



RULES OF THE CITY COUNCIL CITY OF MINNEAPOLIS

—Table of Contents—

I. Rules.....	2
II. Organization.....	2
III. Meetings of the Council.....	3
IV. Committees.....	5
V. Committee of the Whole.....	5
VI. Committee Procedures.....	6
VII. Public Hearings	7
VIII. Motions, Debate & Voting	8
IX. Ordinances & Resolutions	9
X. Journal & Records.....	10

Ordinance Flowchart.....	11
Chart of Required Votes.....	12
Key to Procedural Citations & References.....	13

I. Rules

SECTION 1. Purpose; Procedural Authority. These rules shall govern the proceedings of the City Council in conducting the business of the City of Minneapolis. In the absence of a rule, *Robert's Rules of Order, Newly Revised*, shall prevail to the extent practicable and where not inconsistent with the laws and regulations of the State of Minnesota and the City of Minneapolis.

SECTION 2. Suspension of Rules. Any rule may be temporarily suspended by a two-thirds vote; but such suspension shall not extend past the matter acted upon or the conclusion of the meeting, as appropriate.

SECTION 3. Amendment of Rules. Amendments to these rules shall be referred first to the Rules Committee for its review and recommendation before final action by the City Council. Final adoption of any amendment shall be by a two-thirds vote after proper notice is given.

II. Organization

SECTION 1. Organizational Meeting.

- A. The City Council shall convene in January following the general municipal election to organize its membership. Notice of the organizational meeting shall be posted no less than 48 hours in advance of the organizational meeting. The City Clerk shall officiate at the opening of the organizational meeting and preside over the nomination and election of a President of Council, which shall be the first order of business. The President shall preside over the election of a Vice-President of Council, which shall be the second order of business. The President and Vice-President shall each assume their offices immediately upon the pronouncement of the vote on their respective offices.
- B. At its organizational meeting, the City Council, by resolutions, shall:
 - (1) Establish the lines of succession for the offices of Mayor and Council President.
 - (2) Adopt a schedule of regular meetings for the four-year term, which may be subsequently amended to accommodate the needs of the Council and its Members.
 - (3) Ratify the appointment of standing and special committees of the City Council.

SECTION 2. Officers and Duties.

- A. President: The President is the presiding officer of the City Council and, when present, shall officiate over its proceedings; shall have a voice and vote in all its deliberations; and shall be fully vested with the authority necessary to discharge the duties of office. Without limiting the generality of the foregoing, it is the duty of the President (or presiding officer) to:
 - (1) Direct the preparation of the agenda for each meeting of the City Council;
 - (2) Convene each meeting of the City Council and, in the presence of a quorum, proceed to the business to be presented in proper order;
 - (3) Recognize those entitled to the floor and confine debate to matters under consideration;
 - (4) Ensure decorum and compliance with these rules to determine the will of the Council;
 - (5) State and put to vote all matters properly introduced and declare the result thereof for the record; and
 - (6) Speak in preference to other Council Members on points of order, inquiry, or information.
- B. Vice-President: The Vice-President shall be first to serve as presiding officer in the absence or disability of the President, or whenever the President is acting as Mayor pursuant to the City Charter. In addition, the Vice-President shall have and perform such other duties as may be assigned or delegated from time to time by the President or the City Council.

- C. Clerk: The City Clerk is *ex officio* Clerk of the City Council and, in that capacity, shall: attend all meetings and sessions; keep and preserve the journal, records, and papers of the City Council; render advice and assistance in interpreting and applying the rules, procedures, and practices of the City Council; cause standing and special committees, officers, and City departments to be informed of such duties as they may be charged with by the City Council from time to time; and provide such information to the City Council or its committees, when requested, as the Clerk may possess relating to the City, its affairs, or the actions of the City Council.
- D. Other Officers: The City Council may provide for other officers of its own body that it deems necessary, including the process for selection of the officer and the duties to be assigned.

III. Meetings of the Council

SECTION 1. Meetings, Generally. Unless otherwise noticed, meetings shall be held in the Council’s chamber (Room 317) at City Hall in accordance with an adopted schedule. All meetings shall be open to the public in accordance with the Minnesota Open Meeting Law. In the event of a disturbance or conduct that is disruptive to the proceedings, the presiding officer may remove the individual(s), or may recess the meeting until such time as order may be restored.

SECTION 2. Special Meetings. Upon proper notice, special meetings may be called by the Mayor for stated dates and times to transact specific business outside of and in addition to the adopted schedule of regular meetings. At such special meeting, only matters designated in the notice for the special meeting shall be considered.

SECTION 3. Adjourned Meetings. Any regular or special meeting may be adjourned to a future date or time. The first and any subsequent adjourned meeting shall be designated as sessions of the originating regular or special meeting.

SECTION 4. Closed Meetings. Any portion of a meeting of the City Council may be closed to the public, in accordance with the provisions and for the purposes established by state law.

- A. Attendance by Elected Officials. The Mayor and Council Members have the right to attend and participate in closed meetings.
- B. Staff attendance.
 - (1) The City Clerk shall attend and record the proceedings and may designate staff members to assist.
 - (2) The City Attorney, and representatives of the City Attorney’s Office, as well as external legal counsel on behalf of the City of Minneapolis, may attend closed meetings for the purpose of providing legal advice and counsel on issues being presented.
 - (3) The Mayor’s chief of staff may attend closed meetings.
 - (4) Appropriate departmental staff may be present when such attendance is required because of the nature of the issues being presented.
 - (5) Only those staff members identified in this section shall be admitted to a closed meeting, unless attendance is granted by motion carried by a majority of those Council Members present and participating.
- C. If an elected official is unable to attend a closed meeting, the elected official may contact the City Attorney to receive information regarding those closed proceedings.

SECTION 5. Study Sessions. Study sessions permit detailed examination of specific subject matters or topics of interest which may not yet be formulated in the nature of a formal policy or proposal. Study sessions may be conducted as a full Council or by any of its committees. Study sessions do not require a formal agenda and may be conducted informally. No formal or final action may be taken on any matters presented or discussed in a study

session, but direction may be given to prepare the matter for introduction through a standing committee. The Council President is responsible for approving the subject matter(s) and scheduling of all study sessions; however, this duty may be delegated to another Member.

SECTION 6. Calendar & Notices. Notice of all meetings of the City Council and of its standing committees shall be provided as required by law. For convenience, notice of regular meetings may be made in the form of a calendar, which, if produced, shall be posted in a public place and made available to the public upon request.

SECTION 7. Quorum. A quorum for the transaction of business shall consist of seven (7) Council Members. Except as otherwise required by law, the term "majority" shall mean a majority of those Council Members voting, a quorum being present.

SECTION 8. Order of Business.

- A. In the ordinary transaction of business, the following order shall be observed:
- (1) Adoption of agenda.
 - (2) Acceptance of minutes. The minutes of the preceding meeting shall be presented for approval. If the minutes are not approved within forty (40) days from the taking thereof, they shall be deemed approved without further action by the City Council.
 - (3) Presentation and referral of claims, petitions, and other communications.
 - (4) Reports from officers and departments.
 - (5) Reports of Standing Committees (in alphabetical order).
 - (a) Joint committee reports – shall appear at the end of the agenda under the first committee listed.
 - (b) Referred committee reports – shall appear at the end of the agenda of the originating committee with a notation of referrals to other committees. If a referred committee report differs from the originating committee's report, all reports shall appear at the end of the agenda of the committee which took the first action in order of their referral.
 - (c) Matters originating in two committees simultaneously – shall appear on the agenda under the first committee listed.
 - (6) Reports of special committees, including the Audit and Executive committees, if any.
 - (7) Resolutions.
 - (8) Motions.
 - (9) Unfinished Business. Matters under Unfinished Business for three consecutive regular meetings shall be returned to the appropriate standing committee for further consideration.
 - (10) New Business.
 - (11) Announcements. Announcements shall be limited to notification of public events or programs of community significance and interest. Concerns or matters of current, pending, or future Council deliberations are not considered announcements. Council Members may not report on their activities or accomplishments.

