



***City of Maplewood***  
***2016 Rules of Procedure***  
***for City Council and Council Meetings***

**CITY OF MAPLEWOOD**  
**RULES OF PROCEDURE**  
**FOR CITY COUNCIL AND COUNCIL MEETINGS**

**TABLE OF CONTENTS**

			PAGE
Section	1	Meetings .....	1-3
Section	2	Agenda for Regular Meetings and Council Manager Workshop ..	3-4
Section	3	Limitation on Council Action.....	4
Section	4	Minutes .....	4-5
Section	5	Duties of the Presiding Officer .....	5
Section	6	Rules of Debate.....	5
Section	7	Addressing the Council .....	6
Section	8	General Rules of Order .....	6
Section	9	Decorum and its Enforcement.....	6-7
Section	10	Ordinances, Resolutions, Motions and Reports .....	7
Section	11	Conduct of City Employees at City Council Meeting.....	8
Section	12	Waiver .....	8
Section	13	Adjournment.....	8
Section	14	Council Administrative Policies .....	8-11

## Section 1 MEETINGS

### A. **Regular**

#### *City Council Meeting:*

The City Council shall hold regular meetings on the second and fourth Mondays of each month at 7:00 p.m., provided that when the day fixed for any regular meeting falls on a day designated by law as a legal holiday, such meeting shall be held at the same hour on the next succeeding Thursday, not a holiday, unless authorized by the City Council.

#### *Council Manager Workshop*

The City Manager may schedule a Council Manager Workshop prior to a city council meeting if he/she deems there are pertinent or timely items necessary for consideration.

### B. **Special**

The Mayor or any two members of the Council by writing filed with the City Clerk may call a special meeting. A special meeting is a meeting that is held at a time or location different from that of a regular meeting.

The city clerk or his/her designee will post written notice of a special meeting on the principal bulletin board, located at the entrance of city hall and on the city website. The notice will state the date, time, place and purpose of the meeting.

The city manager or his or her designee will notify each member of the city council of the special meeting by e-mail and telephone at least one day before the scheduled meeting.

In calculating the number of days for providing notice, the first day that the notice is given will not be counted and the last of the notice will be counted. If the last day is a Saturday, Sunday or a legal holiday, that day is omitted from the calculation and the following day is considered the last day, unless it happens to be a Saturday, Sunday or a legal holiday.

Except for trivial matters, business transacted at a special meeting shall be limited to that for which the meeting has been called. Emergency meetings may be called at any time providing all members of the Council sign waivers of notice to such meeting and said waivers shall be filed with the City Clerk.

**Emergency Meetings** – An “emergency meeting” is a special meeting to deal with a matter that requires immediate consideration of the city council. Posted or published notice of an emergency meeting is not required. However, the city must make a good faith effort to notify each news medium that has filed a written request for notice. Notice must be given by telephone or any other method to notify members of the city council. The notice must include the subject of the meetings.

**C. Place**

All meetings shall be held in the Council Chambers of the Maplewood City Hall unless there is a posted and/or published notice designating another location.

**D. Presiding Officers**

The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Acting Mayor shall preside. In the absence of both, the Council members shall elect one of their members as temporary chairperson.

**E. Quorum**

Three members of the Council shall constitute a quorum at any meeting of the Council, but a smaller number may convene from time to time.

**F. Telephone or Electronic Attendance at Meetings**

Meetings may be conducted by telephone or other electronic means as permitted by State law.

Each member of the governing body participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

If telephone or another electronic means is used to conduct a meeting, to the extent practical, the governing body shall allow a person to monitor the meeting electronically from a remote location.

**G. Order of Business**

At the hour appointed for meeting, the members shall be called to order by the Mayor or in his/her absence by the Acting Mayor. Upon the appearance of the quorum, the Council shall proceed to business which shall be conducted in the established order:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of Agenda
- E. Approval of Minutes

- F. Appointments and Presentations
  - 1. Council Presentations
  - 2. Administrative Presentations
- G. Consent Agenda
- H. Public Hearings
- I. Unfinished Business
- J. New Business
- K. Award of Bids
- L. Visitor Presentations
- M. Adjournment

**H. Curfew**

No additional agenda item will be discussed after 11:00 p.m. Meetings adjourned under this policy will be continued on the next Thursday at 5:00 p.m. *The council by simple majority may change the time and date.* The continued meeting will begin at the point on the agenda where the adjournment occurred. No new items will be added to the continued meeting agenda. A majority of the Council may extend the meeting beyond the 11:00 p.m. curfew.

**I. First Regular Meeting of the Year**

At the first regular Council meeting in January of each year, the Council shall (1) designate the official newspaper, (2) choose an Acting Mayor on a rotating basis from the membership of the Council who shall perform the duties of the Mayor during the disability or absence of the Mayor, and (3) make other annual appointments as required.

