conflict with what state law permits.

\* Many times the difference between a city manager and a city administrator form of government is difficult to differentiate.

*Reference: MN Stat. Ch. 410 &412*

## **2. Agenda**

A. Purpose of the agenda.

The agenda is how the board/commission does the business that it was appointed to do. Meetings are not designed to be town forums or public meetings on topics of interest or to gather input on topics that citizens may raise.

Agendas are created by staff liaisons and the board/commission chair unless otherwise specified in bylaws.

Typically, the staff liaison is looking 2 to 3 months out on major topics that require action or information for the board/commission.

## **3. Meeting Procedures**

A. Quorum

- 1) A quorum of members must be present at the meeting in order to do business. See bylaws for further information.
- 2) If there is not a quorum, the Chair must state that there is no meeting and not discuss public business. Some informal information sharing might be acceptable, but it is important not to give the impression that any public business is being decided or discussed that might have been done at the public meeting.

B. Number of votes to make a decision

- 1) Simple majority is the typical rule. In most cases, a simple majority vote is required for the approval of any item of business.

C. Procedures at a Meeting

The Chair presides at meetings.

The best and most efficient meetings do not overtly rely heavily on parliamentary procedure to organize and manage them. But the underlying foundation of these principles is used throughout public meeting processes. See attached Council Rules of Business for additional information.

#### D. Motions

- 1) Steps in making a motion:
  - a) Obtain Floor; be Recognized by Chair
  - b) "I MOVE that..."; another member, "Second."
  - c) Chair Repeats Motion and asks for Debate
  - d) Debate pros and cons; make secondary motions
  - e) Chair repeats motion and takes Vote
  - f) Chair announces the Result of Vote
- 2) Motions should be:
  - a) 3 C's: Clear, Complete, Concise
  - b) Chair may request it to be in Writing
  - c) Only one topic at a time
- 3) Motion to "amend"
  - a) I MOVE TO AMEND BY...
  - b) ... Striking out \_\_\_\_
  - c) ... Inserting \_\_\_\_ between \_\_\_\_ and \_\_\_\_
  - d) ... Striking out \_\_\_\_ and Inserting \_\_\_\_
  - e) ... Adding (at the end)
  - f) ... Substituting
- 4) A **"motion to table"** is meant for temporary, brief postponements to a time later in the same meeting.
  - a) This motion is **not debatable**.
  - b) A motion to remove from the table is required to bring the matter up again.
  - c) If that happens, the matter comes up in the state it was when it was tabled (e.g., having been moved and seconded).
  - d) If it is not removed from the table at the same or the next session, it is dead.
- 5) A **motion to postpone to a definite time** is:
  - a) Debatable only as to whether postponement is appropriate.
  - b) The matter should be taken up when the council said it would, and it comes back in the state it was when it was postponed.
- 6) A **motion to postpone indefinitely**, if passed, kills the main motion.
  - a) It is **fully debatable** (the merits of the main motion may be debated).
  - b) If postponed indefinitely and then brought up again, the main motion must be moved and seconded again.
- 7) A motion to **"call the question"** (to end debate):
  - a) Is **not debatable**.
  - b) Requires a second and a 2/3 (5 of 7) vote to pass
  - c) May not interrupt speaker (only the presiding officer is permitted to interrupt the speaker)

#### 4. The Record of the Meeting - The Minutes and the Recording

##### A. Minutes

The minutes of a public body are not a transcription of the proceedings of the meeting. (Courts transcribe; cities do not for public meetings). Some board/commission meetings are recorded. Meeting minutes are a recording of actions taken at the meeting. This approach avoids paraphrasing what it sounded like someone said at a public meeting only to find out it was misinterpreted some time later. The most defensible minutes are those that do not try to restate comments, but capture the action.

- 1) Minutes will include:
  - a) Time and place of the meeting
  - b) Members present
  - c) Summary of all decisions made
  - d) Who moved and seconded each item
  - e) Who voted for and against each item
  - f) Names of all persons other than members who spoke at the meeting, and subject on which they spoke
- 2) Where the basis or findings for a decision of the board/commission is legally important, it should appear in other records pertaining to the action such as in a motion or resolution.

## 5. Roles and Responsibilities

### A. Role of Council

Authority of the City Council is different than the authority of a City Council Member

- 1) The Council acts as a whole (or by the required majority).
- 2) No individual member has any authority to act on behalf of the City.
- 3) Each member has a fiduciary obligation to the City.
- 4) While most City business is open and public, members should keep confidences such as information shared at lawfully closed sessions.

### B. Boards and commissions

- 1) The City has 16 boards, commissions and task forces assigned to provide advice to the City Council on various topics as defined in ordinance for the boards and commissions. Like City Councilmembers, one member of a board or commission cannot represent the entire board or commission and cannot represent the City Council's position on a topic unless the City Council has deemed it appropriate.
- 2) It is important to keep the advisory board's responsibility to the City Council in perspective since it is desirable to have a board or commission recommend projects for council in its CIP process, but not become a lead lobbying group for a project or activity that the City Council cannot accomplish due to funding or timing.
- 3) Typically, boards and commissions, which are appointed by the City Council can operate in one of four ways based upon the type of activity.
  - a) Definitions of authority might include:
    - 1) Level 1: The sub-group is empowered to make decision and take action on its own. The sub-group tells the Council what it is doing.
    - 2) Level 2: The sub-group is empowered to lay out two or three decisions the Council might make and identify which decision the members of the sub-group prefer and why;
    - 3) Level 3: The sub-group generates options for the City Council to consider. There is no decision making power, only the responsibility to gather information and organize it so that the Council can consider options.
    - 4) Level 4: This is a brainstorming authority. This level is often used as a way to get many different inputs, ideas and suggestions about what to do.