Without objection, the presiding officer may re-order any agenda item within the prescribed order of business, or may temporarily set aside an agenda item for action later in the meeting, for the convenience of the City Council.

SECTION 9. If the City Council, during any regular, special, or adjourned meeting, wishes to consider a subject matter that has not been previously referred to any of its standing committees, and, when for any reason it is desirable for the full City Council to consider a subject matter with the freedom of an ordinary committee, then the City Council may, by motion carried on a majority vote, resolve itself into a committee of the whole. A motion to resolve into committee of the whole must state the subject matter to be discussed, and such motion shall be non-debatable.

SECTION 10. Seating and office arrangements. Council Members shall occupy the respective seats upon the dais within the Council Chamber and shall have the offices within City Hall as may be assigned to them by the Council President.

SECTION 11. Attendance upon the dais. While the City Council is in session, only the following persons shall be admitted within the bar and upon the dais:

- The Council President and Members of the City Council;
- The Mayor, whenever the Mayor is in attendance for a meeting or portion of a meeting;
- The City Clerk and staff from the Clerk’s Office; and
- The City Attorney and staff from the City Attorney’s Office.

Aides, assistants, and other staff of the individual Council Members and of the Mayor are granted access to the dais to provide assistance, relay messages, deliver papers or messages, and similar purposes.

The Council President, on behalf of the City Council, and without objection from any Member, may invite other persons within the bar and upon the dais for specific, limited purposes, such as the presentation of special honors or recognitions.

SECTION 12. Public attendance. All persons within the Council Chamber shall conduct themselves with decorum and shall not disrupt the proceedings of the City Council. As a matter of etiquette and protocol, all elected officials shall be referred to by their proper title and surname. Any person, upon entering any meeting of the City Council or one of its standing or special committees, or a hearing conducted by the same, shall have granted permission to the City Council to record and televise their presence and testimony. Representatives of the news media shall not conduct formal interviews within the Council Chamber while the Council or a Committee is in session.

IV. Committees

SECTION 1. Committees: Purpose, Appointment & Structure. The City Council, in its discretion, may establish, appoint, and determine the duties of such committees as it deems necessary to the effective exercise of its authority. The City Council shall refer matters to its committees for review or investigation, recommendation, action, or all of these. Except as provided within these rules, the term “committee” shall include standing and special committees, subcommittees, workgroups, and other similar bodies subordinate to the City Council. At the start of each elective term, the Council President shall appoint the membership of each committee, including the chair and vice-chair, subject to ratification by formal action of the City Council. In the event of any vacancy, the Council President may make temporary appointments.

SECTION 2. Standing Committees. Standing committees are responsible for providing direction, setting priorities, and ensuring coordination between related policies, programs, and services within their assigned jurisdictions; providing forums for public participation in the City’s decision-making processes; and monitoring the implementation and effectiveness of policy and program decisions through the City’s departments and divisions. It is the duty of each standing committee to review and make recommendations on matters referred to it, or which arise within its jurisdiction, and to forward its recommendations on the same to the full City Council. Committee recommendations shall be limited to: recommend approval; recommend denial; or, forward without recommendation. ~~In no case shall a Council Member serve simultaneously on the standing committee on Community Development and the standing committee on Ways & Means/Budget.~~

STANDING COMMITTEES	MEMBERS	QUORUM
Claims	6	4
Committee of the Whole	13	7
Community Development & Regulatory Services	6	4

Elections & Rules	13	7
Intergovernmental Relations	6	4
Public Safety, Civil Rights & Emergency Management	6	4
Health, Environment & Community Engagement	6	4
Transportation & Public Works	6	4
Ways & Means	6	4
Zoning & Planning	6	4

SECTION 3. Special Committees. A special committee is one established to give particular and exclusive attention to a specific issue or issues referred by the City Council, ~~generally for a defined period of time.~~ **Special committees are subject to the same rules and procedures established for standing committees.**

SECTION 4. Subcommittees. The City Council may establish subcommittees under the oversight of a standing committee to give exclusive consideration to a particular issue or subject matter. The City Council shall determine the membership of any subcommittee. Subcommittees are subject to the same rules and procedures established for standing committees.

- A. Budget Subcommittee. There shall be a subcommittee of the standing committee on Ways & Means called the Budget Subcommittee, which shall be composed of all Council Members. The chair and vice-chair of the Ways & Means Committee shall be chair and vice-chair, respectively, of the Budget Subcommittee. Seven Council Members shall constitute a quorum of the Budget Subcommittee, although a lesser number may meet for the purposes of accepting testimony, receiving reports, and discussing business matters, but may take no formal action. The Budget Subcommittee shall be charged with receiving and evaluating the Mayor’s proposed budget, conducting hearings on the budget proposal, perfecting the proposed budget package, and putting it into final form for recommendation to and formal consideration by the City Council.**
- B. Information Technology Policy Subcommittee. There shall be a subcommittee of the standing Committee of the Whole called the Information Technology (IT) Policy Subcommittee, which shall be composed of all Council Members. The Council President shall designate the chair of the Information Technology Policy Subcommittee. The Information Technology Policy Subcommittee shall have general oversight of the City’s enterprise information management systems, technology and associated innovations, and technology-related matters.**

SECTION 5. Committee Management. The chair of each committee is responsible to the City Council for the effective operation of his or her assigned committee. A committee chair has the same rights, duties, and privileges as other committee members, including the right to introduce business, to speak in debate, and to vote on all matters properly in possession of the committee.

- A. Duties of Chair. Without limiting the generality of the foregoing statement, it shall be the duty of each chair to:**
 - (1) Direct the preparation of an agenda for each meeting outlining all matters to be properly presented for consideration and action;**
 - (2) Convene each meeting at the appointed time, ascertain the presence of a quorum, and proceed to the business of the committee;**
 - (3) Recognize those entitled to the floor; confine debate to matters under consideration; explain or clarify rules or procedures, decide points of order, speak in preference to others for this purpose; and ensure order and decorum over the committee’s proceedings; and**
 - (4) State and put to vote all matters before the committee and declare the result thereof for the record.**

- B. Vice-Chair. The vice-chair shall preside and perform the foregoing duties in the absence of the chair.
- C. Committee Clerk. The City Clerk shall assign a clerk to each committee who shall, under the direction of the chair, or its presiding officer, attend to the clerical and business operations of the committee.

V. Committee of the Whole

SECTION 1. Committee of the Whole as a Standing Committee.

