

CITY COUNCIL
Workshop Agenda

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, June 26, 2023 @ 6:00 pm

The public is invited to attend these meetings in person

1. Call to Order

2. Roll Call

3. Discussion on Council Procedure and Rules of Decorum

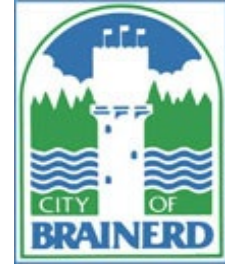
4. Adjourn

Council

____ J. Czczok
____ M. O'Day
____ K. Stunek
____ K. Terry
____ T. Stenglein
____ G. Johnson
____ K. Bevans
____ D. Badeaux

Any individual needing special accommodations, please call 828-2307

MEMO



TO: Mayor and City Council
FROM: City Administrator, Jennifer Bergman
DATE: June 26, 2023
RE: Discussion on Council Procedures

Council Member Czeczok requested to have a work session to discuss council procedures and rules of decorum. A few of the concerns have been how Council provides direction to staff, preparation of council agendas and how items are placed on the agenda.

Staff Direction

Council Member Czeczok expressed concerns about staff taking direction from individual council members. Chapter 6 of the League of Minnesota Cities (LMC) handbook outlines elected officials and council structure and role: [LMC Handbook Chapter 6](#). Page 16 of Chapter 6 of the LMC Handbook provides information on the role of the individual council member (see attached).

- 1) Should this be addressed in the Rules of Decorum?

Placing Items on the Council Agenda

Section 4, Subd. 1 of the Rules of Decorum states that "Matters for Council actions shall be submitted by members of the Council and residents to the City Administrator or to city staff representatives in the case of Committee business" and Section 4, Subd. 2 states that "an agenda of business for each regular and special meeting shall be prepared in the Office of the City Administrator or by City Staff in the case of Committees." See attached the Rules of Decorum.

While the Rules of Decorum provide some guidance for the City Council agenda, it is not very specific. For example, it says that matters for council actions shall be submitted to the City Administrator; however, it does not say they shall be placed on the agenda. In addition, it does not say by whose authority they shall be placed.

Researching other city's rules of decorum, this was addressed in the City of North Branch's Standards of Conduct (see page 3) and the City of Northfield's Handbook (see page 5).

- 1) If a resident or a Council Member requests an item to be placed on the agenda, should it be placed on a future City Council agenda?
- 2) Should the request go to the full Council to see if the Council would like to have that placed on a future agenda?
- 3) Should the request be in writing?
- 4) Should we include this in the Rules of Decorum?

Review of the Council Agenda

The City of Brainerd is unique, in relation to other cities our size, due to our Safety and Public Works (SPW) and Personnel & Finance (P&F) Committee's. Since I became City Administrator, I have used the following process:

- Hold a department head meeting the Tuesday before the City Council meeting to discuss items for the upcoming Council meeting. Items that are placed on the agenda by staff are routine business such as event applications, variances, conditional use permits, resolutions, ordinances, etc.
- Meet with the Chair of SPW along with the Public Works Director/City Engineer and Chair of P&F along with the Finance Director on the Wednesday before a Council Meeting to review each agenda. (Those two positions have been identified as the staff Committee liaisons.) In this meeting, Staff reviews the agenda with the Chairs and a start time of the Committee meetings is determined.
- Meet with the Council President the Thursday before the Council Meeting to review the entire agenda. At those meetings, we discuss the items.

Although not very often, there have been times a Chair or Council President have requested additional items or a different order on the agenda.

- 1) Continue the current practice of meeting one-on-one with Committee Chairs and the Council President?
- 2) Consider a different approach such as one meeting with the entire leadership team (Mayor, Council President, P&F Chair, SPW Chair)?

Communication and Conduct between Council and Staff

Effective communication between council and staff is critical to the operations of the City. Generally, Council Members will email the department head and cc the City Administrator on issues specific to a department. If the City Administrator is not cc'd, the department head will cc the City Administrator on their reply.

Staff often receive emails from council members on items such as a request to address an issue, follow-up information or additional information on an issue. Staff have typically just responded to the Council Member who asks for information or asked a question. However, when it is an issue regarding a question on a council agenda item, staff responds to the email and copies the rest of the council. The City of Brainerd's Rules of Decorum does not address this. In my research on other City's Rules of Procedures, there has been language addressing this issue (see Hastings Rules of Decorum and Alexandria's Code of Conduct).

- 1) Should this be addressed in our Rules of Decorum?

Conclusion

As you will see from the documents attached, cities handle procedures in different ways: handbooks, policy and procedure manuals, rules of procedures/decorum and codes of conduct. The City of Brainerd has adopted Rules of Procedure and Decorum. The purpose of this work session is to review this document and provide staff with direction on what should be added or removed from this document.

Based on discussion at the Work Session, staff will amend the Rules of Procedure and Decorum for the Council to consider at a future City Council meeting.

RELEVANT LINKS:

Minn. Stat. § 412.191, subd.
2. Minn. Stat. § 13D.04.

Minn. Stat. § 412.101
(repealed by Laws 2001, ch.
135, sec. 3).

Van Cleve v. Wallace, 216
Minn. 500, 13 N.W.2d 467
(1944).

A. Role of the individual council member

Council members' statutory duties are to be performed, almost without exception, by the council as a whole. For example, it is the council and not individual council members that must supervise administrative officers, formulate policies, and exercise city powers.

Council members should devote their official time to problems of basic policy and act as liaisons between the city and the general public. Council members should be concerned, not only with the conduct of daily affairs, but also with the future development of the city.

The most important single responsibility of a council member is participation at council meetings. In statutory cities, each council member, including the mayor, has full authority to make and second motions, participate in discussions, and vote on every matter before the council.

In a statutory city, the mayor or any two council members of a five-member council or any three council members of a seven-member council may call a special meeting. Care should be exercised to give proper notice, however.

As individuals, council members have no administrative authority. They cannot give orders to or otherwise supervise city employees unless specifically directed to do so by the council. The council, however, has complete authority over all administrative affairs in the city. In Plan B cities, this authority is generally restricted to conducting investigations and establishing policies to be performed by the manager.

Under state law that was repealed in 2001, all members of the council, including mayors, were "peace officers." Council members were authorized to suppress any "riotous or disorderly conduct" in the streets or public places of the city. The mayor and individual council members no longer have peace-officer authority.

B. The council's authority

The city council is a continuing body. New members have no effect on the body except to change its membership. This means that all ordinances and resolutions remain in effect until the council alters or rescinds them, or until they expire through their own terms.

At any time, the council can change any resolution, ordinance, or administrative order whether or not the individuals presently on the council are the same as those serving when the council originally took action.

**RULES OF PROCEDURE AND DECORUM
CITY COUNCIL AND COMMITTEE MEETINGS
BRAINERD, MINNESOTA**

**Adopted April 4, 1994
Reaffirmed and Amended December 1, 2003; November 2, 2020**

SECTION 1. PURPOSE

- Subd. 1. General. It is recognized that in order to enhance the concept of effective and democratic government, it is essential that a legislative body establish formal rules of procedure and decorum so that a true deliberative process will be observed and not disturbed.

SECTION 2. GENERAL

- Subd. 1. Law. The City Charter, Ordinances and State Statutes governing the City Council shall be followed and supplemented by these Rules of Procedure and Decorum.
- Subd. 2. General Rules. In all matters of parliamentary procedures, the Council shall be governed by the latest printed edition of the Sturgis Standard Code of Parliamentary Procedure as published from time to time except as modified by these rules.
- Subd. 3. Applicability. These Rules also apply to committees of the Council as well as City boards and commissions, whether created by Charter or City Code. The term "Council" shall be substituted with "Committee," "Commission" or "Board," and terms "President" and "Vice President" shall be substituted with "Chair" and "Vice Chair", as appropriate.