### C. Role of the Chair.

- 1) Be a Facilitator
- 2) Make it EASY for everyone to engage

- 3) Be Patient and Professional
- 4) Control the meeting process
- 5) Enforce the Rules fairly and consistently
- 6) Interrupt! Don't allow members to:
  - a) speak out of turn
  - b) question the motives or character of other members
  - c) drift off topic
- 7) If needed to let off steam, take a recess or "stand at ease"
- 8) Use an Agenda to keep on track
- 9) Always use time wisely
- 10) Start/end on time

D. Role of Members.

- 1) Attend all meetings; respond to meeting notices
- 2) Arrive on Time and Stay to the End
- 3) Be Prepared; do Homework
- 4) Participate
- 5) Follow the Rules

E. Role of Staff

The staff liaison acts as the staff to the board/commission and is ultimately responsible for the information going before the board/commission. The staff directly serves as staff liaison to boards and commissions by gathering information and helping accomplish the activities that are being recommended and approved. The board and commission members are quite active in providing advice, information and ideas, but ultimately it is the staff's responsibility to be sure that all the information is available that is needed and that the project, once approved, is moving forward.

## 6. Public Information (Or Data Practices)

A. Data.

- 1) The Minnesota Government Data Practices Act applies to **all data** collected, created, received, maintained or disseminated by the city, including all of its officers, employees and appointees.
- 2) Includes data you might not expect, like email communications regarding city business, whether on a work or home computer, and personal notes.
- 3) You are not required to retain such data in your personal possession, unless the data is necessary to a full and accurate knowledge of official activities.
- 4) If you retain it, it will be available to the public on request unless a state or federal law makes particular content non-public.

B. Classification of data as public or private.

All government data is **public data** unless a specific state or federal law says otherwise.

Government data should be stored at City Hall. However, even if it is stored off site such as in a file in an elected official's home, it is government data under the data practices act.

Any request for government data should be directed to the City Clerk. No one other than the City Clerk should release government data to the public unless it is entirely obvious that it is public data (such as agendas, minutes of open meetings, resolutions, ordinances, recorded documents, and such things).

## **7. The Open Meeting Law**

### **A. The law on what is considered an open meeting:**

- 1) Open Meetings. Most meetings of a quorum or more of the council, a committee of the council, or any board, commission or agency of the City, must be announced at least 3 days in advance and must be open to the public. When applicable, this rule applies whenever the body meets to discuss, decide or receive information as a group on issues relating to official business.
- 2) Serial Communications. The rule prohibits serial communications regarding City business which ultimately include a quorum or more via email, telephone or in person.
- 3) Electronic Communications. The serial communications rule may be violated, intentionally or unintentionally, by electronic messaging which is addressed, copied, forwarded or otherwise distributed to a quorum of members. Members should not communicate with each other about City business by electronic means unless the communication is certain not to be shared with a quorum of members. Members may communicate with a staff person and ask that other members be contacted by the staff person. Always use blind copy (Bcc) if sending an e-mail to an entire group for a one-way message.
- 4) Social functions or meetings that are not city meetings. A quorum of members may attend social events just like any other individual without posting the meeting as a public meeting. It is important that members not gather in a group of a quorum or more and discuss City business. Sitting adjacent to each other at a social event is not a violation of the open meeting law. Use common sense.

### **B. Violation of Open Meeting Law under Statute.**

- 1) A member may be personally liable for a penalty up to \$300 for violation of the law.
- 2) A member may forfeit the right to continue to serve the city in any capacity for the length of one term of the current office, if the member has 3 violations.
- 3) The city may be ordered to pay up to \$13,000 of a complainant's costs and attorney fees.
- 4) The city includes open meeting law violations in its insurance. However, this does not cover those items that a councilmember would be personally liable for.

## **8. City of Northfield Ethics Policy Guidelines**

### **A. Guidelines in the Northfield ethics ordinance**

- 1) If a member has a business or financial or other personal interest, direct or indirect, including an interest arising from blood, adoptive or marriage relationships or close business or personal associations;
- 2) which is incompatible with the proper discharge of official duties in the public interest or which would tend to impair independence of judgment in the performance of official duties;
- 3) the member must disclose the interest and abstain from discussion and voting;
- 4) except the member may participate in discussion as a member of the public; abstention is not required if discussion and action by the member will not affect the member more than any other member of the same group, neighborhood, business classification, profession or occupation.

*Reference: Northfield City Code Section 2-121 thru 2-128*



## 9. State Conflict of Interest Law

- A. Under state law, subject to certain enumerated exceptions, members absolutely may not make a sale, lease or contract in which the member has a personal financial interest or benefit. **Any questions related to potential conflict of interest should be discussed with staff so that they can discuss with the City Attorney well in advance of any issues at a meeting.**
- 1) Abstaining from the action does not “cure” this type of conflict of interest. A contract entered in violation of the statute is void and a member who violates the statute commits a gross misdemeanor.