- A. Within the City Council’s standing committee structure, there shall be a Committee of the Whole which shall be and function as a standing committee as defined by these rules, and which shall be comprised of all Council Members. The rules related to the conduct of business and general procedures for committee meetings shall be observed in the Committee of the Whole so far as they may be applicable.
- B. Committee Management. The Vice-President of Council shall chair the Committee of the Whole and, in that capacity, shall be responsible for its effective operation and shall have and exercise principle control over its business and affairs. As chair, the Vice-President retains the same rights, duties, and privileges as other committee members, including the right to introduce business, to speak in debate from the chair, and to vote on all matters that are properly in possession of the committee.
- C. Jurisdiction. The following matters shall fall within the jurisdiction of the Committee of the Whole and may be directly referred to it without first being referred to other standing committees:
 - (1) Consideration, modification, and action on the City’s vision, goals, and strategic directions;
 - (2) Major enterprise-wide initiatives, **programs, or projects which would are not logically suited for another standing committee and which would benefit from a simultaneous, initial hearing by all Council Members**, with consent from the relevant committee chair(s);
 - (3) Reports regarding the semi-annual resident or employee survey results;
 - ~~(4) Items not logically suited for another standing committee, with consent of the relevant committee chair(s);~~
 - ~~(5) Items that require a simultaneous, initial hearing by all Council Members; and~~
 - (6) Emergency or other actions where the regular committee cycle is not adequate to meet sequencing needs.
- D. Matters considered by the Committee of the Whole may be referred to another standing committee. Any action of the Committee of the Whole under this article making a recommendation to the City Council shall be adopted by a majority vote under the regular rules of debate, shall be reduced to writing in the form of a committee report, ~~and shall be presented to the City Council at its regular meeting in the next succeeding Council cycle. In the event of an emergency or where the regular Council cycle is not adequate, the action may, by motion, be presented at the next regular meeting of the City Council.~~

~~SECTION 2. Intergovernmental Relations Subcommittee. There shall be a subcommittee of the standing Committee of the Whole called the Intergovernmental Relations Subcommittee, which shall be composed of all Council Members. When functioning as the Intergovernmental Relations Subcommittee, the chair of that subcommittee shall preside over its proceedings and debate. All actions and reports from the Intergovernmental Relations Subcommittee shall be presented directly to the City Council at its meeting in the next succeeding Council cycle. In the event of an emergency, or where the regular Council cycle is not adequate, the action of the Intergovernmental Relations Subcommittee may, by motion, be presented at the next regular meeting of the City Council.~~

SECTION 2. Special Events & Presentations. After consultation with Council Leadership, special events and presentations may be scheduled as directed by the Vice-President of City Council.

VI. Committee Procedures

SECTION 1. Meetings. Committees generally meet during the two-week interim between regular meetings of the full Council, known as a "Council cycle." The dates and times for regular committee meetings shall be established by the Council President, a copy of which shall be filed with the City Clerk. All committee meetings shall be open and accessible to the public; provided, that a portion of any committee meeting may be closed for those purposes allowed under the Minnesota Open Meeting Law. When the regular Council cycle is insufficient to address committee business, a special meeting of the committee may be called by its chair, with the approval of the Council President and upon proper notice. At any special meeting, only those matters identified in the notice of such meeting may be considered.

SECTION 2. Quorum. A majority of each committee's members shall constitute a quorum for the transaction of business.

SECTION 3. Rules and Procedures in Committee. The rules of City Council, so far as they are applicable and to the extent practicable, shall apply to the meetings of its committees. The committee chair shall determine the degree to which such rules are enforced so as to facilitate the committee's work in generating, evaluating, perfecting, and finalizing policy proposals and business matters referred to it, or such matters which arise within its jurisdiction.

SECTION 4. Consideration of Committee Business. Each committee shall consider matters referred by the City Council at its next regular meeting. A committee may also take up and consider proposals which arise within its jurisdiction or upon matters which may be directed to its attention by City officials or departments. Any matter referred or directed to a committee, or any matter which is taken up by the committee within its own jurisdiction, shall remain in the committee until its report is made, unless the City Council has directed that the committee report by a date certain.

SECTION 5. Discharge of Committee. If the City Council desires to remove a matter from the jurisdiction of a committee before the committee has made its report, it may, at a regular meeting, discharge the committee from further consideration of the matter. A motion to discharge a committee shall require a two-thirds vote, unless previous notice has been given, in which case the motion shall pass by a majority vote. If passed, the motion to discharge has the effect of immediately bringing before the City Council the subject matter discharged from the committee.

SECTION 6. Voting in Committees. Voting shall be conducted by the chair. Unless otherwise directed, voting shall be done by voice vote, provided any committee member may request his or her dissenting vote, or abstention, be recorded in the record of the meeting. The chair or any committee member may request a roll call vote on any item.

SECTION 7. Committee Reports.

- A. All actions of a committee, including the committee's recommendations on matters referred or directed to its attention, shall be reduced to writing in the form of a committee report adopted by a majority of the committee's members. A committee report, once adopted, shall be transmitted for presentation at the next regular meeting of the City Council.
- B. After a report has been adopted by a committee, no change therein shall be made before it is presented to the City Council except by further action of the committee during a duly-noticed public meeting. At the request of any member, the matters contained within the report may be separated into individual reports and notice of this separation shall be given to all committee members.

- C. It is the duty of the chair to present the committee's report under the appropriate order of business during the meetings of the City Council. In the absence of the chair, the vice-chair shall make the report or, in the absence of both, some other member of the committee may submit the committee's report.
- D. The Council's reception of a committee's report shall not be construed as conferring any authority upon any committee, nor upon any city officer or department of the City; however, the adoption of a report shall have the same effect as the adoption of a motion or resolution, except in cases where a resolution or ordinance would be required by law.

SECTION 8. Joint Meetings of Committees. Any committees may meet jointly to discuss, review, and develop preliminary recommendations on subject matters of common interest or jurisdiction. A joint meeting requires a quorum of each of the separate committees participating in the joint meeting. A joint meeting cannot act other than to refer its recommendations to a standing committee. One committee report shall be produced for any joint meeting, which may be referred to a standing committee for consideration and action.

VII. Public Hearings

SECTION 1. Public Hearing, Defined. A public hearing is a meeting, or portion of a meeting, that enables the public to speak upon a specific subject matter. Public hearings shall be conducted when required by law, or when directed by the City Council. Generally, public hearings shall be conducted by the committee having proper jurisdiction over the subject matter.

SECTION 2. Role of the Chair. The chair of the committee conducting a public hearing shall announce at the beginning of the public hearing the subject(s) to be addressed and considered, and shall monitor the use of time and, in the interest of efficiency, may impose time and subject matter limits for testimony and comments presented.

SECTION 3. Public Speakers. All speakers shall identify themselves for the record by providing the following: name; address; and organization or affiliation, if appropriate.

SECTION 4. Public Hearing Required for Certain Appointments. The appointment of persons to the following positions shall be made only after a public hearing by the appropriate standing committee having jurisdiction, for which purpose adequate notice has been provided: City Assessor; City Attorney; City Clerk; City Coordinator; City Engineer (Public Works Department Director); Civil Rights Department Director; Commissioner of Public Health; Community Planning and Economic Development Department Director; Fire Chief; Police Chief; and Regulatory Services Department Director; as well as Members of the following boards or commissions: Bicycle Advisory Committee; Civil Rights Commission Member; Civil Service Commission Member; Ethical Practices Board; Neighborhood & Community Engagement Commission; Planning Commission; and Zoning Board of Adjustment.

VIII. Motions, Debate & Voting

SECTION 1. Motions.

- A. It is the duty of the presiding officer to accept a proper motion whenever it is in order. A motion is in order when it is presented at an appropriate time, violates no rule, and is not clearly for the purpose of delaying or obstructing business. When necessary, the presiding officer may suggest the proper form of a proposal or may request clarification of a proposal before entertaining and proceeding with it.
- B. All substantive motions and amendments must be offered in writing and must be provided in sufficient quantity to permit copies to be distributed to the Mayor, all Council Members, the City Clerk, the City Attorney, and the public. This requirement shall not apply to non-substantive motions, including but not limited to motions to postpone, extend or limit debate, refer, recess, adjourn, or to correct clerical errors.

Motions and amendments not submitted in compliance with this provision shall not be considered unless the rules shall first be suspended.