SECTION 3. PRESIDING OFFICER

- Subd. 1. Who Presides. The Council President shall preside at all meetings of the Council. In the absence of the Council President, the Council Vice-President shall preside. The presiding officer shall have the power to preserve strict order and decorum at meetings, enforce the rules of procedure and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order.
- Subd. 2. Appeal of the Ruling of the Presiding Officer. Any member of the Council may appeal from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the presiding officer may explain the ruling, but no other Council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority vote.
- Subd. 3. Rights of the Presiding Officer. The presiding officer may speak on any question. The presiding officer may only make motions and second motions after stepping down as presiding officer.

SECTION 4. AGENDA

Subd. 1. Matters for Consideration. Matters for Council action shall be submitted by members of the Council and residents to the City Administrator or to city staff representatives in the case of Committee business.

Subd. 2. Preparation. An agenda of business for each regular and special meeting shall be prepared in the Office of the City Administrator or by City Staff in the case of Committees and copies thereof delivered to each Council member as far in advance of the meeting as time for preparation will permit.

Subd. 3. Order of Business at Regular Meetings. At the hour appointed for the regular meeting of the City Council, the meeting shall be called to order by the presiding officer. If a quorum is present, the City Council shall then proceed with its business in the following order as applicable:

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Approval of Agenda
- * Consent Calendar, including approval of minutes, licenses, reports, bills, fund transfers and other routine, non-controversial items needing little or no deliberation
- * Presentations (if any)
- * Council Committee Reports (Personnel & Finance; Safety & Public Works)
- * Unfinished Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * New Business - action items including public hearings, ordinance readings and various other items requiring Council action
- * Public Forum
- * Staff Reports (Verbal: Any updates since the packet)
- * Mayor's Report
- * Council Member Reports
- * Adjournment

Subd. 4. Varying Order of Business. The order of business may be varied by the presiding officer.

Subd. 5. Consent Calendar. Matters for the Council of a routine or non-controversial nature which need minimal Council deliberation shall be placed on the Consent Calendar. A motion to approve the Consent Calendar shall not be debated. At the request of any individual Council member, an item shall be removed from the Consent Calendar and placed upon the regular agenda for debate immediately following the Consent Calendar. The Consent Calendar shall only be adopted by a roll call vote of those Council members present at the meeting.

- Subd. 6. Items Not on the Agenda. The Council may consider items not appearing on the agenda as normal business if an objection is not raised by the Mayor or a Council member. If an objection is raised by the Mayor or a Council member to consider an item not appearing on the agenda, a vote shall be taken by the Council to determine the appropriateness of further consideration of the matter at that time.
- Subd. 7. Public Participation. Members of the public may address the City Council during:
- A: Public Hearings.
- B: Public Forum. This portion of the meeting shall be limited to fifteen minutes and individuals shall be requested to limit their comments to four minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.
- C: Specific issues scheduled on the agenda but in accordance with Section 6, Subd. 6, of these rules entitled, Addressing the Council.
- Subd. 8. Written Communications on All Matters. All interested parties or their authorized representatives may address the Council by written communication regarding all matters under the Council's consideration. The City Administrator shall copy these communications to the Council and forward said communications with the Council meeting packet if possible. If written communications are received after meeting packets are delivered to the Mayor and Council, such communications will be handed out at the meeting.

SECTION 5. VOTING

- Subd. 1. Procedure. The votes of the members on any ordinance or resolution pending before the Council shall be by roll call vote. The votes of the members on any motion shall be by voice vote unless the Mayor or any member of the Council requests that a roll call vote be taken. The presiding officer shall call for a roll call vote whenever a voice vote of the Council is not clear as to the disposition of the action before the Council.
- Subd. 2. Abstention. If a Council member does not vote, the abstention shall be recorded as Abstain - name.
- Subd. 3. Voting Order for Roll Call (applicable to City Council only). The City Administrator shall call for the vote in consecutive order of Wards, with Ward One voting first rotating one position every two months. The presiding officer shall always vote last.

SECTION 6. RULES OF DECORUM

- Subd. 1. Members of Council. While the meeting is in session, the members must preserve order and decorum. A member shall neither, by conversation or otherwise, delay or

interrupt the proceedings or the peace of the meeting nor disturb any member while speaking or refuse to obey the orders of the presiding officer.

- Subd. 2. Recognition. No person or member shall address the other members without being recognized by the presiding officer.
- Subd. 3. Discussion. No member of the Council shall speak more than twice on any question, nor more than five minutes each time without consent of the Council.
- Subd. 4. Staff. Members of the City staff shall observe the same rules of order and decorum as are applicable to the City Council.
- Subd. 5. Pertinent to Matter Under Debate. Members, staff and public shall confine remarks to the matter under debate.
- Subd. 6. Addressing the Council. Each member of the public addressing the Council shall step up to a microphone provided for the use of the public after being recognized by the presiding officer and give his/her name and address in an audible tone of voice for the records, state the subject to be discussed and state who the speaker is representing if representing an organization or other persons. Unless further time is granted by a majority vote of the Council, remarks from the public shall be limited to four (4) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without permission of the presiding officer. No question may be asked of a member or a member of the staff without the permission of the presiding officer.
- Subd. 7. Spokesperson for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject, it shall be proper for the presiding officer to request that a spokesperson be chosen by the group to address the Council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.
- Subd. 8. After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.
- Subd. 9. Conduct. Any member of the Council, staff or person indulging in personalities or making impertinent, slanderous or profane remarks or who willfully utters loud, threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt or disturb the orderly conduct of any meeting, hearing or other proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the Council during that meeting.

- Subd. 10. Members of the Audience. No person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting.

SECTION 7. ENFORCEMENT OF DECORUM

- Subd. 1. Warning. All persons shall, at the request of the presiding officer, be silent. If, after receiving a warning from the presiding officer, a person persists in disturbing the meeting, said officer may order this person removed from the meeting. If this person does not leave willingly, the presiding officer may call a recess and order that the person be removed by the Sergeant-at-Arms.
- Subd. 2. Sergeant-at-Arms. The Chief of Police, or such member or members of the Police Department, shall be Sergeant-at-Arms of the Council meetings or as asked to be present at a Committee meeting. The Chief or other Police Department representative shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the Council.
- Subd. 3. Resisting Removal. Any person who resists removal by the Sergeant-at-Arms may be charged with violating City Ordinance.
- Subd. 4. Motions to Enforce. Any Council member may move to require the presiding officer to enforce these rules and the affirmative vote of a majority of the Council shall require the presiding officer to do so.
- Subd. 5. Adjournment. In the event that any meeting is willfully disturbed by a group or group of persons so as to render the orderly conduct of such meeting unfeasible and when order cannot be restored by the removal of individuals who are creating the disturbance, the meeting may be adjourned with the remaining business considered at the next regular meeting.
- Subd. 6. Special Meetings. If the matter being addressed prior to adjournment is of such a nature as to demand immediate attention, the presiding officer may adjourn the meeting to another date.

SECTION 8. CAMERAS AND RECORDING DEVICES

- Subd. 1. Use of Cameras and Recording Devices Limited. Cameras, including television and motion picture cameras, electronic sound recording devices and any other mechanical, electrical or electronic recording devices may be used in the Council Chamber, but only in such a manner as will cause a minimum of interference with or disturbance of the proceedings of the Council and at the discretion of the presiding officer.

SECTION 9. SEVERABILITY

- Subd. 1. General. If any section, subsection, sentence, clause, phrase or portion of these Rules of Procedure and Decorum is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

CITY MEETINGS

CITIZEN PARTICIPATION GUIDELINES

The City Council is meeting as a legislative body to conduct the business of the City. Unless so ordered by the Council President, citizen participation is limited to the following times and always within the prescribed rules of conduct for public input at meetings.