*Reference: MN Stat. 471.87, MN Stat. 412.311*

## 10. Gift Laws

- A. A member may not accept a gift from an “interested person” (a person or entity which has a direct financial interest in a decision the member is authorized to make).
- B. A gift is money, real or personal property, a service, loan or forbearance, given without consideration of equal or greater value in return.
- C. There are limited exceptions to the rule for:
- 1) Contributions of monetary value to a candidate or committee for a political purpose
  - 2) Services to assist an official in the performance of official duties
  - 3) Services of insignificant monetary value
  - 4) A plaque or similar memento recognizing individual services
  - 5) A trinket or memento of insignificant value
  - 6) Informational material of unexceptional value
  - 7) Food or beverage given at a reception, meal or meeting by an organization before whom the recipient appears to make a speech or answer questions as part of a program
  - 8) Gift given because of the recipient’s membership in a group, a majority of whose members are not local officials, and an equivalent gift is given or offered to other members of the group
  - 9) Gift given by a member of the family of the recipient on his or her own behalf
  - 10) Food or beverage given to attendees at a conference sponsored by a national or multi-state organization of governmental organizations or public officials, if a majority of the dues of the organization are paid from public funds

*Reference: MN Stat. 471.895*



# **NORTHFIELD CITY COUNCIL RULES OF BUSINESS & MEETING RULES**

**Approved: March 21, 2017**

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- B Rules of Decorum for Councils
- C Frequently Used Motions Table
- D Citizen Guide

## **City Council Meetings:**

Meetings of the City Council are where the business of the City is conducted and vital decisions for the City's future are made. The main objective of the Council in the proper conduct of its meetings is to ensure the public's business is conducted in an efficient manner with full opportunity for Council members to communicate their thoughts on the agenda items before the Council. City Council meetings are open to the public pursuant to the Minnesota Open Meeting Law.

The City Council meeting schedule is approved annually by resolution and remains in effect until changed. The Northfield City Council typically meets as follows:

- The first and third Tuesday of each month in regular session;
- The second Tuesday of the month in a work session;
- The meetings start at 6:00 pm;
- The meetings end by 9:00 pm unless a simple majority (4) of the City Council votes to extend the time;
- Meetings are held in the Council Chambers of the Northfield City Hall, 801 Washington Street, Northfield;
- On occasion the City Council will call a special meeting or adjust the approved meeting schedule; and
- All meetings will be posted and noticed as required by the Minnesota Open Meeting Law.

Per City Charter Section 3.8, the Mayor shall:

- Be the presiding officer of the Council;
- Have a vote as a member of the Council;
- Act as chief spokesperson for the Council;
- Exercise leadership of the Council in the formulation of policy.

The Council shall choose a Mayor Pro Tem, who shall serve as Mayor in case of the mayor's absence or temporary disability. (Section 3.9)

The Rules of Order for City Councils attached as Appendix "A" will be used as a simplified guideline for City Council meetings. In the event that further guidance is needed, Robert's Rules of Order, most recent edition, will be used. (City Code Sec. 2-58). It is the intent of the Council that these rules will be used in a flexible manner with the goal of ensuring that the will of the majority is fulfilled and the rights of the minority are protected.

The work session is used by the City Council to discuss various upcoming issues. Decision items are forwarded to regular City Council meetings for consideration of approval. Work sessions are for discussion by the Mayor and City Council and City staff. The Mayor or City Administrator may arrange a presentation by an individual or group to the Council at a work session. There is no public comment at work sessions except through eComment (electronic comments).

**Preparation of City Council Meeting Agendas:**

The Administrator, in consultation with the Mayor, shall prepare the preliminary agenda for each Council meeting. Charter 3.7. An agenda is prepared with a "proposed consent agenda." City Council members may request items listed on the consent agenda be moved to the regular agenda for discussion purposes.

There are two ways a Councilor can request an item be placed on a future Council agenda:

1. Submit a request for consideration to the Mayor or City Administrator. (Charter 3.7); or
2. Request by two or more Councilors that an item be placed on an upcoming Council agenda.

In either case, the Councilor's request for an item to be placed on a Council agenda should be in writing, with some background information provided, and submitted a minimum of 11 calendar days prior to the meeting.

**Meeting Agenda:**

The order of agenda items is as follows:

1. Call to Order/Roll Call/Notification of Quorum
2. Approval of Agenda
3. Approval of Minutes
4. Presentations
5. 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. Council Members may ask questions for clarification of an item. If a Council Member wants to discuss an item, it should be removed from the consent agenda during the approval of the agenda.
  - o Reading of the consent agenda item titles.
  - o Items are approved by one motion unless a Council member requests separate action. All items approved by majority vote unless noted.
6. Open Public Comment. Persons may take one opportunity to address the Council for two (2) minutes (not including interpreter's time) on any topic, even if on the agenda, with the condition that they may not speak on the same item later in the meeting. No notification of the Mayor is required. However, speakers are asked to complete a sign up card. Persons wanting a response to a question must submit the question in writing to the recording secretary. Questions must include name and information on how to contact. Comments may also be made electronically until 12:00 noon on the day of the meeting through the eComment (electronic comment) system.
7. Public Hearings. 6:00 p.m. or later (procedure listed below).
8. Regular agenda. Persons that wish to speak on a regular agenda item must provide name and address by completing & submitting a sign up card. Persons may also use the electronic register to speak option on the City's website or contact the City Clerk no later than 12:00 noon on the day of the meeting. Persons may also provide comments through the eComment (electronic comment) system no later than 12:00 noon on the day of the

meeting. The Mayor will call up individuals to speak, based on preregistration and cards submitted, after the staff report on an item. Please be respectful of the public's and the Council's time. Members of the public wishing to speak must adhere to the following guidelines:

- Speak only once for no more than two minutes (not including interpreter's time) on the topic unless the speaker is addressed by the Council;
- Identify your relationship to the topic;
- Have a spokesperson or two for your group to present your comments;
- Persons wanting a response to a question must submit the question in writing to the City Clerk, including name and how you would like to be contacted.