- C. Rank. The precedence of the ordinary motions shall rank as shown on the following chart, with the lowest in rank being the Main Motion. When any one of them is immediately pending, the motions above it in the list are in order, and those below it are out of order.

	ORDINARY MOTIONS	Second	Amend	Vote	Debatable
UNDEBATABLE	Fix the Time to which to Adjourn	Yes	Yes	Majority	No
	Adjourn	Yes	No	Majority	No
	Recess	Yes	Yes	Majority	No
	Raise a Question of Privilege	No	No	<i>Chair Decides</i>	No
	Call for Orders of the Day	No	No	<i>Chair Decides</i>	No
	Lay on the Table	Yes	No	Majority	No
	Previous Question	Yes	No	Two-Thirds	No
	Limit or Extend Limits of Debate	Yes	Yes	Two-Thirds	No
DEBATABLE	Postpone to a Time Certain	Yes	Yes	Majority	Yes
	Commit or Refer	Yes	Yes	Majority	Yes
	Amend	Yes	Yes	Majority	Yes
	Postpone Indefinitely	Yes	No	Majority	Yes
	Main Motion	Yes	Yes	Majority	Yes

SECTION 2. Debate.

- A. No Member shall speak more than twice to the same question during the same meeting. Under this rule, each debatable motion is considered a separate question with respect to Members' rights to debate. No Member shall speak longer than seven (7) minutes for the first speech on a question and no more than five (5) minutes for a second speech on the same question. Additional speaking time may be granted by leave of the Council, and shall be decided by a two-thirds vote without debate. The Mayor shall be permitted to speak in the same manner and subject to the same restrictions as a Council Member, except that the Mayor shall not speak on matters of the Council's organization, rules, or procedures.
- B. If a motion to close debate and bring one or more pending questions to an immediate vote is made and seconded and if the presiding officer has not yet spoken to the pending question(s), then the presiding officer may exercise the privilege of speaking once to the question(s) before the vote is taken on the motion to close debate.
- C. While speaking to the merits of any question properly before the City Council, except when responding to a point of information or inquiry, the presiding officer shall have the right to assign the chair to the Vice-President or, in the absence of the Vice-President, to another Member.
- D. Members of the public shall not be permitted to address the City Council at its meetings. Except for information related to a quasi-judicial proceeding, members of the public may distribute printed material at regular or special meetings of the City Council by and through the City Clerk.

SECTION 3. Rulings by Presiding Officer; Appeals. The presiding officer shall decide all questions of order and priority in debate. Any Council Member may appeal from the decision of the presiding officer. On every appeal so taken, the presiding officer shall have the right to give reasons for the decision and the Council Member appealing shall be permitted to explain the basis for his or her appeal. The question on any appeal shall then be: "Shall the

decision of the presiding officer be sustained?" No other business shall be in order until the appeal has been decided by majority vote without debate.

SECTION 4. Voting.

- A. Roll Call. On the final passage of each ordinance and resolution, the appointment of every municipal officer, and on the appropriation of monies (except for the payment of judgments, claims, and amounts fixed by statute), the vote shall be taken by yeas and nays and entered in full upon the journal. At the request of any Council Member, the vote on any question shall be taken by yeas and nays.
- B. Proxy Voting Prohibited. No Council Member shall cast a vote for another Council Member. Council Members must be within the chamber to cast a vote, and no Council Member not within the chamber at the time a vote is conducted shall be recorded as casting a vote on that matter.
- C. Change of Vote. A Council Member has the right to change his or her vote until the result of the vote is announced by the presiding officer.

SECTION 5. Reconsideration. After the pronouncement of any decision upon any question, and before the adjournment of that meeting, any Council Member who voted with the prevailing side may move for reconsideration thereof, which shall require a majority vote for passage. Once a motion to reconsider any matter has passed or has been rejected, no further motion to reconsider the same subject matter shall be in order except by the unanimous consent of all Council Members present.

SECTION 6. Rescission of Previous Action. Any previous action of the City Council which may properly be rescinded may be considered provided proper notice is given at a previous meeting or session other than the meeting or session at which such action was taken, and shall require a majority vote for passage; or, such action may be rescinded without prior notice upon a two-thirds vote of all Members.

SECTION 7. Presentation of Official Acts to the Mayor. All official acts of the City Council, except those pertaining to its own organization, rules, and procedures, are subject to the consideration and approval of the Mayor. Within five days of such presentation (Sundays excepted), the Mayor must either: 1) approve and sign the action(s); or 2) veto the action(s) and return the same, together with the Mayor's objections thereto, to the City Clerk. If any ordinance, resolution, or other act of the City Council is not returned by the Mayor within the allotted five-day period, it shall be deemed to have been approved without the Mayor's signature and shall have the same force and effect as if formally approved by the Mayor.

SECTION 8. Consideration of Mayoral Veto. Any action vetoed by the Mayor shall be reconsidered at the next regular meeting of the City Council. The reconsidered action shall be placed before the City Council in the same form, without amendment or substitute, and the question put to the City Council shall be: "Shall the decision of the City Council stand, notwithstanding the veto of the Mayor?" If two-thirds of all Members vote in the affirmative on the question, then the veto of the Mayor shall be overturned. In the absence of a two-thirds vote of all Members, the veto of the Mayor shall be sustained.

IX. Ordinances & Resolutions

SECTION 1. Ordinances – Manner of Introduction. An ordinance may be introduced only by a Council Member who, at a previous meeting or session, shall have given notice thereof; or by any committee when the subject matter of the ordinance shall have been first referred to the committee at a previous meeting or session of the City Council. A Council Member need not be present at the meeting to offer a notice of intent to introduce. Upon introduction, the presiding officer shall refer the proposed ordinance to the appropriate committee having jurisdiction over the subject matter. Where required by law, or deemed necessary by the City Council, the committee to whom an ordinance is referred shall conduct a public hearing on said ordinance. The public hearing may be conducted

concurrently with the regular committee meeting to which the ordinance is referred. Upon introduction and referral of an ordinance to the appropriate committee, the chair of that committee may at that time announce the time and place of the public hearing to be held on the ordinance.

SECTION 2. Ordinances – Title, Author(s) & Enacting Clause. The subject of every ordinance shall be expressed in its title, which shall embrace one subject. Immediately preceding the title shall be the name of the Council Member(s) introducing the ordinance, who shall be its author(s). The enacting clause of each ordinance shall be “The City Council of the City of Minneapolis do ordain as follows:”.

SECTION 3. Ordinances – Number of Readings. Generally, each ordinance shall receive a minimum of two readings, conducted on separate dates. After introduction and referral, the ordinance is subject to perfection through the ordinary amendment process. Notwithstanding this general requirement for two separate readings, an ordinance may, by unanimous consent of all Council Members present, be introduced without previous notice and passed by a unanimous vote of the City Council at the same meeting or session.

SECTION 4. Ordinances – Amendments or Modifications. Any proposal to amend or modify any or all sections of an enacted ordinance must be accompanied by a copy of the existing ordinance which clearly identifies the matter that is intended to be added, deleted, or changed in accordance with drafting standards established by the City Clerk. The City Clerk is responsible for ensuring such copies are distributed to all committee members and available to the public.

SECTION 5. Ordinances – Enactment Procedure. Ordinances shall be passed by a majority vote of all Members, taken by yeas and nays. After an ordinance has been passed by the City Council, the Clerk shall engross all amendments, if any, and produce an official, conformed copy which shall be transmitted to the Mayor. If approved by the Mayor, or if the Mayor’s veto is overturned by the City Council, the City Clerk shall assign the ordinance a number and enroll the same in the permanent records of the City. Each enacted ordinance shall become effective upon publication in the City’s official newspaper unless an alternate effective date is provided within the ordinance. If an alternate effective date is provided within the ordinance, then the ordinance shall become effective upon the date stated within the ordinance.