A) Public Hearings. Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak.

B) Public Forum. Any member of the public may speak at this time on any item NOT on the agenda. In consideration for the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue may be continued under New Business at the end of the agenda.

Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion without permission of the presiding officer. No question may be asked of a member or a member of the staff without permission of the presiding officer.

Your participation, as prescribed by these rules, is welcomed and your cooperation is greatly appreciated.

City of North Branch Policies & Procedures Manual

Policy Name: City Council & Commissions
Standards of Conduct &
Bylaws

Policy Section: City Council

Date Approved By Council: 5/24/17

Date Amended: N/A

STANDARDS OF CONDUCT

Purpose

The Mayor and City Council of the City of North Branch determine that standards of conduct for Council members, as well as the members of the various advisory boards and commissions of the City of North Branch (the City Council and the members of the various boards and commissions are individually and collectively referred to as "Members"), is essential for the efficient and proper conduct of the public affairs of the City. By eliminating conflicts of interest, acknowledging the laws impacting elected officials and appointed committee members regarding meetings, decision making and public service, and providing aspirational goals for individual behavior while serving the interests of the City, the City Council hopes to promote the faith and confidence of the citizens of North Branch in their government and hopes to encourage its citizens to serve on its Council and Boards and Commissions.

DECORUM OF MEMBERS.

A. Aspirational statement: All Members shall assist the presiding officer in preserving order and decorum and in providing for the efficient operation of the meeting.

B. Aspirational statement: No Member shall engage in conduct which delays or interrupts the proceedings or which hinders honest, respectful discussion and debate.

C. Aspirational statement: Meetings shall be conducted in a courteous manner that recognizes the validity of differing points of view and promotes the ideal of democratic discussion and debate free of insult, slander, and personal attacks and threats.

D. To effectuate these aspirational goals, Members shall conduct themselves at meetings in a manner consistent with the following:

1. No Member shall engage in private conversation or pass private messages while in the chamber in order to not interrupt the meeting.



2. No Member shall leave his or her seat or make any noise of disturbance while a vote is being taken and until the result of the vote is announced.
3. No Member shall use profane or obscene words or unparliamentary language or use language that threatens harm or violence toward another person during a meeting. No Member shall speak on any subject other than the subject in debate.
4. No Member shall speak without being recognized by the presiding officer; nor shall any Member interrupt the speech of another Member.
5. No Member shall disobey the decision of the presiding officer on questions of order or practice or upon the interpretation of the rules of Council or committee.
6. No Member shall engage in disorderly conduct that disturbs or disrupts the orderly conduct of any meeting.

RULES OF CONDUCT

No Member may knowingly:

- a. Violate the open meeting law.
- b. Participate in a matter that is before the City Council or relevant board that affects the person's financial interests or those of a business with which the person is associated, unless the effect on the person or business is no greater than on other members of the same business classification, profession, or occupation. If a conflict of interest does exist, the person will remove themselves from the table and sit with the audience until the discussion / action on the item has been concluded.
- c. Use the person's public position to secure special privileges or exemptions for the person or for others.
- d. Use the person's public position to solicit personal gifts or favors.
- e. Use the person's public position for personal gain.
- f. Except as specifically permitted pursuant to Minnesota Statute §471.895, accept or receive any gift of substance, whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form, under circumstances in which it could be reasonably expected to influence the person, the person's performance of official action, or be intended as a reward for the person's official action.
- g. Disclose to the public, or use for the person's or another person's personal



gain, information that was gained by reason of the person's public position if the information was not public data or was discussed at a closed session of the City Council or City board or commission.

- h. Disclose information that was received, discussed, or decided in conference with the City's legal counsel that is protected by the attorney-client privilege unless a majority of the City Council has authorized the disclosure.
- i. Make discriminatory statements, including, but not limited to, those related to age, disability, ethnicity, gender, marital status, national origin, race, religion, sexual orientation, and income.

Except as prohibited by the provisions of Minnesota Statute Section §471.87, there is no violation of item b. of this section for a matter that comes before the Council, Board, or Commission, if the Member publicly discloses the circumstances that would violate these standards and refrains from participating in the discussion and vote on the matter. Nothing herein shall be construed to prohibit a contract with an elected official under the circumstances described under Minnesota Statute Section §471.88, if proper statutory procedures are followed.

Annual Training

All new members of the Council or Commissions will be provided a current copy of the League of Minnesota Cities Memorandums on Conflict of Interest and Ethics. In the first quarter of each year, the City Attorney or City Administrator will conduct a training session on the matter. Attendance by Members is required. If a Member is unable to attend they must within 30 days of the training view a video of the training. All Members must sign documentation acknowledging attendance at the training as may be requested by the City Clerk.

Agenda Preparation

All items on meeting agendas will include a memo from the staff, Councilmember or Commission member with background information and the reason for the discussion. The City Administrator and the Mayor will review the agendas and remove those items deemed to be inappropriate or outside the realm of the scope of a commission's authority. The deadline for requests from Members for items to be included on a meeting agenda must be received one week prior to the meeting and be accompanied by written materials to be included in the agenda packet. After the agenda is published, only time sensitive items may be added or deleted from the agenda until the day prior to the meeting. After that time, only emergency items may be added.

Respect for Staff Time and Knowledge

If a Member is utilizing an inordinate amount of staff time, the City Administrator will address the matter with the Member. If the situation persists the City Administrator will bring the matter to the full City Council.

Focused Discussions



Members shall work to keep discussions and debates focused on the item under discussion.

Complaint, Hearing

Any person may file a written complaint with the City Administrator alleging a violation of the Rules of Conduct (a – i above). The complaint must contain supporting facts for the allegation. The City Council may hold a hearing after receiving the written complaint or upon the council's own initiative.

A hearing must be held only if the City Council determines (1) upon advice of the City Attorney, designee, or other attorney appointed by the Council, that the factual allegations state a sufficient claim of a violation of these standards or rise to the level of a legally-recognized conflict of interest, and (2) that the complaint has been lodged in good faith and not for impermissible purposes such as delay or harrassment.

The City Council's determination must be made within 30 days of the filing of the allegation with the City Administrator. If the Council determines that there is an adequate justification for holding a hearing, the hearing must be held within 30 days of the City Council's determination. At the hearing, the person accused must have the opportunity to be heard. If after the hearing, the Council finds that a violation of a standard has occurred or does exist, the Council may censure the person, refer the matter for criminal prosecution, request an official not to participate in a decision, or remove an appointed member of a board or commission from office.



North Branch City Council Bylaws

- I. **AUTHORITY.** City councils are authorized to adopt rules of procedure and provide for order at their meetings pursuant to Minn. Stat. § 412.191. In all points not covered by these rules, the city council shall be governed in its procedure by Robert's Rules of Order, Newly Revised.
- II. **PURPOSE.** The purpose of this policy on City Council meetings is to set the groundwork for orderly and respectful communications between and among Councilmembers, City Staff, and citizens to promote the efficient working of the public's business at City Council meetings.
- III. **THE OPEN MEETING LAW.** The Minnesota Open Meeting Law, Minn. Stat. Chapter 13D, generally requires that all meetings of public bodies be open to the public.
 - A. This presumption of openness serves three basic purposes:
 1. To prohibit actions from being taken at a secret meeting, where it is impossible for the interested public to become fully informed concerning decisions of public bodies, or to detect improper influences.
 2. To ensure the public's right to be informed.
 3. To afford the public an opportunity to present its views to the public body.
 - B. The City Council views providing and encouraging citizen access to city meetings as one of its most important duties. As a result, all Council and Council committee meetings, including special and adjourned meetings, with the exception of closed meetings, as provided by Minn. Stat. Chapter 13D, shall be open to the public.
 - C. In calculating the number of days for providing notice under the Minnesota Open Meeting Law, the first day that the notice is given is not counted, but the last day is counted. If the last day is a Saturday, Sunday, or 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 legal holiday).
 - D. In keeping with the intent of the Minnesota Open Meeting Law, City Councilmembers shall not use any form of electronic communications technology, such as text messaging or e-mail, to communicate with one another or third parties during a public meeting in a manner that is hidden or shielded from the public view.
 - E. Pursuant to Minn. Stat. § 13D.01, subd. 6, at least one copy of the written materials made available to Council at or before the meeting shall also be made available for inspection by the public, excluding any non-public data, attorney-client privileged or materials related to agenda items of closed meetings.