**Section 2  
AGENDA FOR REGULAR MEETING**

- A. All matters to be considered by the Council shall be filed no later than 12:00 noon on the Monday prior to the Monday Council meeting at which consideration is desired, and shall be delivered to the City Manager, or in his/her absence, the City Clerk. In unusual circumstances and when the matter does not require investigation, an item may be accepted after the deadline upon the approval of the City Manager.
- B. Except for trivial matters, no item or business shall be considered for action by the Council, which does not appear on the agenda for the meeting, except an item of urgent business, which requires immediate action and is so determined by a majority of the Council. The Council will hear all reasonable citizen petitions, requests and statements; however, such items which do not specifically appear on the agenda shall be deferred to a future meeting for more careful consideration and study if Council action, other than filing, is required or requested.

The Mayor and each Council member shall be provided with a copy of the agenda, minutes of the previous meeting, any other reports and information pertinent to the

agenda at least forty-eight (48) hours prior to each regular Council meeting **unless authorized by the City Manager.**

No matter may be submitted for Council action by any administrative official, department head, or employee unless it has first been presented to the City Manager for inclusion on the agenda.

## AGENDA FOR COUNCIL MANAGER WORKSHOP

All matters to be submitted for the Council Manager Workshop shall be filed no later than 12:00 noon on the Monday prior to the Workshop and shall be delivered to the City Manager, or in his/her absence, the City Clerk. Workshops are typically held prior to regularly scheduled Council meetings at a time determined by the City Manager needed to conduct business. The Council Manager Workshop is designed to look in-depth into upcoming issues, interviewing commission and board members, and meeting and discussing issues with other civic leaders. Council Manager Workshops may be scheduled as needed and will be posted and noticed accordingly.

The City Manager has the authority to cancel the meeting if he/she deems there are no pertinent or timely items necessary for consideration.

### Section 3 LIMITATION ON COUNCIL ACTION

The Council shall only take action at regularly scheduled meetings, or special meetings, called pursuant to Section 1, unless all Council members are present at the time the action is taken. Regular meetings do not include meetings with public bodies in joint or cooperative sessions. All Council actions shall conform to the requirements of the open meeting law.

### Section 4 MINUTES

- A. The City Clerk or his/her designees shall keep a record of all regular Council meetings.
- B. Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if each member has previously been provided a copy.
- C. The Council may, by motion carried by a majority vote, amend the minutes. Such amending motion shall become a part of the minutes of the subsequent meeting.
- D. Minutes for city council meetings will be summary minutes. Minutes for Boards and Commissions will be summary minutes with the exception of the Planning Commission which shall be either action or summary minutes.

## Section 5 DUTIES OF THE PRESIDING OFFICER

The Presiding Officer shall preserve strict order and decorum at all meetings of the Council. He/She shall state every question coming before the Council, announce the decision of the Council on all subjects, and decide all questions of order; subject however, to an appeal to the Council in which event a majority vote of the Council shall govern and conclusively determine such questions of order. He/She shall vote on all questions and on a roll call vote rotate the order in which votes are cast.

## Section 6 RULES OF DEBATE

- A. The Mayor, or in the absence of the Mayor the Presiding Officer, may move, second and debate from the chair, subject only to such limitations of debate as are by the rules imposed on all members and shall not be deprived of any of the rights and privileges of a Council member by reason of his acting as the Presiding Officer.
- B. Every member desiring to speak shall address the chair, and upon recognition by the Presiding Officer shall confine himself/herself to the question under debate avoiding all personalities and indecorous language.
- C. A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order or to vote on a motion to close a debate, or as herein otherwise provided. If a member, while speaking, is ruled out of order, the member shall cease speaking until the question of order is determined and if in order, he/she shall be permitted to proceed.
- D. A motion to reconsider any action taken by the Council must be made at the meeting at which such action was taken or at the next regular meeting of the Council and must be made by a member of the Council who voted with the prevailing side. Provided such motion to reconsider is passed, then the parties entitled to notice on the original action shall be notified, and the reconsideration of the action shall be taken at the next regular meeting following passage of the motion to reconsider.
- E. A Council member may request, through the Presiding Officer, the privilege of having an abstract of his/her statement on any subject under consideration by the Council, or the reason for the member's dissent from or support of any action of the Council, entered in the minutes.

## Section 7 ADDRESSING THE COUNCIL

Any person desiring to address the Council shall first secure the permission of the Presiding Officer.