9. City Administrator update

10. Mayor & Council reports

The Mayor and City Council provide updates on board/commission meetings, public comments received, and other items pertinent to City business.

11. Adjourn.

### **City Council Packets:**

Packets are available electronically no later than 12:00 Noon on the Friday prior to a City Council meeting.

Any supplemental packet materials received and shared with the Council will be available in paper form at the meeting. Supplemental materials will be posted on the City's website within 48 hours after the meeting.

### **Public Hearing Procedure:**

A Public Hearing is used by the City Council to solicit the public's comments on various projects or City operation procedures.

- A. The Chair will open the hearing by identifying the subject.
- B. Staff Presentation- staff will give a presentation on the subject.
- C. Applicant's Presentation- if needed.
- D. Questions of Clarifications from City Council - This section will be used when there are questions of the presenter on the facts on which the public hearing is being held. Questions of should be succinct and avoid being rhetorical or leading in nature.
- E. Any material to be entered into the record shall be noted. Any written communication presented to the Council during a Council meeting shall be read into the record or summarized for the record or simply delivered to the Council, as the Council may determine. They shall then be recorded in the minutes by title and filed with the minutes in the office of the City Clerk.
- F. Public Input- The public will have the opportunity to speak for or against the issue. The public may ask questions, make comments, voice support, agree or disagree with the issue.

1. Chair will recognize speaker at podium and conversation will be between Chair and speaker; and Chair and Council Members.
  2. At the podium the speaker must give their name, address, and if representing a business, must give the name of the business or corporation. If an Attorney or consultant is representing a client, the client must be identified for the record.
  3. Citizens will be allowed to speak a maximum of two (2) minutes per item (not including interpreter's time).
  4. Citizens who have material to be handed out to the City Council members will pass the material to the City Administrator. The City Administrator will then pass the information to the appropriate people. A minimum of twelve (12) copies are needed.
- G. Motion to Close Hearing- The Chair will state if there is an extension of time for public input into the hearing. If not, Council will make a motion, second, and vote on closing the public hearing.

### **Assessment Hearing Procedures:**

Assessment Hearings are similar to the Public Hearing procedure except written notice of objection pertaining to assessments is required prior to adjournment of the public hearing.

### **Council Recognition of Citizens/Groups/Events**

Proclamations will be in the form of a resolution and submitted to the council for consideration and approval.

Individual Council Members may recognize citizens or groups during the presentations portion of the Council agenda.

### **Citizen Participation:**

The Northfield City Council invites the public to express their views and comments on issues with the City Council through the following ways:

- Open public comment at City Council meetings
- eComment through the City's website on agenda items
- Meetings of various Boards or Commissions
- Phone calls, e-mails, letters and/or visits with Council Members or City Staff.

### **Minutes**

The minutes of a public body are not a transcription of the proceedings of the meeting, but capture the actions taken during a meeting. Minutes will include:

- a) Time and place of the meeting
- b) Members present
- c) Summary of all decisions made

- d) Who moved and seconded each item
- e) Who voted for and against each item
- f) Names of all persons other than members who spoke at the meeting, and subject on which they spoke

Council meetings which are informal in nature e.g. strategic planning sessions, retreats, special topic discussion, etc., are not generally recorded. However, minutes including a summary of meeting purpose/items discussed, Council attendance, time, date, and location will be kept and filed with the Council.

### **Live Stream/Recording**

Regular meetings, work sessions, and special Council meetings are live streamed and recorded, if held at City Hall in the Council Chambers.

### **Role of the City Attorney related to individual City Council Members.**

If an individual member has a question about a legal matter, the City Attorney will attempt to answer it if the process will take an hour or less. The answer to the question will be shared with the City Council and City Administrator. If the matter will take more than an hour, the Attorney will need direction from the Council as a whole or the City Administrator or another authorized staff member. The City Attorney is available to help but does not represent any individual member's opinion or decision; he/she represents the majority decisions of the City Council.

### **Role of City Administrator related to Council and employees**

The City Administrator coordinates activities of all City officials and supervises City department directors/managers, Charter 7.3. To assist the Administrator in these roles, the Mayor and City Council are asked to copy the City Administrator and City Clerk on all questions related to Council agenda items. Questions related to Council agenda items (either e-mail or via telephone) should be directed to the respective department manager for the item and copied to the City Administrator and City Clerk. List of Department Managers are as follows: Public Works Director/City Engineer Dave Bennett, Finance Director Melanie Lammers, City Clerk Deb Little, Police Chief Monte Nelson, Community Planning & Development Director Chris Heineman, Communications and Human Resources Manager Michelle Mahowald, Library & IT Director Teresa Jensen.

### **Seating Assignments**

Mayor and Council seating shall be determined as follows:

- Council members shall occupy the chairs assigned to them by the presiding officer, but two council members may exchange seats by joining in a formal request to the presiding officer (Minnesota Mayors Handbook).

### **Boards/Commissions**

Where discussions are being held with an organization, board or commission to which a Council member has been appointed as the City liaison, the Council member will be kept informed of these discussions.



Insofar as practical, City boards and commissions shall be governed by these rules of procedure unless they adopt other rules of procedure which shall be approved by the Council.

Board/Commission staff liaisons shall cause notice of meetings, agendas, minutes and related materials to be posted on the City's website and preserved according to City procedures.

### **Suspension of Rules**

These rules may be suspended or amended at a meeting by a super majority vote (5 of 7) of all elected members.