IV. QUORUM. A simple majority (three members) of the Council shall constitute a quorum for the valid transaction of any scheduled business to come before the Council.

V. COUNCIL MEETINGS.

- A. **Location.** All meetings, including special, recessed, and continued meetings, shall be held in the City Council Chambers, unless otherwise designated, pursuant to Minn. Stat. § 13D.04, subd. 2.
- B. **Regular meetings.** A schedule of regular meetings shall be kept on file with the City Administrator. All regular City Council meetings held in City Council Chambers must be recorded.
- C. **Special meetings.** A special meeting is a meeting that is held at a time or location different from that of a regular meeting. A special meeting may be called by the Mayor or any two City Councilmembers by filing a request for the meeting at least three days before the meeting. Days shall be counted as provided in Article III, paragraph C above. Notice to the public of special meetings must be given pursuant to Minn. Stat. § 13D.04, subd. 2. All special City Council meetings held in City Council Chambers must be recorded.
- D. **Emergency meetings.** An emergency meeting may be called by the Mayor or any two City Councilmembers. An emergency meeting is a special meeting called because of circumstances that, in the judgment of the public body require immediate consideration by the public body. Posted or published notice of an emergency meeting is not required. However, the City will make a good faith effort to notify each news outlet that has filed a written request for notice. Notice must be given by telephone or any other method to notify members of the public body. The notice must include the subject of the meeting.
- E. **Closed meetings.** The Minnesota Open Meeting Law allows some meetings to be closed to the public for defined purposes. When a meeting is closed, the presiding officer at the Council meeting will state the reason for closing the meeting on the record and cite the state statute that permits closure.
- F. **Recessed or continued meetings.** When a meeting is recessed or continued, the presiding officer shall state the time and place for the next meeting to occur pursuant to Minn. Stat. § 13D.04, subd 4. The time and place shall be noted in the minutes. If the time and place is stated and noted in the minutes, no additional notice of the meeting is required. However, if the time and place is not stated, the notice procedures for special meeting shall be required.
- G. **Organizational meetings.** The Council will conduct its organizational meeting concurrent with the first regular Council meeting in January of each year to:
 - 1. Appoint an Acting Mayor pursuant to Minn. Stat. § 412.121.
 - 2. Select an official newspaper pursuant to Minn. Stat. § 412.831.



3. Select an official depository for City funds. This must be done within 30 days of the start of the city's fiscal year pursuant to Minn. Stat. §§ 427.01-.02; 118A.02, subd 1; 427.09.
4. Review Council's bylaws and make any needed changes.
5. Assign committee duties to members.
6. Appoint representatives to the various advisory boards and commissions of the City of North Branch as required by the City Code.
7. Approve official bonds that have been filed with the clerk.

VI. PRESIDING OFFICER. The Mayor shall preside at all meetings of the City Council.

- A. **Role of the presiding officer.** The presiding officer shall preserve order, enforce the City Council Rules of Order and Procedure, and determine, without debate, all questions of procedure and order, subject to the final decision of the Council on appeal as provided in Article VI, paragraph F below. The presiding officer shall determine the order in which each member may speak and may move matters to a vote once the officer has determined that all members have spoken. The presiding officer may determine whether a motion or proposed amendment is in order and may call members to order.
- B. **Adjourning meetings.** If considered necessary, because of grave disorder, the presiding officer may adjourn or continue the meeting to another time or suspend the meeting for a specified time.
- C. **Designation of a sergeant-at-arms.** The presiding officer may request that local law enforcement designate a member to serve as a sergeant-at-arms at City Council meetings. The sergeant-at-arms shall carry out all orders or instructions given by the presiding officer for the purpose of maintaining order and decorum at meetings.
- D. **Motions and voting.** The presiding officer may make motions, second motions, speak on any questions, and vote on any matter properly before the Council.
- E. **Absences of the presiding officer.** In the absence of the Mayor, the Acting Mayor shall preside. In the absence of both the Mayor and the Acting Mayor, the City Administrator shall call the meeting to order. The first order of business shall be to select a presiding officer for the meeting from the members present. The City Administrator shall preside until the Councilmembers present choose a member to act as presiding officer.
- F. **Appeals of rulings of the presiding officer.** Any member of the Council may appeal to the full Council a ruling on order or procedure made by the presiding officer.
 1. **Procedure for appeals.** An appeal is made by motion. No second is need for



the motion. The member making the motion may speak once solely on the question involved, and the presiding officer may speak once solely to explain his or her ruling, but no other Councilmember may participate in the discussion.

2. Once both the maker of the motion and the presiding officer has spoken, the matter must be voted upon by the Council as a whole.
3. The appeal shall be sustained if it is approved by a majority of the members present, exclusive of the presiding officer.

G. **Temporary designation of a presiding officer.** The presiding officer may choose to designate a temporary presiding officer before participating in debate on a given matter. In the alternative, the Council may by majority vote designate a temporary presiding officer to preside over the debate on a given matter. The presiding officer shall resume presiding as soon as action on the matter is concluded.

VII. MOTIONS. The purpose of this policy is to foster debate and discussion in an orderly manner, and not to suppress honest discussion with excessive formality. Without rules, confusion and disorderly proceedings would hamper all city action, no matter how well intended. Rules allow City business to be conducted as efficiently as possible, protect minority groups by giving every person a chance to be heard, prevent discussion of multiple topics at once, and allow decisions to be made by majority rule.

- A. **Rights of Councilmembers.** All Councilmembers are equal and have the same rights to make motions; object to motions in a timely manner; participate in debate; have their votes counted; and speak, when recognized, free of interruption.
- B. **Obligations of Councilmembers.** The rights of individual Councilmembers cannot be realized unless all Councilmembers also recognize their obligations as members of the political body. Councilmembers are obligated to receive the recognition of the presiding officer before speaking, except as otherwise provided by these rules. No one has the right to speak at whim.

Councilmembers are obligated to speak directly on the subject being considered and observe time limits for comment. Finally, Councilmembers are obligated to address all remarks to the presiding officer, avoid personal attacks, and refrain from using any insulting or demeaning language or indecent or threatening behavior.

1. Motions.

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



2. *Language for making a motion.*

The appropriate language for making a motion shall be substantially similar to "I move to _____."

3. *Procedure for consideration of a motion.*

All motions must be seconded for consideration and discussion. Once a motion has been made, the presiding officer shall restate the motion and (if applicable) open the motion up for debate, provided that the presiding officer determines that the motion is in order and no objections to the motion have been.

A motion is in order if it is made at a proper time in the proper format and does not violate any applicable rules of law, ordinance, or City policy, including City policies on decorum and civility, and is not made for the purpose of unduly delaying the proceedings. Debate shall follow the procedures in Article VIII, paragraph 5 below. Once debate has concluded, the presiding officer shall restate the motion and call for a vote on the issue. A motion shall be considered passed if it receives a majority vote of those present at the meeting, unless otherwise required by law.