SECTION 6. Ordinances – Return to Author. Any proposed ordinance may, after it has been introduced and given its first reading, be by motion returned to its author.

SECTION 7. Resolutions. When necessary, the City Council may exercise its powers through the adoption of resolutions where the same may not suitably be done through the enactment of an ordinance. Whenever required, by law or otherwise, the City Council shall act by resolution, which shall require a vote of a majority of all Members, taken by yeas and nays.

X. Journal & Records

SECTION 1. Journal of Proceedings. The Journal is the official, legal record of the proceedings of the City Council, evidencing the acts, orders, and judgments made by its authority, pursuant to law. For each meeting, the contents of the Journal shall provide a parliamentary chronology of all actions had on every matter of business, from introduction through final disposition. Every vote conducted by roll call shall record how each Council Member voted on a particular matter.

SECTION 2. Petitions & Communications. Petitions, communications, or other papers addressed to the City Council shall be presented by a Council Member or by the City Clerk.

SECTION 3. Publication. Official notices, advertisements, and other matters which, by law, are required to be published shall be published for the prescribed period. In adopting these rules, the City Council hereby authorizes and empowers the City Clerk to summarize proceedings, including ordinances, resolutions, notices, and other materials, to the extent practicable, as allowed by state law. The City Council shall arrange payment for the statutory charges for publication, and proof of publication shall be obtained by and filed with the Office of City Clerk.

Section 4. Codification. The City Clerk, with assistance from the City Attorney, shall be responsible for codifying ordinances of a general and permanent nature having the character of public laws. When codified and approved by the City Council, this compilation of ordinances shall be designated the Minneapolis Code of Ordinances. For that purpose, the Clerk is authorized to make necessary corrections in the text and formatting of the Code, or of individual ordinances, including but not limited to the correction of clerical errors, references and citations, numbering, and similar matters. A copy of the full Code of Ordinances shall be made available for public inspection and purchase through the Office of City Clerk.

ORDINANCE FLOWCHART

This flowchart illustrates the seven, sequential steps in the process of enacting an ordinance in the City of Minneapolis.

STEP 1: NOTICE OF INTENT

Before an ordinance may be formally introduced, the sponsoring Council Member must give notice of his or her intent to make the introduction at a subsequent regular meeting.

STEP 2: ORDINANCE INTRODUCTION

Introduction
[First Reading and Referral]

Only a Council Member may introduce an ordinance, after having given prior notice. Upon introduction, the presiding officer refers the proposed ordinance to the appropriate standing committee with subject matter jurisdiction. This series of actions covers the ordinance introduction, first reading, and referral to committee. Upon referral, the committee chair may at that time announce the time and place of a public hearing, if required, on the proposed ordinance.

STEP 3: COMMITTEE ACTION

Second Reading
[Perfection]

A proposed ordinance is given its “second reading” by the committee to whom it is referred. Under the rules, all matters referred by the City Council must be considered at the next regular meeting of the committee. If required, the committee will conduct a public hearing on the proposed ordinance. The committee may then proceed to perfect the draft through the regular amendatory process. When its work is completed, the ordinance is *enrolled* to incorporate any amendments that have been recommended by the committee. The committee, through its chair, must submit its recommendation—either to approve, to deny, or to submit without recommendation—to the full Council.

STEP 4: COUNCIL CONSIDERATION

Third Reading
[Final Action]

The City Council formally considers the recommendation of its standing committee on the proposed ordinance, which serves as the “third reading.” The Council may further perfect the ordinance through the regular amendatory process; if amendments are made, those are enrolled in the final version. When the matter has been accepted in final form, the City Council, by the proper vote, may pass the ordinance.

STEP 5: MAYORAL CONSIDERATION

The ordinance, as passed by the City Council, is submitted to the Mayor, who may approve the ordinance by authenticating it with his or her signature, or may veto the ordinance. The City Council may override the veto of the Mayor by a two-thirds vote; otherwise, the veto is sustained. If the ordinance, as passed by the City Council, is approved and signed by the Mayor, it becomes an *enacted ordinance*.

STEP 6: ENROLLMENT & PUBLICATION

After enactment, the ordinance is submitted for publication in the City’s official newspaper (*Finance & Commerce*). Pursuant to state law, the effective date of the ordinance is the date of legal publication (unless a later effective date is provided in the ordinance); publication is generally eight days after the date of final action by the City Council.

STEP 7: CODIFICATION

After publication, the enacted ordinance is codified under the correct title, chapter, and section of the Minneapolis Code of Ordinances.

CHART OF REQUIRED VOTES

TYPE OF VOTE	VOTES REQUIRED	CITATION
Acceptance of Gifts to Municipalities/Grants	2/3 vote of all members (9)	Minn. Stat. 465.03
Adopt resolution annexing territory to City	Majority (7)	Minn. Stat. 414.041
Amend City Charter	Unanimous vote (13)	MCC, Chapter 4 §7
Amend City Council Rules	2/3 vote of all members (9)	Council Rule I. Section 3
Amend Zoning ordinance which changes property classification from residential to either commercial or industrial and which are enacted following a 40-acre survey and finding that compliance with the consent requirement is impractical. (If the 2/3 written consent requirement is met for the amendment of the zoning classification, only a majority vote is required.)	2/3 vote of all members (9)	Minn. Stat. 462.357, subd. 2 & 5
Appoint City officers	Majority (7)	MCC, Chapter 2 §2
Change grade of street	2/3 vote of all members (9)	MCC, Chapter 8 §2
Designate improvements under Elwell Law (Paving), by resolution	Majority (7)	Minn. Stat. 430.01
Discharge a committee without previous notice	2/3 vote of members present	Council Rule VI. Section 6
Grant leave to speak more than twice on same day to same subject	2/3 vote of members present	Council Rule IX. Section 2A
Make appropriations (roll call vote required)	Majority (7)	MCC, Chapter 4 §11
Make improvement for which special assessment will be required, except sidewalks	2/3 vote of all members (9)	MCC, Chapter 10 §19
Order sidewalks	Majority (7)	MCC, Chapter 10 §19
Override veto of Mayor	2/3 vote of all members (9)	MCC, Chapter 3 §1
Pass ordinance at same meeting or session at which presented, also amendments	Unanimous consent of all members present	MCC, Chapter 4 §9 Council Rule X. Section 3
Pass ordinances and resolutions	Majority (7)	MCC, Chapter 4 §9
Request Board of Estimate and Taxation to sell bonds	2/3 vote of all members (9)	MCC, Chapter 15 §9
Rescind prior action without notice	2/3 vote of all members (9)	Council Rule IX. Section 6
Sell real estate of City	2/3 vote of all members (9)	MCC, Chapter 4 §14
Suspend rules of Council	2/3 vote of all members (9)	Council Rule I. Section 2
Vacate a public street or alley	2/3 vote of all members (9)	MCC, Chapter 8 §3

KEY TO PROCEDURAL CITATIONS & REFERENCES

As used throughout the Council Rules, citations have been made as follows:

- Minn. Stat. = Minnesota Statutes
- MCC = Minneapolis City Charter
- MCO = Minneapolis Code of Ordinances
- RONR = Robert’s Rules of Order, Newly Revised – 11th Ed., 2011

I. Rules 2

SECTION 1. Purpose; Procedural Authority.

See Minn. Stat. §412.191, subd. 2

See MCC Ch. 4, §3

See RONR §2 [Rules of Order, pp. 15-17]

When an assembly adopts a particular parliamentary authority, its rules and procedures are binding upon the assembly in all cases where they are not inconsistent with legal authorities of higher precedence.