## Rules of Order

### Preamble

- a. Purpose. The purpose of these rules is to foster debate and discussion in an orderly manner, not to suppress honest discussion with excessive formality. Without rules, confusion and disorderly proceedings would hamper all City action, no matter how well intended. Rules allow City business to be conducted as efficiently as possible, protect minority groups by giving every person a chance to be heard, prevent discussion of multiple topics at once, and allow decisions to be made by majority rule.
- b. Rights of Council Members. All Council Members are equal and have the same rights to make motions; object to motions in a timely manner; participate in debate; have their votes counted; and speak, when recognized, free of interruption.
- c. Obligations of Council Members. The rights of individual Council Members cannot be realized unless all Council Members also recognize their obligations as members of the political body. Council Members are obligated to receive the recognition of the chair before speaking, except as otherwise provided by these rules. No one has the right to speak at whim. Council Members are obligated to speak directly on the subject being considered and observe time limits for comment. Finally, Council Members are obligated to address all remarks to the presiding officer, avoid personal attacks, and refrain from using any insulting or demeaning language or indecent or threatening behavior.

### Rule 1. Motions.

All formal actions of Council must be by motion. A Council Member may make only one motion at a time.

### Rule 2. Language for making a motion.

The appropriate language for making a motion shall be substantially similar to “ I move to \_\_\_\_\_.”

### Rule 3. Procedure for consideration of a motion.

A motion must be seconded. Once a motion has been made and seconded, the presiding officer shall restate the motion and (if applicable) open the motion up for debate, provided that the mayor determines that the motion is in order and no objections to the motion have been made pursuant to Rule 4. A motion is in order if it is made at a proper time in the proper format and does not violate any applicable rules of law, ordinance, or City policy, including City policies on decorum and civility, and is not made for the purpose of unduly delaying the proceedings. Debate shall follow the procedures in Rule 5. Once debate has concluded, the presiding officer

shall restate the motion and call for a vote on the issue. A motion shall be considered passed if it receives a majority vote of those present at the meeting, unless otherwise required by law.

**Rule 4. Objections to a motion.**

- a. Any member of the Council may make an objection to a motion if he or she believes the motion is not in order. A motion is in order if it is made at a proper time, in the proper format and does not violate any applicable rules of law, ordinance, or City policy, including City policies on decorum and civility, and is not made for the purpose of unduly delaying the proceedings.
- b. An objection to a motion must be made immediately following the motion and at no other time. The objector does not need to be recognized by the presiding officer in order to voice their objection. The appropriate language for making an objection shall be substantially similar to “I object to the motion as being out of order, and call for a ruling by the presiding officer.”
- c. A motion may be objected to as not being made at a proper time if the motion was made by a person not called upon by the presiding officer to speak, or if it does not follow the agreed upon agenda for the meeting.
- d. The presiding officer shall determine whether the motion is in order.
- e. In determining whether the motion is in order, the presiding officer shall let the objector to the motion speak once explaining his or her position. Next, the presiding officer shall let the maker of the motion speak once to answer the concerns of the objector. Then the presiding officer shall make a formal ruling as to whether the motion was in order.
- f. If the motion is ruled out of order, the motion shall not be considered. If the motion is ruled in order, the presiding officer shall open the motion for debate (if applicable).
- g. The presiding officer’s ruling may be appealed as provided in Rule 7.

**Rule 5. Debate.**

Generally only one motion may be considered at a time in debate. Once a motion has been made, the presiding officer shall restate the motion and open the motion for debate, if the motion is debatable. The presiding officer shall conduct the debate in accordance with the following:

- a. For initial comments, all comments shall be limited to five (5) minutes. For subsequent comments, all comments shall be limited to two (2) minutes.
- b. The maker of the motion shall be permitted to speak first on the issue.
- c. Everyone who wishes to speak on the issue must be permitted to speak once, before Council Members who have already spoken are permitted to speak again.

- d. Council Members shall avoid repeating points already made in the debate or other duplicative conduct that may delay the proceedings. Where a point has already been made, Council Members may affirm agreement or disagreement.
- e. Generally only one motion may be considered at a time in debate. Debate may only be interrupted by a motion to:
  - 1. amend the original motion,
  - 2. take a brief recess,
  - 3. withdraw the motion by the motion's maker,
  - 4. divide a complex question,
  - 5. defer consideration to a later date,
  - 6. refer an issue to committee,
  - 7. motion for the previous question,
  - 8. limit debate,
  - 9. for a point of order.
  - 10. When debate is interrupted by any of these motions, the interrupting motion shall be resolved prior to resuming debate.

**Rule 6. Definitions of motions that may interrupt debate (secondary motions).**

As explained in Rule 5, only certain motions may interrupt debate on a motion. These are called secondary motions. When a secondary motion is made, the presiding officer must follow the same procedures in Rule 3 to consider the secondary motion. A secondary motion must be resolved, either by being ruled out of order by the presiding officer or debated and voted upon by the Council, before debate on the main motion can resume. Secondary motions may also be made outside of debate, where appropriate. For example, a motion to take a brief recess can be made before, during, or after a debate.

- a. Motion to amend the original motion. The maker of the motion does not need to consent to a motion to amend. However, he or she may vote against the amendment or withdraw their motion via a motion to withdraw prior to any amendment being approved.
  - 1. Only two amendments may be made to an original motion to avoid confusion.
  - 2. The amendments should be voted on in reverse order, with the last amendment being voted upon first.
  - 3. To avoid confusion, complex language should be put in writing.
  - 4. A motion may not be amended so substantially as to essentially reject the original motion, though different language may be proposed so as to entirely substitute for the original language.

The appropriate language for making a motion to amend shall be substantially similar to “I move to amend the motion by inserting between . . . and . . .” or “I move to amend the motion by adding after . . .” or “I move to amend the motion by striking out . . .” or “I move to amend the motion by striking out . . . and inserting . . .” or “I move to amend by striking out the motion . . . and substituting the following.”