4. *Objections to a motion.*

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



debate (if applicable).

- g. The presiding officer's ruling may be appealed as provided in Article VIII, paragraph 7 below.

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

- a. For initial comments, all comments shall be limited to five minutes. For subsequent comments, all comments shall be limited to two minutes.
- b. The maker of the motion shall be permitted to speak first on the issue.
- c. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
- d. Everyone who wishes to speak on the issue must be permitted to speak once, before Councilmembers who have already spoken are permitted to speak again.
- e. Councilmembers shall avoid repeating points already made in the debate or other duplicative conduct that may delay the proceedings. Where a point has already been made, Councilmembers may affirm agreement or disagreement.
- f. Generally only one motion may be considered at a time in debate. Debate may only be interrupted by a motion to amend the original motion, a motion to take a brief recess, a motion to withdraw the motion by the motion's maker, a motion to divide a complex question, a motion to table or defer consideration to a later date, a motion to refer an issue to committee, motion for the previous question, a motion to limit debate, or a motion for a call to order. When debate is interrupted by any of these motions, the interrupting motion shall be resolved prior to resuming debate.

6. Definitions of motions that may interrupt debate (secondary motions). As explained in Article VIII, paragraph 5 above, only certain motions may interrupt debate on a motion. These are called secondary motions. When a secondary motion is made, the presiding officer must follow the same procedures in Article VIII, paragraph 3 above to consider the secondary motion.

A secondary motion must be resolved, either by being ruled out of order by the presiding officer or debated and voted upon by the council, before debate on the main motion can resume. Secondary motions may also be made



outside of debate, where appropriate. For example, a motion to take a brief recess can be made before, during, or after a debate.

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

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

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

The appropriate language for making a motion to recess shall be substantially similar to "I move to take a brief recess for _____minutes."

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

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

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

The appropriate language for making a motion to divide a complex question shall be substantially similar to "I move to divide the question into _____parts. Part 1 shall be _____. Part 2 shall be _____."



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

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

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

The appropriate language for making a motion to refer an issue shall be substantially similar to "I move to refer the main motion/this issue to the _____ committee for its consideration and recommendation. The committee should report back to the council in ____days/weeks."

- g. **Motion for call of the previous question** is not subject to debate. It may be used only after at least 20 minutes of debate on a single motion or when all members of the Council have been permitted to speak at least once on the motion. If approved by the majority, a vote must be taken on the motion under debate immediately.

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

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

The appropriate language for making a motion to limit debate shall be substantially similar to "I move to limit debate on this issue to ____minutes per person" or "I move to limit council debate on this issue to no more than ____minutes total."

- i. **Motion for a call to order** is not subject to debate. It may be used to signal to the presiding officer that the Councilmember feels the proceedings have gotten disorderly.

The appropriate language for making a motion for a call to order shall be substantially similar to "I move for a call to order by the presiding officer."

NOTE: Most secondary motions should not literally interrupt debate. They may not be made in the midst of the comments of a speaker duly recognized by the presiding officer, or silence the speaker's speech. To make a secondary motion, the maker must be called upon and recognized



by the presiding officer. There are two exceptions to this rule—a motion for a call of the previous question and a motion for a call to order. These motions may be made at any time—even in a manner that interrupts a speaker. However, these motions should be made only in the rare instance where a meeting has become out of control, strayed from the agenda, or become disorderly.

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

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

8. *Other special motions explained.*

- a. ***Motion to adjourn*** is not subject to debate. It may be used to suggest a conclusion to the meeting. The presiding officer may adjourn a meeting on his or her own initiative, without a vote, if necessary to maintain order. The presiding officer's decision to adjourn can be overruled by affirmative vote of the Council.

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

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

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

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



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

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

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

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

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

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

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

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

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

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



The appropriate language for making a motion to proceed informally shall be substantially similar to "I move that we suspend the rules and proceed informally in discussing the issue of _____."

- 9. Resolutions and ordinances.** Simple motions shall be used only for procedural and meeting matters. Substantive issues, such as the approval or disapproval of street improvement projects and contracts; the censure of Councilmembers; zoning issues, and the adoption of City policies, rules, and ordinances shall be by resolution. An exception to this general rule may be made in instances where significant documentation of the Council's decision exists, rendering an additional resolution repetitive (for example, where a written contract spells out all the terms that would be listed in the resolution). All resolutions shall be written and numbered in a manner consistent with the City's record keeping policies.

The appropriate language for a motion for the adoption of a resolution shall be substantially similar to "I move to adopt the resolution numbered ____."

VIII. VOTING.

- C. The votes of the City Council will be taken by voice vote. The presiding officer shall announce the results of all votes of the Council.
- D. A clear statement of the matter being voted upon and the names of those voting for and against the matter shall be recorded in the official minutes.
- E. Councilmembers may ask for a roll call of the vote by the presiding officer on any motion or resolution.
- F. The City Administrator may ask for a verification roll call if the vote of a Councilmember is not clear on the voice vote.
- G. A majority vote shall be sufficient for all matters before the Council, unless otherwise provided by state law.
- H. Whenever a matter is put forward for a vote, every Councilmember shall vote, except as follows:
 - 1. A conflict of interest exists under state law;
 - 2. A Councilmember determines that voting on the matter, given his or her individual circumstances, would give rise to an appearance of impropriety that could negatively affect the public trust; or
 - 3. A Councilmember determines that he or she does not have enough information to vote yes or no on a matter. This exception shall only apply if the



Councilmember has identified the lacking information and made an attempt to have the matter continued so the information can be developed or obtained.

Whenever a Councilmember abstains from voting, he or she must state on the record the reason(s) for abstaining and the exception(s) on which the abstention is based.

IX. PUBLIC COMMENT AT COUNCIL MEETINGS AND AT PUBLIC HEARINGS

- I. ***Public participation and comment at council meetings.*** City Council meetings are the forum for the City Council to conduct the City's business. While City Council meetings are open to the public pursuant to the Minnesota Open Meeting Law, they are not a forum for public expression. As such, members of the public are not allowed to participate in Council discussion and debate without a specific invitation and/or formal recognition by the presiding officer. Members of the public shall not applaud, engage in conversation, or engage in other behavior through words or action that may disrupt the proceedings of council.
- J. ***Members of the public shall follow the direction of the presiding officer.*** Members of the public who do not follow the direction of the presiding officer will be warned that further disruptive conduct will result in removal from the meeting. After warning, if the conduct continues, the presiding officer may ask the member of the public to leave the meeting room.

If the member of the public refuses to follow the direction of the presiding officer, the presiding officer may direct the sergeant-at-arms to remove the person through any lawful means. In emergency situations, or where conduct is an egregious threat to the safety of the public or the council, a warning is not necessary before the sergeant-at-arms is directed to remove the person.

- K. ***Public comment period.*** A limited forum for individuals to speak with the Council is provided on the agenda for the Council regular meeting. Public comments during the public comment period are subject to these limitations:
 1. Speakers must be recognized by the presiding officer before speaking and are limited to three minutes for comment.
 2. When multiple speakers appear to speak on the same topic, comments should not be repetitive. The presiding officer may request speakers to appoint a spokesperson.
 3. The presiding officer may place a time limit on the public comment period if necessary to allow for the conduct of City business. If there is not sufficient time at the meeting to hear all public comments, the comment period may be deferred to the next regular Council meeting or at a continued meeting.