NOTE 1: Parliamentary law is founded on certain organizing principles; these include:

- (1) All members of an assembly have and share equal rights, privileges, and obligations;
- (2) The assembly may act only in a proper meeting in the presence of a quorum.
- (3) Only one question may claim the assembly’s attention at a time, and only one member may claim the floor at any given time, subject to recognition by the presiding officer.
- (4) Each member has the right to know the immediately pending question as well as its effect if adopted before a vote is taken.
- (5) A majority of the assembly decides a question; except that a two-thirds vote is generally required for any motion whose effect would alter, modify, or deprive any member of rights in any way.

NOTE 2: It is an accepted legal principle that the ultimate authority of the municipal government is vested in its duly constituted governing body as it meets. Thus, it is only in the context of a properly convened meeting that the governing body may take action.

NOTE 3: *Robert’s Rules of Order Newly Revised*, 11th Edition, is the most current version and supersedes all earlier editions as the parliamentary authority for organizations which have adopted it [See RONR – In Brief, page 100].

SECTION 2. Suspension of Rules.

See RONR §25 [Suspend the Rules, pp. 260-267]

SECTION 3. Amendment of Rules.

See RONR §35 [Rescind/Amend Something Previously Adopted]

See RONR §44 [Voting – Two-Thirds Vote Required, p. 401, l. 19-28]

NOTE 4: Because rules are established to protect the rights of all members, and to provide a consistent framework within which the assembly conducts its business, any motion to suspend or amend the adopted rules requires a higher voting threshold for passage.

II. Organization 2

SECTION 1. Organizational Meeting.

See MCC Ch. 3, §2(a)

See MCC Ch. 3, §2(b)

NOTE 5: The object of organizing an assembly is to provide members with the necessary means of expressing their deliberative sense on all matters and questions presented in a reasonable and orderly fashion, to facilitate and control its collective work, so that the assembly may achieve the purpose and objectives of the organization.

NOTE 6: At the start of each elective term, the City Clerk—as returning officer—presides over the initial organization of the City Council. In the absence of the City Clerk, the Assistant City Clerk assumes this duty.

SECTION 2. Officers and Duties.

PRESIDENT:

See MCC Ch. 3, §2(b)

See MCC Ch. 4, §1
See generally RONR §47 [Officers – Chairman or President, pp. 448-457]

VICE-PRESIDENT:
See MCC Ch. 3, §2(b)
See generally RONR §47 [Officers – Vice-President, pp. 457-458]

CITY CLERK:
See MCC Ch. 3, §5
See generally RONR §47 [Officers – Secretary, pp. 458-460]

III. Meetings of Council..... 3

SECTION 1. Meetings, Generally.
See Minn. Stat. § 13D [Open Meetings Law]
See generally Minn. Stat. § 142.191, subd. 2
See MCC Ch. 4, §2: City Council – Meetings – Regular and Special
See RONR §9 [Regular Meeting, pp. 89-91]

SECTION 2. Special Meetings
See MCC Ch. 4, §2
See RONR §9 [Special Meeting, pp. 91-93]

SECTION 3. Adjourned Meetings
See MCC Ch. 4, §2
See RONR §9 [Adjourned Meeting, pp. 93-94]

NOTE 7: Under the Rules, each regular and special meeting constitutes a separate session of City Council. However, when a meeting is adjourned to a future date or time, it is essentially a continuation of that meeting. Under the City Charter, these extensions of meetings are classified as “sessions.” Because an adjourned meeting is a continuation of a prior meeting, it is out of order to renew or consider motions previously introduced and disposed of without adoption. See RONR §38, pp. 336-339 for details.

SECTION 4. Executive (Closed) Meetings
See Minn. Stat. §13D.01, subd. 3 [Subject of and grounds for closed meeting]
See Minn. Stat. §13D.03 or §13D.05
See RONR §9 [Executive Session, pp. 95-96]

SECTION 5. Study Sessions.

SECTION 6. Calendar & Notices.
See Minn. Stat. §13D.04 [Notice of meetings]
▪ Subd. 1 [Regular meetings]
▪ Subd. 2 [Special meetings]
▪ Subd. 2 [Recessed or continued meetings]
▪ Subd. 2 [Closed meetings]
See Minn. Stat. §645.15
See Minn. Stat. §331A.08

SECTION 7. Quorum.
See Minn. Stat. §645.08 (5)
See MCC Ch. 4, §1
See RONR §40 [Quorum]

SECTION 8. Order of Business.
See RONR §41 [Order of Business (Agenda or Program)]
See generally definition, terms, and uses for agenda, pp. 371-375.

IV. Standing Committees 4

SECTION 1. Standing Committees: Purpose, Appointment & Structure.

See Rule II., Section 1, B(3), which provides that standing and special committees shall be ratified by the City Council during its organizational meeting.

See Rule IV., Section 1, which provides that the Council President shall nominate each committee’s membership, subject to ratification by the City Council.

See RONR §50 [Committees, pp. 489-492]

NOTE 8: A committee—as understood in parliamentary law—is a subordinate body composed of one or more members elected or appointed to consider, to investigate, to develop recommendations, or to take action on referred matters or upon subjects within its jurisdiction, or both, or to do all of these things. A committee generally has no independent authority, it being merely an instrument of the assembly formed for its benefit and purposes.

SECTION 2. Special Committees.

See RONR §50 [Committees, pp. 489-492]

SECTION 3. Committee Management.

V. Committee of the Whole 5

SECTION 1. Committee of the Whole as a Standing Committee.

NOTE 9: As a standing committee, the Committee of the Whole is subject to the same rules and regulations applied to other standing and special committees of the City Council. It has a prescribed jurisdiction. This differs from the general provisions and practices contained in *Robert’s Rules of Order, Newly Revised*.

SECTION 2. Intergovernmental Relations Subcommittee.

SECTION 3. Special Events & Presentations.

NOTE 10: The term “Council Leadership” is generally understood to refer to the President and Vice-President of the City Council.

SECTION 4. Use of Committee of the Whole for informal consideration.

See RONR §52 [Committee of the Whole, pp. 529-538]

NOTE 11: When necessary, and on proper motion and vote, the City Council may resolve itself into a committee of the whole during any regular or special meeting for the purposes of considering business in a more informal manner than what is prescribed by these rules for meetings of the full City Council. This use of the committee of the whole structure is separate and apart from the standing committee of the same title, but aligns with the general provisions and practices contained in *Robert’s Rules of Order, Newly Revised*.

VI. Committee Procedures 5

SECTION 1. Meetings.

NOTE 12: The committee system is at the heart of the legislative process; committees are established to shape, perfect, and put proposals into proper form for consideration by the assembly. Consequently, it is the presumption that the City Council will refer all proposals to the proper committee, and that any exception or deviation from this standard procedure shall be in a narrowly-defined and extraordinary circumstance.

SECTION 2. Quorum.

See RONR §40 [Quorum]

SECTION 3. Rules and Procedures in Committee.

NOTE 13: In order to assure free and full discussion on the merits of all proposals and referred matters, the rules are generally relaxed in committee and procedure is much less formal, the purpose of a committee being to thoroughly evaluate and develop recommendations; see procedures for small boards in RONR, see pp. 487-488. The intent is to provide a minimum structure that enables the committee to reach consensus and to make decisions. To that end, the following are usual and acceptable procedures in committee:

- (1) The chair (presiding officer) may take an active role in the meeting, including the ability to make or second motions and to participate in debate without leaving the chair;
- (2) Discussion of a subject matter is permitted even if no motion is immediately pending; and
- (3) There is generally no limit on the length of debate, nor a limit to the number of times any member may speak in debate on a particular subject or motion.