- b. Motion to take a brief recess is not a motion to adjourn or continue the meeting to another time or place. Instead, it is a motion to take a brief respite no greater than 20 minutes. If a motion to take a brief recess is granted, the presiding officer may set a time for the meeting to resume. In addition, the presiding officer is authorized to call for a brief recess on his or her own initiative, without a vote, to maintain order in the meeting.

The appropriate language for making a motion to recess shall be substantially similar to “I move to take a brief recess for \_\_\_\_ minutes.”

- c. Motion to withdraw a motion is not subject to debate, and it can only be made by the motion’s maker before a motion is amended.

The appropriate language for making a motion to withdraw shall be substantially similar to “I move to withdraw my motion.”

- d. Motion to divide a complex question may be used for complex items of business. It allows the Council to break larger questions into smaller parts, which are considered separately.

The appropriate language for making a motion to divide a complex question shall be substantially similar to “I move to divide the question into \_\_\_\_ parts. Part 1 shall be \_\_\_\_.. Part 2 shall be \_\_\_\_.

- e. Motion to table or defer consideration to a later date is not subject to debate. It may be used to defer or delay consideration of a matter.

The appropriate language for making a motion to defer consideration shall be substantially similar to “I move to defer consideration of the main motion/this item until \_\_\_\_.”

- f. Motion to refer an issue to committee is not subject to debate. It may be used to refer an issue to a City committee, such as the park board or planning commission, for their report. The motion should contain an expected receipt day for the report.

The appropriate language for making a motion to refer an issue shall be substantially similar to “I move to refer the main motion/this issue to the \_\_\_\_ committee for its consideration and recommendation. The committee should report back to the Council in \_\_\_\_ days/weeks.”

- g. Motion for call of the previous question is not subject to debate. It may be used only after at all members of the Council have been permitted to speak at least once on the motion. If approved by a super majority (5 of 7), a vote must be taken on the motion under debate immediately. Vote required –super majority (5 of 7).

The appropriate language for making a motion to call the previous question shall be substantially similar to “I move to call the previous question” or “I move for an immediate vote on this issue.”

- h. Motion to limit debate is not subject to debate. It may be used to establish time limits for debate.

The appropriate language for making a motion to limit debate shall be substantially similar to “I move to limit debate on this issue to \_\_\_ minutes per person” or “I move to limit Council debate on this issue to no more than \_\_\_\_\_ minutes total.” Vote required –super majority (5 of 7).

- i. Motion for a point of order is not subject to debate. It may be used to signal to the presiding officer that the Council Member feels the proceedings have gotten disorderly.

The appropriate language for making a motion for a point of order shall be substantially similar to “I move for a point of order by the presiding officer.”

NOTE: Most secondary motions should not literally interrupt debate. They may not be made in the midst of the comments of a speaker duly recognized by the presiding officer, or silence the speaker’s speech. To make a secondary motion, the maker must be called upon and recognized by the presiding officer. There are two exceptions to this rule—a motion for a call of the previous question and a motion for a point of order. These motions may be made at any time—even in a manner that interrupts a speaker. However, these motions should be made only in the rare instance where a meeting has become out of control, strayed from the agenda, or become disorderly.

#### **Rule 7. Appealing procedural decisions of the presiding officer.**

- a. Any member of the Council may appeal to the full Council a ruling on order or procedure made by the presiding officer.
- b. Procedure for appeals. An appeal is made by motion. A second is needed for the motion. The member making the motion may speak once solely on the question involved, and the presiding officer may speak once solely to explain his or her ruling, but no other Council Member may participate in the discussion. Note: This procedure matches City Code Sec. 2-59.
- c. Once both the maker of the motion and the presiding officer have spoken, the matter must be voted upon by the Council as a whole.
- d. The appeal shall be sustained if it is approved by a majority of the members present, exclusive of the presiding officer.

#### **Rule 8. Other special motions explained.**

- a. Motion to adjourn is not subject to debate. It may be used to suggest a conclusion to the meeting. The presiding officer may adjourn a meeting on his or her own initiative, without a vote, if necessary to maintain order.

The appropriate language for making a motion to adjourn shall be substantially similar to “I move to adjourn the meeting.”

- b. Motion to go into closed session may be used to close the meeting pursuant to the Minnesota Open Meeting Law. When the motion is made, the basis for closing the meeting and the applicable law must be stated into the record. The presiding officer may also close the meeting on his or her own initiative, without a Council vote, if closing the meeting is mandatory under the law or if directed by the City Attorney.

The appropriate language for making a motion to go into closed session shall be substantially similar to “I move to close the meeting in order to consider \_\_\_\_\_ pursuant to \_\_\_\_\_ of the Minnesota Open Meeting Law.”

- c. Motion to leave a closed session may be used to conclude a closed session and return to an open meeting.

The appropriate language for making a motion to leave a closed session shall be substantially similar to “I move to open the meeting.”

- d. Motion to revive consideration of an issue may be used to request consideration of an issue previously tabled, deferred, or referred to committee at any prior meeting.

The appropriate language for making a motion to revive shall be substantially similar to “I move to revive consideration of \_\_\_\_\_ previously tabled/deferred/referred to committee.”

- e. Motion to reconsider may be made only at the same meeting where the issue was originally considered and voted upon. It may be made only by a person on the prevailing side of an issue. In the event of a tie vote, those voting against the issue shall be considered the prevailing side.

The appropriate language for making a motion to reconsider shall be substantially similar to “I move to reconsider \_\_\_\_\_.”