4. Speakers must sign up prior to speaking and provide a name, address, and brief summary of the subject matter they wish to address. The sign-up sheet will be available at the start of the City Council meeting.
5. Speakers must direct their remarks toward the presiding officer.
6. Speakers shall not use obscene, profane or threatening language, nor conduct themselves in a threatening, loud, or boisterous manner that disrupts the conduct of the meeting or the security of the public.
7. Speakers are required to follow the direction of the presiding officer.
8. Speakers who do not follow the direction of the presiding officer will be warned that further disruptive conduct will result in removal from the meeting. After warning, if the conduct continues the presiding officer may ask the speaker to leave. If the speaker refuses to follow the direction of the presiding officer, the presiding officer may direct the sergeant-at-arms to remove the speaker through any lawful means. In emergency situations, or when conduct is an egregious threat to the safety of the public or the council, a warning is not necessary before the sergeant-at-arms is directed to remove the speaker.
9. Council will generally not respond at the same meeting where an issue is initially raised by a member of the public. Generally the matter will be referred to staff for further research and possible report or action at a future Council meeting.

L. A summary of these rules for public comment may be provided in the Council meeting room.

X. PUBLIC HEARINGS. Public hearings are sometimes required by law to allow the public to offer input on City Council decisions. When public hearings are required by law, notice shall be provided as required by state statute. Public hearings shall be commenced at the time advertised in any notice required by law.

M. General procedure for public hearings. The order of business for all public hearings conducted by Council shall be:

1. Opening comments by presiding officer announcing the purpose of the public hearing.
2. Presiding officer opens the public hearing portion of the meeting.
3. Staff presentation (including city administrator, attorney, engineering reports if any).
4. Developer/other presentation (if any).
5. Public comments.
6. Reading of written comments.
7. Presiding officer formally closes the public hearing portion of the meeting.



- N. Speakers who wish to address the City Council at a public hearing must follow the same rules in Article X above. However, the presiding officer may allow additional time for speakers, as required, to comply with applicable state law.
- O. Speakers may also provide written comments to the City Council before or at the meeting. Written comments may be read aloud by the City Administrator or their designee. Anonymous, unsigned communications will not be read.
- P. The Council may continue the hearing, if necessary, following the procedures in Article V, paragraph F above.

XI. PROCEDURE FOR RESOLUTION AND ORDINANCE ADOPTION. All resolutions and ordinances shall be in writing. Unless otherwise provided by law, all ordinances shall be adopted by a majority vote of Councilmembers present at the Council meeting. Unless otherwise provided by law, ordinances do not require multiple readings, and may be adopted as presented at the first available meeting.

XII. BOARD, COMMISSION, AND COMMITTEE ASSIGNMENTS. All assignments of Councilmembers to serve on City boards, commissions, and committees shall be by a majority vote of Councilmembers present at the meeting, unless otherwise provided by law. The Council will discuss board, commission and committee assignments at the first regular City Council meeting in January each year. Approval of the appointments by the City Council will be completed at the first meeting of each year.

XIII. SEATING ASSIGNMENTS. Councilmembers shall occupy the chairs assigned to them by the presiding officer.

XIV. SUSPENSION OR AMENDMENT OF THESE RULES. Any or all of these rules may be temporarily suspended by a majority vote of the Councilmembers present at the meeting, except as otherwise required by Minnesota law. These rules shall not be repealed or amended except by a majority vote of the whole Council after notice has been given at a preceding Council meeting.



Acknowledgement of Conflict of Interest Training

I hereby certify that I () attended or () reviewed the recording of Conflict of Interest training conducted on (Insert Date) by _____.

Name: _____

Commission: _____

Date: _____

Signature: _____

Please return the form to the City Administrator when completed.





NORTHFIELD CITY COUNCIL RULES OF BUSINESS & MEETING RULES

*Approved: March 21, 2017; Revised: January 22,
2019. Revised: February 16, 2021; Revised: January 4, 2022*

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- A Rules of Order for City Councils (Amended Minnesota Mayors Association document)**
- B Rules of Decorum for City Councils**
- C Public Participation Guide**
- D Timelines Chart**

City Council Meetings:

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

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

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

Per City Charter Section 3.8, the Mayor shall:

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

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

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

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

Remote attendance by City Council Members for a meeting shall be in accordance with the requirements of the Minnesota Open Meeting Law including but not limited to Minnesota Statutes Sections 13D.021 and 13D.02. Remote attendance must be requested to the City Clerk a minimum of six days in advance of the meeting to ensure compliance with proper notice of the meeting as well as preparing for the electronic needs of remote attendance. For example, for a Tuesday Council Meeting, a Council Member would need to notify the City Clerk by the end of the business day on the Wednesday before the meeting. The City is required to post notice of meetings at least 3 days prior to the scheduled meeting. In calculating the number of days for providing notice, the first day the notice is given should not be counted, but the last day should be counted. Members must provide the address of the remote location which must be accessible to the public, a phone number where they can be contacted, and arrange for a time to test the connections with the IT Department at least 4 hours prior to the meeting. The City's policy is to restrict remote attendance and is limited to up to two members unless it is not practical due to a health pandemic or emergency declared under chapter 12.

In the event of the City Council not meeting in person due to a health pandemic or other emergency there will be instructions made available related to public participation.

City Council Members can appear and participate in a meeting remotely using "interactive technology," defined as "a device, software program, or other application that allows individuals in different physical locations to see and hear one another." Skype, Zoom, WebEx, GoToMeeting and similar programs with an audio and video connection satisfy this requirement.

The City Council must meet the following six requirements to meet using interactive technology:

- At least one member is physically present at the regular meeting location;
- All members must be able to hear and see each other and all discussion and testimony presented at any location at which at least one member is present;
- All members of the public at the regular meeting location must be able to hear and see all discussion, testimony and votes of all members;
- All votes are conducted by roll call so each member's vote can be identified and recorded; and
- Each location at which a member is present must be open and accessible to the public.
- The minutes for the meeting must reflect the names of any members appearing by interactive television technology and state the reason or reasons for the appearance by interactive television technology.

A meeting satisfies the requirements of open meeting law even though a member of the public body participates from a location that is not open to the public if the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public, and:

- The member is serving in the military and is at a required drill, deployed or on

- active duty; or
- The member has been advised by a health care professional against being in a public place for personal or family medical reasons. This clause only applies when a statewide state of emergency has been declared under section 12.31, and expires 60 days after the removal of the state of emergency.

Preparation of City Council Meeting Agendas:

The Administrator, in consultation with the Mayor, shall prepare the preliminary agenda for each City Council meeting. (Charter 3.7). An agenda is prepared with a "proposed consent agenda." City Council Members may request items listed on the consent agenda be moved to the regular agenda for discussion purposes. No formal vote is required for removal of an item from the consent agenda to the regular agenda. Advance notice of removal is requested to the Mayor, City Administrator, and City Clerk by noon on the Monday immediately prior to the meeting date. The requestor should state whether the item is being removed from consent for purposes of a separate vote only or for purposes of discussion and separate vote. The purpose of this advance notice if discussion is sought is to provide City staff sufficient time to prepare a presentation on the item and to allow City staff to prepare supplemental information and distribute the same where needed. If advance notice is not given, items must be requested to be removed during the approval of the agenda. The Mayor determines placement of the to be removed item(s) on the regular agenda and will note placement prior to approval of the agenda.

As a general rule, items added to the agenda after 12:00 noon on Monday will not be placed on the consent agenda. Limited exceptions may include routine items. These items are required to be distributed in a supplemental memo no later than noon on Monday immediately before the meeting.

Questions:

If the City Council would like a written answer from staff in response to their questions, questions should be submitted to staff by noon on the Monday immediately prior to the meeting date. City staff will try to respond to questions by 9 am on the day of the meeting if possible. Staff will also work to be prepared to answer questions submitted after the deadline or follow-up on questions at the meeting.