Each person addressing the Council shall provide his/her name address and city of residence to the city clerk prior to approaching the podium. Once recognized by the Presiding Officer shall state their name in an audible tone for the record, and unless further time is granted by the Presiding Officer, shall limit his/her address to three (3) minutes. All remarks should be addressed to the Council as a body and not to any member. No person shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. Individuals addressing the council may address the council one time per agenda item. Items on the Agenda are not subject to further discussion during Visitor Presentation. No question shall be asked a Council member or any member of the Administrative Staff except through the Presiding Officer.

## Section 8 GENERAL RULES OF ORDER

Roberts Rules of Order shall be accepted as an authority on parliamentary practice on matters not specifically covered, and in case of a conflict these rules shall govern.

The parliamentarian of the meetings is the City Clerk. The City Clerk shall be available to assist the Mayor and the council with matters of order and may defer to the City Attorney for legal interpretations of some matters.

## Section 9 DECORUM AND ITS ENFORCEMENT

The Council members, while the Council is in session, must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council, nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.

### Rules of Civility for the City Council, Boards, Commissions and Our Community

Following are rules of civility the City of Maplewood expects of everyone appearing at Council Meetings - elected officials, staff and citizens. It is hoped that by following these simple rules, everyone's opinions can be heard and understood in a reasonable manner. We appreciate the fact that when appearing at Council meetings, it is understood that everyone will follow these principles:

Speak only for yourself, not for other Councilmembers or citizens - unless specifically tasked by your colleagues to speak for the group or for citizens in the form of a petition.

Show respect during comments and/or discussions, listen actively and do not interrupt or talk amongst each other

Be respectful of the process, keeping order and decorum. Do not be critical of councilmembers, staff or others in public.

Be respectful of each other's time keeping remarks brief, to the point and non-repetitive.

## Section 10 ORDINANCES, RESOLUTIONS, MOTIONS AND REPORTS

- A. Ordinances, resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council, except that the City Manager or Attorney may present ordinances, resolutions and other matters or subjects to the Council.
- B. Every ordinance and resolution shall be presented in writing at a Council meeting; provided however, that the reading of an ordinance or resolution may be requested by a super majority vote. Upon the vote on ordinances, resolutions and motions, the ayes and nays shall be recorded. The vote shall be by roll call of all members of the Council as provided under DUTIES OF THE PRESIDING OFFICER in the resolution. A majority vote of all members of the Council shall be required for the passage of all ordinances, motions and resolutions except as otherwise provided by law (e.g., amendments to the Comprehensive Plan).
- C. Every ordinance, other than emergency ordinances, shall have two public readings, and at least fourteen (14) days shall elapse between the first reading or waiver thereof and the second reading or waiver thereof.
- D. An emergency ordinance is an ordinance necessary for the immediate preservation of the public peace, health, morals, safety or welfare in which the emergency is defined and declared, passed by a roll call vote of a super majority of the Council, as recorded by ayes and nays. No prosecution shall be based upon the provisions of any emergency ordinance until the same has been filed with the City Clerk and posted in a conspicuous place in the City, and twenty-four (24) hours after such filing and posting shall have elapsed or until the ordinance has been published, unless the person, persons, firms or corporations charged with violations thereof shall have had notice of the passage thereof prior to the act or omission complained of.
- E. In the case of lengthy ordinances, or ordinances which include charts or maps, if the city council determines that publication of the title and a summary of an ordinance would clearly inform the public of the intent and effect of the ordinance, the council may by a super majority vote of its members direct that only the title of the ordinance and a summary be published, conforming to State Statute, with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the city clerk.

## Section 11 CONDUCT OF CITY EMPLOYEES AT CITY COUNCIL MEETINGS

- A. The City Manager may take part in the discussions of the City Council and may recommend to the Council such measures as he/she may deem necessary for the welfare of the people and efficient administration of the affairs of the City. The City Manager shall have all the rights, powers and duties prescribed by Minnesota Statutes in regard thereof; however, it is recognized that the City Council is the policy-making body for the City and the City Manager shall confine his/her discussion at Council meetings to statements of fact, recommendations based on his knowledge and experience and explanations of the reasons for the same, and any matters pertaining to administration.
- B. No City employee, other than the City Manager, Parliamentarian, or Attorney, shall enter into discussions of the City Council except to answer questions directed to such employee, or to present factual information or to raise a point of order.
- C. The above regulations of City employees shall not be construed to limit the appearance before the City Council of any City employee, when such appearance is made as a taxpayer or member of the public, for or against some particular issue under discussion by the Council when such employee has an interest in the outcome thereof.

## Section 12 WAIVER

By majority vote of all Council members, these rules may be waived unless in conflict with State Statute.

## Section 13 ADJOURNMENT

A motion to adjourn shall always be in order and decided without debate. If the audience becomes disorderly that it is impossible to carry on a meeting, the mayor has the right to declare the council meeting adjourned to some other time (and place, if necessary). The members of the council can also move for adjournment.