Under these Rules, the chair of each committee is empowered to determine the degree of formality or degree to which stricter enforcement of rules is necessary to preserve an orderly progression of business without infringing on the rights of any member. To ensure fairness to all members of the committee, the chair should explain the reasoning for any decision to apply or enforce a greater level of formality.

SECTION 4. Consideration of Committee Business.

SECTION 5. Public Comment.

SECTION 6. Discharge of Committee.

SECTION 7. Voting in Committees.

SECTION 8. Committee Reports.

See RONR §51 [Reports of Boards and Committees, pp. 511-529]

SECTION 9. Joint Meetings of Committees.

VII. Public Hearings 7

VIII. Motions, Debate & Voting 7

SECTION 1. Motions.

See RONR Chapter V [Main Motion, pp. 100-125]

Also known as a “primary motion,” a main motion provides for the introduction of a new business proposal before the assembly. It is the lowest in rank by the classification of motions.

[Includes description of Previous Notice of Motions, pp. 121-122]

The following classes of motions are collectively referred to as “secondary motions.”

Secondary Motions

See RONR Chapter VI [Subsidiary Motions, pp. 126-218]

A subsidiary motion is used to perfect the substance of a main motion, or to affect how the main motion is handled. Listed by rank (lowest to highest), the subsidiary motions include:

- (1) Postpone indefinitely;
- (2) Amend;
- (3) Commit or Refer;
- (4) Postpone to a Time Certain;
- (5) Limit or Extend Limits of Debate;
- (6) Previous Question; and
- (7) Lay on the Table.

See RONR Chapter VII [Privileged Motions, pp. 219-246]

A privileged motion pertains to the rights of the assembly and its member, in that order, and not necessarily to the pending business or question before the assembly. Listed by rank (lowest to highest), the privileged motions include:

- (1) Call for the Orders of the Day;
- (2) Raise a Question of Privilege;
- (3) Recess;
- (4) Adjourn; and
- (5) Fix the Time to Which to Adjourn.

See RONR Chapter VIII [Incidental Motions, pp. 247-299]

An incidental motion pertains to the procedures of the assembly and questions about procedure that arise out of other motions. Incidental motions must be disposed of before other motions may be considered or acted upon.

The list of incidental motions—which carry no rank order—are as follows:

- (1) Point of Order;
- (2) Appeal;
- (3) Suspend the Rules;
- (4) Object to the Consideration of a Question;
- (5) Division of a Question;

Note: In Minneapolis, the City Council uses the procedure for Division of a Question (RONR §27), even when the intent is to Consider a Question by Paragraph (RONR §28), and may refer to these two procedures interchangeably.

- (6) Division of the Assembly;
- (7) Motions related to methods and conduct of Voting;
- (8) Motions related to Nominations; and
- (9) Requests and Inquiries, including Request for Information and Parliamentary Inquiry.

See RONR Chapter IX [“Restorative” Motions, pp. 300-335]

This class of motions bring a question already disposed of before the assembly again. The list of restorative motions—which carry no rank order—are as follows:

- (1) Take from the Table;
- (2) Rescind, or Amend Something Previously Adopted;
- (3) Discharge a Committee; and
- (4) Reconsider.

NOTE 14: ABOUT MAIN MOTIONS—There are four instances in which a main motion is never in order; these are:

- (1) No main motion is ever in order which conflicts with the federal or state constitutions, national, state, or local laws, or legally-prescribed procedures. If such a motion is adopted, even upon a unanimous vote of all members, it is null and void. [See RONR § 39, p. 343, ll. 14-17.]
- (2) No main motion is ever in order which proposes action or pertains to a subject matter which is beyond the assembly’s scope of authority or power (*ultra vires*).
- (3) No main motion is ever in order that presents substantially the same question as a motion previously rejected during the same meeting (or session).
- (4) No main motion is ever in order that would conflict with or that presents substantially the same question as one which has been temporarily disposed of (postponed, laid on the table, referred), and which remains within the control of the assembly.

NOTE 15: ABOUT AMENDMENTS—The following are general rules related to the motion to amend:

- (1) The motion to amend is a primary amendment, or an amendment in the first degree, and is applied to the immediately pending motion. The motion to amend an amendment is a secondary amendment, or an amendment in the second degree, and is used to modify a pending primary amendment. Amendments which exceed the second degree are not allowed.
- (2) There is no limit to the number of amendments that can be applied to a motion as long as there is only one amendment of the same rank on the floor at a time.
- (3) An amendment must be germane to the immediately pending question. An amendment may be hostile to, or even defeat, the spirit of the original motion and still be germane. However, a new and independent question cannot be introduced under color of an amendment.
- (4) An amendment cannot be used to change one form of parliamentary motion into another. For example, it is out of order to attempt, by way of an amendment, to change a pending motion to postpone to a time certain into a motion to postpone indefinitely.
- (5) An amendment is out of order if its effect would be to cause the pending question to become out of order. For example, it is out of order to attempt, by way of an amendment, to alter the form of the pending question such that it would conflict with the federal or state constitution or any laws having higher precedence or which would cause the assembly to act *ultra vires*.

SECTION 2. Debate.

See RONR §43 [Debate, pp. 385-399]

NOTE 16: The purpose of debate is to enable a majority of a deliberative assembly, through the exchange of ideas and opinions, to produce a collective judgment on a particular subject matter or proposal before them for action, which stands as the decision or action of the assembly. As the interchange of ideas and opinions necessarily involves criticism of expressed viewpoints, which can be interpreted as criticism of individuals, parliamentary law provides a number of procedures to focus debate on the merits of propositions and to avoid discussion of

personalities. First and foremost, all debate is directed to and through the presiding officer. Second, members must not impute the motives of others, but must always confine remarks in debate to the pending question. Third, members must display respect to others, which includes refraining from sidebar conversations or other actions that would distract from the individual claiming the floor and recognized by the presiding officer. Finally, members must not abuse the rules to obstruct the business of the assembly.

NOTE 17: Rights in regard to debate are not transferrable. Thus, a member cannot yield any unexpired portion of time to another member, or reserve any portion of time for a later point. If a member yields the floor before his or her allotted time in debate has concluded, the presumption is that member the member has waived the right to any remaining balance of time. [See RONR § 43, p., 388, ll 12-25.]

NOTE 18: Each debatable motion introduces a new question with respect to members' rights in debate — see RONR 43, pp. 389-390, ll. Thus, if a series of debatable questions is pending, a member has the right to debate each question (that is, to speak twice to each debatable question) subject to the general time limitations provided within these Rules. Modification to the general limits of debate—that is, to limit/restrict or to extend debate—may be made as set forth in *Robert's Rules of Order, Newly Revised*, pp. 390-391.

NOTE 19: Some motions, by design, are undebatable. Thus, those motions which are designed to perform a time-sensitive task where debate would be counterproductive are classified as undebatable; these include:

- Call for Orders of the Day
- Lay on the Table & Take from the Table
- Division of a Question
- Suspend the Rules
- Reconsider

Some motions are designed to prevent debate (or stop further debate); thus, debate is not allowed in connection with these motions:

- Adjourn
- Object to Consideration of the Question
- Previous Question
- Limit or Extend Debate
- Recess

Finally, some motions intend to perform a simple task which requires the immediate attention of the body or its presiding officer before business may proceed. These motions include:

- Parliamentary Inquiry
- Point of Information
- Point of Order
- Raise a Question of Privilege
- Appeal the Decision of the Chair

See RONR §43, pp. 396 – 399, for details as to the principles governing the debatability of motions.