Supplemental memo(s) will be distributed no later than 12 noon on the day of the scheduled meeting. Supplemental memos will be posted on the City's website at the same time they are distributed to the City Council. Paper copies of Supplemental Memos and eComments will not be made for City Council unless requested. Requests should be made to the City Clerk.

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

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

In either case, the Councilor's request for an item to be placed on a City Council agenda should

be in writing, with some background information provided, and submitted a minimum of 11 calendar days prior to the meeting.

Meeting Agenda:

The order of agenda items is as follows:

1. Call to Order/Roll Call/Notification of Quorum
2. Approval of Agenda
3. Presentations
4. Consent agenda. The purpose of a consent agenda is to allow for routine motions, resolutions, and ordinances to be passed with one motion when no discussion is needed. City Council Members may ask questions for clarification of an item. If a City Council Member wants to discuss an item, it should be removed from the consent agenda by advance notice by noon on the Monday immediately prior to the meeting date to the Mayor, City Administrator, and City Clerk, or without said prior notice, during the approval of the agenda.
 - Reading of the consent agenda item titles.
 - Items are approved by one motion unless a City Council Member requests separate action. All items approved by majority vote unless noted.
5. Open Public Comment. Persons may take one opportunity to address the City Council for two (2) minutes (not including interpreter's time) on any topic, even if on the agenda, with the condition that they may not speak on the same item later in the meeting. No notification of the Mayor is required. However, speakers are asked to complete a sign up card. Persons wanting a response to a question must submit the question in writing to the recording secretary. Questions must include name and information on how to contact. You may use the back side of the comment cards available in the meeting room. Remote Public Comment. Persons attending virtually may take one opportunity to address the City Council for two (2) minutes on any topic, even if on the agenda, with the condition that they may not speak on the same item later in the meeting. No notification of the Mayor is required. Persons should follow the Rules of Etiquette for Hybrid Meetings listed in Number 8.
 - Questions will not be responded to during the comment period but will rather be followed up by staff at a future time. Staff will determine appropriate responses based on whether there is a need for a formal data request, is a policy debate versus a question or simply a question that can be responded to.Comments may also be made electronically until 12:00 noon on the day of the meeting through the eComment (electronic comment) system. These comments are automatically sent to the Council when they are submitted through the eComment system. The comments are available on the City's website as well as in paper form at the meeting for the public.
6. Public Hearings. 6:00 p.m. or later (procedure listed below).
7. Regular agenda.
 - Mayor Intro/Staff Report

- Council Questions
- Public Comment (See procedural instructions below)
- Mayor Requests Motion/2nd (If action item)
- Council Discussion
- Vote

Public Comment Procedural Instructions for Regular Agenda Items: Persons that wish to speak on a regular agenda item must provide name and address by completing & submitting a sign up card. Persons may also use the electronic register to speak option on the City's website or contact the City Clerk no later than 12:00 noon on the day of the meeting. Persons attending virtually may also speak and should follow the Rules of Etiquette for Hybrid Meetings listed below. Persons may also provide comments through the eComment (electronic comment) system no later than 12:00 noon on the day of the meeting. These comments are automatically sent to the Council when they are submitted through the eComment system. The comments are available on the City's website as well as in paper form at the meeting for the public. The Mayor will call up individuals to speak, based on preregistration and cards submitted, after the staff report on an item.

Please be respectful of the public's and the City Council's time. Members of the public wishing to speak must adhere to the following guidelines:

- Speak only once for no more than two minutes (not including interpreter's time) on the topic unless the speaker is addressed by the City Council;
- Identify your relationship to the topic;
- Have a spokesperson or two for your group to present your comments;
- Persons wanting a response to a question must submit the question in writing to the City Clerk, including name and how you would like to be contacted. You may use the back side of the comment cards available in the meeting room.
- Questions will not be responded to during the comment period.

The Zoom option is for those who intend to speak (not for just watching the meeting):

Rules of Etiquette for hybrid meetings:

- Please identify yourself once in the Zoom meeting (type your name in Zoom window).
- Camera must be off and audio must be muted unless speaking.
- Only speak when directed to by the mayor or other meeting chair.
- There is a two minute limit for addressing the Council.
- Rules of business applies for decorum.
- The City of Northfield reserves the right to mute any meeting participant.
- The City of Northfield reserves the right to remove any meeting participant for not following Rules of Business.
- The City of Northfield reserves the right to turn off any meeting participant's camera and/or audio if they on while not addressing the Council.

8. City Administrator update

9. Mayor & Council reports

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

10. Adjourn.

City Council Packets:

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

Supplemental memo information will be available on the City's website as soon as it is distributed to City Council.

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

Public Hearing Procedure:

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

- A. The Chair will open the hearing by identifying the subject.
- B. Staff Presentation- staff will give a presentation on the subject.
- C. Applicant's Presentation- if needed.
- D. Public Input- The public will have the opportunity to speak for or against the issue. The public may ask questions, make comments, voice support, agree or disagree with the issue.
 - 1. The Chair will recognize a speaker at the podium and comments/conversation will be between the Chair and speaker; and between the Chair and Council Members.
 - 2. At the podium the speaker must give their name, address, and if representing a business, must give the name of the business or corporation. If an Attorney or consultant is representing a client, the client must be identified for the record.
 - 3. Speakers will be allowed to speak a maximum of two (2) minutes per item (not including interpreter's time).
 - 4. Speakers who have material to be handed out to the City Council Members will pass the material to the City Administrator. The City Administrator will then pass the information to the appropriate people. A minimum of twelve (12) copies are needed.
- E. Questions or Clarifications from City Council – After the public input of the public hearing is completed, the City Council may request questions or clarifications prior to closing the public hearing. This section will be used when there are questions related to the topic on which the public hearing is being held. Questions should be succinct and avoid being rhetorical or leading in nature. Subsequent actions of the City Council provide for opportunities for further questions or clarifications from the City Council.
- F. Any material to be entered into the record shall be noted. Any written communication presented to the City Council during a City Council meeting shall be read into the record or summarized for the record or simply delivered to the City Council, as the City Council may determine. They shall then be recorded in the minutes by title and filed with the

- minutes in the office of the City Clerk.
- G. Motion to Close Hearing- The Chair will state if there is an extension of time for public input into the hearing. If not, the City Council will make a motion, second, and vote on closing the public hearing.

Assessment Hearing Procedures:

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

City Council Recognition of Citizens/Groups/Events

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

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

Citizen Participation:

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

- Open public comment at City Council meetings
- eComment through the City's website on agenda items
- Meetings of various Boards or Commissions
- Phone calls, e-mails, letters and/or visits with City Council Members or City Staff.
- Public comment via electronic video/audio as provided for during hybrid City Council Meetings with interactive technology.
- Public comment via electronic video/audio as provided during a health pandemic or other public emergency in accordance with Minnesota Statutes 13D.021.

Mic Etiquette for Council and Citizen Participation

- Mute your microphone when you are not speaking. This is to help keep the background noise to a minimum.
- Be mindful of background noise. Also, be mindful during the meeting if someone else is talking and their microphone is muted, alert them that they are muted and ask them to unmute themselves.
- Position your microphone in a comfortable position (6-12 inches away from your mouth) and remember to speak towards the microphone when speaking.
- When speaking into the microphone, speak at a normal volume.

AV Protocol for Breaks

When the City Council calls for a break AV will do the following:

- Mute all microphones during the break.
- Project a visual "Council is on Break" image on camera for those watching at home.
- Unmute Mayor's microphone in preparation for calling meeting back to order.

Capacity of Council Chambers

The Council Chambers will be set up not to exceed the legal occupancy as set by the Building Official. The room set up will take into account all current Minnesota Department of Health and Centers for Disease Control and Prevention guidelines in place. If needed, additional conference room space will be available for seating showing the live stream of the meeting for the public to view.