## Section 14 COUNCIL ADMINISTRATIVE POLICIES

### A. Administrative

Staff reports or memorandums regarding any property, including City-owned property, should include the street address and a location map.

All appointees to commissions, boards, etc., are to appear before the Council and are ratified by council vote.

All material received at City Hall that will require City Council action shall be date stamped on the original.

**B. Internal Rules of Council**

Appearances

When an applicant has requested a public hearing and does not attend the meeting, the item may be tabled until the applicant can appear.

Procedural Rules

When a Council member is absent from a meeting where a super majority vote is required, the item may be tabled until a full Council is present.

When a Council member is going to be absent when an Agenda item that they are interested in is scheduled, they may ask for the item to be tabled until they return, but the request must be approved by a majority vote of the City Council.

Items introduced during Council Presentations at a Council meeting can be handled in several ways, depending on the direction of the City Council:

- a. By a majority vote of the City Council, the item shall be placed on an agenda of a designated future meeting; or
- b. Directed by a consensus of the City Council, staff will research the item and submit a report to the City Manager for distribution to the City Council as soon as possible; or
- c. The City Manager may handle the item administratively without any further action by the Council.

**C. Land Use Matters**

When a substantive change is made to a previously approved development site plan, the change shall be submitted to Council.

**D. Other Matters**

Web streaming of city council meetings will be available on the city website as soon as is practical after each meeting and will remain available on the website for no less than 18 months after any given meeting.

Ad hoc committees and council appointed task force meetings shall be audio recorded and retained for one year after the completion of the reason for the committee or task force or for one year after the project is completed.

Permit fees for events sponsored by the City may be waived by the City Manager or his/her designee.

The City, at the discretion of the City Manager, may allow the building to be closed early on the day before Christmas and the day before New Year's.

The council chambers will be made available for non-partisan political meetings, non-political town hall meetings and candidate forums at no charge for a maximum use of 4 hours during periods when not otherwise required for City business and when a building custodian is scheduled to be on the premises.

No political articles or ads are permitted in the Maplewood Monthly except for announcing details of a non-partisan forum or informational meeting being held by a local, state or federal official currently holding office. During municipal General Elections candidates may have an equal opportunity to submit a bio and statement of why they are running for office along with their picture.

City Council members may have the opportunity to submit articles in the Maplewood Monthly. The schedule will be rotated so that the Mayor has three articles and each councilmember having two. The City Manager will also submit a recap article in the December issue. In the event that a councilmember files for an office on the ballot they will be omitted from the rotation until the election is held and they are no longer on the ballot or have been elected to the office. A councilmember may have the option to assign his/her scheduled newsletter article month to any other councilmember or to the Mayor if they so chose.

A group picture of the city council will be included in the Monthly. In the "Council Corner" section of the Monthly the picture of the council member writing the article will appear with the following disclaimer below it: The Council Corner is a space that is rotated between the Mayor and Councilmembers. Editorial views expressed are those of the author and may not necessarily represent or reflect the views and opinions of the City of Maplewood.

#### ELECTED OFFICIAL OUT-OF-STATE TRAVEL POLICY

##### Purpose:

The City of Maplewood recognizes that its elected official may at times receive value from traveling out of the state for workshops, conferences, events and other assignments. This policy sets forth the conditions under which out-of-state travel will be reimbursed by the City.

##### General Guidelines:

1. The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of

the travel. In evaluating the out-of-state travel request, the Council will consider the following:

- Whether the elected official will be receiving training on issues relevant to the city or to his or her role as the Mayor or as a council member;
- Whether the elected official will be meeting and networking with other elected officials from around the country to exchange ideas on topics of relevance to the City or on the official roles of local elected officials.
- Whether the elected official will be viewing a city facility or function that is similar in nature to one that is currently operating at, or under consideration by the City where the purpose for the trip is to study the facility or function to bring back ideas for the consideration of the full council.
- Whether the elected official has been specifically assigned by the Council to visit another city for the purpose of establishing a goodwill relationship such as a “sister-city” relationship. Note: The State Auditor’s Office has taken the position in at least one city that there was no direct authority to expend public funds for the Sister City Program.
- Whether the elected official has been specifically assigned by the Council to testify on behalf of the city at the United States Congress or to otherwise meet with federal officials on behalf of the city.
- Whether the city has sufficient funding available in the budget to pay the cost of the trip.

2. No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.

3. The city may make payments in advance for airfare, lodging and registration if specifically approved by the council. Otherwise all payments will be made as reimbursements to the elected official.

4. The City will reimburse for transportation, lodging, meals, registration, and incidental costs using the same procedures, limitations and guidelines outlined in the city’s policy for out-of-state travel by city employees.

5. The City Council, by majority vote has the ability for the city to make exceptions to the policy.