SECTION 3. Rulings by Presiding Officer; Appeals.

See RONR §24 [Appeal, pp. 255-260]

SECTION 4. Voting.

See Minn. Stat. 13D.01, subd. 4 (a) and (b), regarding the requirement to record votes in the journal

See RONR Chapter XIII [Voting, pp. 400 – 429]

NOTE 20: All proceedings of a deliberative assembly which ripen into a result do so by a vote of its members; hence, all official acts are rightfully referred to as votes of the City Council, regardless of actual form. There are, however, different forms in which an act by such vote may be taken. For example, legislation is enacted by ordinance; administrative acts and the expression of the will or sense of the assembly is by adoption of a resolution; orders to agencies and staff are accomplished by directives; and the bulk of routine business is processed by the passage of motions, etc.

NOTE 21: On final action on ordinances and resolutions, and on many other proposals, the vote is taken by roll call. The majority of legislative bodies utilize this voting method because it is the most accurate and easily-verified form of voting to transact. Moreover, this voting method places on record the vote of each member of the assembly;

since Council Members vote in a representative capacity, their constituents are thus able to determine how their representative voted on a specific issue or subject matter.

NOTE 22: A tie vote results in no action being taken by the assembly, but does not automatically equate to the opposite effect of the original proposal. Thus, if a motion to approve a proposal results in a tie vote, no action has been taken, and the original proposal remains in possession of the assembly, subject to further motions under the rules of debate; however, the proposal was not defeated (voted down) as a result of the tie vote. One notable exception to this general application of the rule is that on an appeal taken to the ruling of the presiding officer, a tie vote does sustain the ruling of the presiding officer. This is based on the principle that the decision of the presiding officer can only be reversed by a majority vote.

SECTION 5. Reconsideration.

See RONR §37 [Reconsider, pp. 315 – 335]

SECTION 6. Rescission of Previous Action.

See RONR §35 [Rescind (or Amend) Something Previously Adopted, pp. 305 – 309]

SECTION 7. Presentation of Official Acts to the Mayor.

See MCC Ch. 3, §1

SECTION 8. Consideration of Mayoral Veto.

See MCC Ch. 3, §1

IX. Ordinances & Resolutions 9

SECTION 1. Ordinances – Manner of Introduction.

See MCC Ch. 4, §9: Ordinances and Resolutions – How Passed

NOTE 23: The introduction and referral of ordinances generally follows a two-step process, which is intended to ensure adequate notice is provided to all Council Members as well as the public. First, a notice of intent must be made at a prior meeting. Notices of ordinance introductions are agendaized under the order of *New Business*. Second, after notice is given in the first cycle, the ordinance is brought forward under the order *Unfinished Business* in the next cycle.

Under Council’s Rules, the President refers the ordinance to the standing committee(s) having proper subject-matter jurisdiction, although the President’s decision may be appealed to the full City Council. A majority vote is required to approve the referral. The introduction and referral constitute the first reading of the ordinance as required by the City Charter.

Occasionally, a Council Member may wish to expedite the notice and introduction in a single cycle. This can be done, but requires unanimous consent by all Council Members at the meeting (assuming a quorum is present). If even one Council Member objects, the Member making the introduction may give notice at that time and make the introduction in the next cycle, as provided in the regular two-step notice and introduction process.

NOTE 24: *Introduction of Ordinance —or— Introduction of Subject Matter or an Ordinance.* There is a subtle but important distinction between introducing an ordinance and introducing the subject matter of an ordinance. In the former case, the assumption is that a draft of the proposed ordinance is prepared and available for review at the time of introduction and will be referred to the proper standing committee for its consideration. Having the draft prepared at this stage can further expedite the process. However, when the ordinance has not been drafted at the time of its introduction, the subject matter of the ordinance may be introduced so that the process may proceed. When the subject matter of an ordinance is referred to the proper standing committee, the usual practice is for the standing committee of reference to then act to refer the matter to staff so the ordinance can be prepared in written form and brought back to the committee for its formal consideration.

NOTE 25: Introduction and referral of Resolutions and other matters. Unlike the two-step process outlined above for the introduction and referral of ordinances, resolutions and other matters are generally introduced and referred simultaneously. As part of the regular order *Presentation of Petitions, Communications & Reports*, these matters are collectively introduced and referred to the proper standing committee(s) having subject-matter jurisdiction.

SECTION 2. Ordinances – Title, Author & Enacting Clause.
See MCC Ch. 4, §8: Style of Ordinances – Subject and Title

SECTION 3. Ordinances – Number of Readings.
See MCC Ch. 4, §9: Ordinances and Resolutions – How Passed

SECTION 4. Ordinances – Enactment Procedure.
See MCC Ch. 4, §9: Ordinances and Resolutions – How Passed

SECTION 5. Ordinances – Return to Author.

SECTION 6. Resolutions.
See MCC Ch. 4, §7: Council May Exercise Power by Resolution – When

NOTE 26: An ordinance refers to a local law of a municipal corporation prescribing general, uniform, and permanent policies, rules, or regulations related to the corporate affairs of the municipality. [McQuillin, *Municipal Corporations*, § 15 01 (3d Ed)]. The general ordinances of the municipality, as codified, comprise the body of local law governing the management of local affairs, the conduct of persons, the allowable uses of property, and a myriad of other subject matters upon which the municipal government exercises primary oversight and power.

By contrast, a resolution is a formal statement of policy or the expression of a position with respect to a particular subject matter, which may be either legislative or administrative in character, but which does not generally carry the force and effect of local law.

From this general distinction between ordinances and resolutions, it follows that on those matters where the City Council determines to enact general, uniform, and permanent policies, rules, or regulations, especially those which include penalty provisions for violations, the form should be an ordinance. An ordinance should also be used in any instance required by state statute, city charter, or any other applicable requirement of law. Notwithstanding this guide, Minneapolis City Charter, Chapter 4, §7, provides that the City Council may, in specific instances, exercise its powers through the adoption of resolutions when the same cannot be more readily done through the enactment of an ordinance.

X. Journal & Records..... 10

SECTION 1. Journal of Proceedings.
See Minn. Stat. 13D.01, subd. 5, regarding statutory requirement that public access be provided to the journal
See Minn. Stat. §13.03 [Access to government data]
See Minn. Stat. §15.17 [Official records]
See Minn. Stat. §331A.01, subd. 6 [Content of proceedings]
See Minn. Stat. §331A.01, subd. 10 [Summarization for publication]
See Minn. Stat. §412.151, subd. 1 [Clerk to record proceedings]
See Minn. Stat. §363A.42 [Accessibility of public records]
See MCC Ch. 4, §9: Ordinances and Resolutions – How Passed [votes taken by roll call to be entered in record]

NOTE 27: The veracity of the official record of acts, orders, and judgments is critical in providing documentary evidence of decision-making processes, particularly if such actions become subject to judicial review. The Minnesota State Auditor’s Office has issued a position statement (revised in 2009 and reviewed December 2010) outlining the recommended components for meeting minutes which establishes minimum contents to be included for every type of meeting. In that statement, the State Auditor’s Office opined that audio or video recordings of meetings do not constitute “minutes,” and are not a substitute for a requirement to produce and keep minutes.

SECTION 2. Petitions & Communications.

SECTION 3. Publication.
See Minn. Stat. §331A.01, subd. 6 and 10 [Content of proceedings and Summarization of proceedings]
See Minn. Stat. §331A.08, subd. 3 [Computation of time for legal publication]
See Minn. Stat. §412.191, subd. 3
See Minn. Stat. §645.11

SECTION 4. Codification.
See Minn. Stat. §415.02 and §415.021