- f. Motion to rescind or repeal may be made at any meeting following the meeting where the issue was originally considered and voted upon. It may be made by any Council Member, whether or not he or she was on the prevailing side. It may not be made when prevented by law or where substantial reliance on the Council’s previous decision has occurred (for example, in the area of contracts or hiring/termination of employees).

The appropriate language for making a motion to reconsider shall be substantially similar to “I move to rescind/repeal the Council’s previous action related to \_\_\_\_ as stated in resolution number \_\_\_\_.”

- g. Motion to prevent reintroduction of an issue for \_\_\_\_ months is not subject to debate. It may be used to limit discussion of an issue that has been raised and/or moved for reconsideration several previous times.

The appropriate language for making a motion to prevent reintroduction shall be substantially similar to “I move to prevent reintroduction of this issue for \_\_\_\_ months.”

- h. Motion to suspend the rules or to consider a motion informally should be used sparingly on issues likely to be uncontroversial. Complex motions and resolutions should still be put in writing. This motion may permit informal discussion of an issue (such as a roundtable discussion, brainstorming session, visioning session, etc.) where appropriate.

The appropriate language for making a motion to proceed informally shall be substantially similar to “I move that we suspend the rules and proceed informally in discussing the issue of \_\_\_\_.” Vote required –super majority (5 of 7).

#### **Rule 9. Robert’s Rules.**

These model rules are designed specifically for Minnesota City Councils. Further, these rules were drafted to be an appropriate level of regulation and formality for smaller governing bodies typically seen in Minnesota cities. Robert’s Rules of Order will be used in the event that further guidance is needed. Where a situation arises that is not addressed by these rules, the intent of these rules, as expressed in the preamble, should be effectuated by the presiding officer, in consultation with the City Attorney.



### **Rules of Decorum**

Council meetings on important community issues may become contentious very quickly. Establishing rules of decorum before a controversy arises can prevent meetings from becoming unproductive due to conflict. On occasion, however, members of the council, public and/or staff may not follow the rules. On these occasions, the mayor's role as the meeting's presiding officer is particularly important. All councilmembers shall assist the presiding officer in preserving order and decorum and in providing for the efficient operation of the meeting. The rules of decorum apply to all persons participating in a meeting unless expressly noted.

1. City 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 insult, slander, and personal attacks and threats.
2. Participants shall conduct themselves at council meetings in a manner consistent with the following:
  - a. No person shall engage in conduct which delays or interrupts the proceedings.
  - b. No person shall hinder honest, respectful discussion and debate.
  - c. No councilmember shall engage in private conversation or pass private messages while in the chamber in a manner so as to interrupt the proceedings of the council.
  - d. No person shall leave his or her seat or make any noise of disturbance while a vote is being taken and until the result of the vote is announced.
  - e. No person shall use profane or obscene words or unparliamentary language or use language that threatens harm or violence toward another person during a council meeting.
  - f. No person shall use dismissive body language (i.e. eye rolling, gestures, turning back to speaker, etc.)
  - g. No person shall speak on any subject other than the subject in debate.
  - h. No person shall ask rhetorical or leading questions during Council question period. Questions of clarification should be succinct.
  - i. No person shall speak without being recognized by the chair; nor shall any person interrupt the speech of another person.
  - j. No person shall disobey the City Council Rules of Order and Procedure or a decision of the presiding officer on questions of order or practice or upon the interpretation of the rules of council.
  - k. No person shall engage in disorderly conduct that disturbs or disrupts the orderly conduct of any meeting.

- l. All cell phones and other electronic devices shall be silenced during meetings.
- m. Persons should be addressed by use of title and/or last name.

### **Enforcing decorum:**

When participants violate rules of order and decorum, the presiding officer is authorized to:

- Not recognize a breaching participant's request to speak, limiting their role in debate or comment until decorum is observed.
- Declare the participant's actions out of order.
- Order removal from the council chambers by law enforcement until the participant agrees to abide by council rules of decorum.

Members of the council may request action by the presiding officer to curb another member's conduct through a motion for a point of order. The motion may request a specific response to conduct by the presiding officer. For example, "I make a motion for the presiding officer to call Councilmember \_\_\_\_ to order and to desist from making personal attacks." Any member of the Council may appeal to the full council a ruling on order or procedure made by the presiding officer. The procedure is noted in Rule 7 of the Council Rules of Order.

Members may make a motion for adjournment or for a brief recess, if a participant's actions are so offensive as to disrupt the orderly process of the meeting.

Generally any councilmember (including the mayor), may make a motion to censure a councilmember for conduct that breaches decorum. A censure often takes the form of a resolution adopted by council vote noting the councilmember's conduct and expressing disapproval of such conduct.

State law also prohibits persons, including councilmembers, from disturbing public meetings, through fighting or threatening words and conduct. Councilmembers who engage in this unlawful conduct may be charged with a misdemeanor.



## Citizen Participation Guide

The Northfield City Council invites the public to express their views and comments on issues with the City Council through the following ways:

- Public comment times at City Council meetings
- eComment through the City's website on agenda items
- Meetings of various Boards or Commissions
- Phone calls, e-mails, letters and/or visits with Council Members and/or City Staff.

### **City Council Meetings:**

Meetings of the City Council are where the business of the City is conducted and vital decisions for the City's future are made. The main objective of the Council in the proper conduct of its meetings is to ensure the public's business is conducted in an efficient manner with full opportunity for the City Council to communicate their thoughts on the agenda items before the Council. City Council meetings are open to the public pursuant to the Minnesota Open Meeting Law.

The City Council has adopted Rules of Decorum (copy attached) for City Council Meetings. The rules of decorum apply to all persons participating in a meeting unless expressly noted. When participants violate rules of order and decorum, the presiding officer is authorized to:

- Not recognize a breaching participant's request to speak until decorum is observed.
- Declare the participant's actions out of order.
- Order removal from the council chambers by law enforcement until the participant agrees to abide by rules of decorum.

The City Council meets:

- The first and third Tuesday of each month in regular session;
- The second Tuesday of the month in a work session;
- 6:00 – 9:00 pm;
- Council Chambers of the Northfield City Hall, 801 Washington Street, Northfield;

Citizens requesting items for an agenda may contact their elected representative or city staff to have their request considered

The use of cameras, video, and other recording devices, is permitted during City Council meetings. However, these devices must be used in an unobtrusive manner that does not disrupt or delay the meeting. Cell phones and other devices must be silenced during meetings.

### **City Council Meeting Agendas/Opportunities to Speak at a Meeting:**

The typical order of agenda items is as follows (with public opportunities to speak highlighted):

1. **Call to Order/Roll Call/Notification of Quorum**
2. **Approval of Agenda**
3. **Approval of Minutes**
4. **Presentations**
5. **Consent agenda**
6. **Open Public Comment.** Persons may take one opportunity to address the Council for two (2) minutes (not including interpreter's time) on any topic, even if on the agenda, with the condition that they may not speak on the same item later in the meeting. No notification of the Mayor is required. However, speakers are asked to complete a sign up card. Persons wanting a response to a question must submit the question in writing to the recording secretary. Questions must include name and information on how to contact. Comments may also be made electronically until 12:00 noon on the day of the meeting through the eComment (electronic comment) system.
7. **Public Hearings – 6:00 p.m. or later** (procedure listed below).
8. **Regular agenda.** Persons that wish to speak on a regular agenda item must provide name and address by completing & submitting a sign up card. Persons may also use the electronic register to speak option on the City's website or contact the City Clerk no later than 12:00 noon on the day of the meeting. Persons may also provide comments through the eComment (electronic comment) system no later than 12:00 noon on the day of the meeting. The Mayor will call up individuals to speak, based on preregistration and cards submitted, after the staff report on an item. Please be respectful of the public's and the Council's time. Members of the public wishing to speak must adhere to the following guidelines:
  - Speak only once for no more than two minutes (not including interpreter's time) on the topic unless the speaker is addressed by the Council;
  - Identify your relationship to the topic;
  - Have a spokesperson or two for your group to present your comments;
  - Persons wanting a response to a question must submit the question in writing to the City Clerk, including name and how you would like to be contacted.
9. **City Administrator update**
10. **Mayor & Council reports**
11. **Adjourn.**

**Public Hearing Procedure:**

A Public Hearing is used by the City Council to solicit the public's comments on various projects or city operation procedures.

- A. The Chair will open the hearing by identifying the subject.
- B. Staff Presentation- staff will give a presentation on the subject.
- C. Applicant's Presentation- if needed.
- D. Questions of Clarifications from City Council - This section will be used when there are questions of the presenter and/or staff on the facts on which the public hearing is being held.
- E. Any material to be entered into the record shall be noted. Any written communication presented to the council during a council meeting shall be read into the record or summarized for the record or simply delivered to the council, as the council may determine. They shall then be recorded in the minutes by title and filed with the minutes in the office of the city clerk.

- F. Public Input- The public will have the opportunity to speak for or against the issue. The public may ask questions, make comments, voice support, agree or disagree with the issue.
1. Chair will recognize speaker at podium and conversation will be between Chair and speaker; and Chair and Council Members.
  2. At the podium the citizen must give their name, address, and if representing a business, must give the name of the business or corporation. If an attorney or consultant is representing a client, the client must be identified for the record.
  3. Citizens will be allowed to speak a maximum of two (2) minutes (not including interpreter's time) per item.
  4. Citizens who have material to be handed out to the City Council will pass the material to the City Administrator. The City Administrator will then pass the information to the appropriate people. A minimum of twelve (12) copies are needed.
- G. Motion to Close Hearing- the Chair will state if there is an extension of time for public input into the hearing. If not, the public hearing will be adjourned.

**Assessment Hearing Procedures:**

Assessment Hearings are similar to the Public Hearing procedure except written notice of objection pertaining to your assessment is required prior to adjournment of the public hearing.

**Documents/Recordings**

A complete City Council packet is typically available at City Hall and on the City's website [www.ci.northfield.mn.us](http://www.ci.northfield.mn.us) by noon on the Friday prior to a City Council meeting for the public to review. A complete paper packet is also placed in the Council Chambers prior to a City Council meeting for the public to review. A meeting notice list and agenda are posted on the bulletin board outside the Council Chambers located at City Hall.

Council meetings are live streamed and recorded. Recordings, official records, and documents are available on the City's website [www.ci.northfield.mn.us](http://www.ci.northfield.mn.us).

**City Council Work Session:**

The work session is used by the City Council to discuss various upcoming issues. Decision items are forwarded to regular City Council meetings for consideration of approval. Work sessions are for discussion by the Mayor and City Council and City staff. The Mayor or City Administrator may arrange a presentation by an individual or group to the Council at a work session. There is no public comment at work sessions except through eComment (electronic comments).

**Please watch for publications on the City's Website ([www.ci.northfield.mn.us](http://www.ci.northfield.mn.us)) for any changes in date and times of meetings and work sessions.**

**Please contact the City Administration Office if you need special accommodations related to a disability while attending the City Council meeting.**

Updated: March 2017