Minutes

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

- a) Time and place of the meeting
- b) Members present
- c) Summary of all decisions made
- d) Who moved and seconded each item
- e) Who voted for and against each item
- f) Names of all persons other than members who spoke at the meeting, and subject on which they spoke

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

Live Stream/Recording

Regular meetings, work sessions, and special City Council meetings are live streamed and recorded, if held at City Hall in the Council Chambers. Off-site meetings are not recorded, however may be on an as-needed staff basis.

The following board and commission meetings are recorded based on their duties and responsibilities pursuant to Charter, State law and City Code as applicable: Charter Commission, Economic Development Authority, Heritage Preservation Commission and Housing and Redevelopment Authority, and Planning Commission and Zoning Boards of Appeals.

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

If an individual member has a question about a legal matter that the City Administrator or City staff is unable to respond to, a City Council Member may contact the City Attorney and the City Attorney will attempt to answer it if the process as estimated by the City Attorney will take an hour or less in a 30 day period. The answer to the question will be shared with the City Administrator who shall determine whether a memorandum from the City Attorney should be prepared on the subject matter of the question and submitted to the City Council, for purposes including but not limited to, protecting any attorney/client privileged communications and/or confidential or non-public data. If the matters estimated by the City Attorney to take more than an hour within a 30 day period, the City Attorney will need direction from the City Council as a

whole or the City Administrator or another authorized staff member. The City Attorney is available to help but does not represent any individual member's opinion or decision; he/she represents the majority decisions of the City Council.

Role of City Administrator related to City Council and employees

The City Administrator coordinates activities of all City officials and supervises City department directors/managers, Charter 7.3. To assist the Administrator in these roles, the Mayor and Council are asked to copy the City Administrator and City Clerk on all questions related to City Council agenda items. Questions related to City Council agenda items (either e-mail or via telephone) should be directed to the respective staff members named on the report for the item and copied to the City Administrator and City Clerk.

Seating Assignments

Mayor and Council seating shall be determined as follows:

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

Boards/Commissions

Where discussions are being held with an organization, board or commission to which a City Council Member has been appointed as the City liaison or ex-officio, the City Council Member will be kept informed of these discussions. Unless otherwise provided by ordinance or other law, the Council liaison attends the meeting to facilitate a close working relationship but is not a formal member of the board. However, an ex-officio City Councilor shall be a non-voting fully participating member unless otherwise provided by the appointment, ordinance or other law.

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

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

Suspension of Rules

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

Rules of Order

Preamble

- a. Purpose. The purpose of these rules is to foster debate and discussion in an orderly manner, not to suppress honest discussion with excessive formality. Without rules, confusion and disorderly proceedings would hamper all City action, no matter how well intended. Rules allow City business to be conducted as efficiently as possible, protect minority groups by giving every person a chance to be heard, prevent discussion of multiple topics at once, and allow decisions to be made by majority rule.
- b. Rights of the City Council. All City Council Members are equal and have the same rights to make motions; object to motions in a timely manner; participate in debate; have their votes counted; and speak, when recognized, free of interruption.
- c. Obligations of the City Council.
 1. The rights of individual City Council Members cannot be realized unless all City Council Members also recognize their obligations as members of the political body. City Council Members are obligated to receive the recognition of the chair before speaking, except as otherwise provided by these rules. No one has the right to speak at whim. City Council Members are obligated to speak directly on the subject being considered and observe time limits for comment. Finally, City Council Members are obligated to address all remarks to the presiding officer, avoid personal attacks, and refrain from using any insulting or demeaning language or indecent or threatening behavior.
 2. Inherent in the duties of holding public office is participation in City Council meetings and that includes voting. City Council Members have a general duty and obligation by virtue of holding public office to vote on business that comes before the body, unless a City Council Member has a disqualifying conflict of interest or other conflict of interest, which either requires abstention or for which the City Council Member desires to abstain, for example, in order to avoid the appearance of impropriety.
 - a. While a City Council Member has a duty to vote on matter before the body, a City Council Member cannot be compelled to vote on such a matter, and a City Council Member should not vote on a matter upon which the City Council Member has a disqualifying conflict of interest.
 - b. City Council Members who have a disqualifying interest are generally excluded when counting the number of votes needed to approve an action by a supermajority vote. Although City Council Members may be tempted to abstain from voting on a controversial matter, they should remember that the abstention will ultimately tend to pass or defeat the matter. The best advice is to avoid the kinds of problems that can arise from abstentions and vote, unless an abstention is required because a City Council Member has a personal interest in the matter.

- c. If any City Council Member, being present, chooses not to vote, the City Council Member shall verbally state "Present - Not Voting" and the minutes shall reflect this action.

Rule 1. Motions.

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

Rule 2. Language for making a motion.

The appropriate language for making a motion shall be substantially similar to "I move to _____."

Rule 3. Procedure for consideration of a motion.

A motion must be seconded. Once a motion has been made and seconded, the presiding officer shall restate the motion and (if applicable) open the motion up for debate, provided that the mayor determines that the motion is in order and no objections to the motion have been made pursuant to Rule 4. A motion is in order if it is made at a proper time in the proper format and does not violate any applicable rules of law, ordinance, or City policy, including City policies on decorum and civility, and is not made for the purpose of unduly delaying the proceedings. Debate shall follow the procedures in Rule 5. Once debate has concluded, the presiding officer shall restate the motion and call for a vote on the issue. A motion shall be considered passed if it receives a majority vote of those present at the meeting, unless otherwise required by law. A resolution or ordinance shall be considered passed if it receives a majority vote of all City Council Members (4), unless otherwise required by law.

Rule 4. Objections to a motion.

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

maker of the motion speak once to answer the concerns of the objector. Then the presiding officer shall make a formal ruling as to whether the motion was in order.

- f. If the motion is ruled out of order, the motion shall not be considered. If the motion is ruled in order, the presiding officer shall open the motion for debate (if applicable).
- g. The presiding officer's ruling may be appealed as provided in Rule 7.

Rule 5. Debate.

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

- a. For initial comments, all comments shall be limited to five (5) minutes. For subsequent comments, all comments shall be limited to two (2) minutes.
- b. The maker of the motion shall be permitted to speak first on the issue.
- c. Everyone who wishes to speak on the issue must be permitted to speak once, before City Council Members who have already spoken are permitted to speak again.
- d. City Council Members shall avoid repeating points already made in the debate or other duplicative conduct that may delay the proceedings. Where a point has already been made, City Council Members may affirm agreement or disagreement.
- e. Generally only one motion may be considered at a time in debate. Debate may only be interrupted by a motion to:
 - 1. amend the original motion,
 - 2. take a brief recess,
 - 3. withdraw the motion by the motion's maker,
 - 4. divide a complex question,
 - 5. defer consideration to a later date,
 - 6. refer an issue to committee,
 - 7. motion for the previous question,
 - 8. limit debate,
 - 9. for a point of order.
- 10. When debate is interrupted by any of these motions, the interrupting motion shall be resolved prior to resuming debate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rule 7. Appealing procedural decisions of the presiding officer.

- a. Any member of the City Council may appeal to the full City Council a ruling on order or procedure made by the presiding officer.
- b. Procedure for appeals. An appeal is made by motion. A second is needed for the motion. The member making the motion may speak once solely on the question involved, and the

presiding officer may speak once solely to explain his or her ruling, but no other City Council Member may participate in the discussion. Note: This procedure matches City Code Sec. 2-58(c).

- c. Once both the maker of the motion and the presiding officer have spoken, the matter must be voted upon by the City Council as a whole.
- d. The appeal shall be sustained if it is approved by a majority of the members present, exclusive of the presiding officer.

Rule 8. Other special motions explained.

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

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

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

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

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

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

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

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

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

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

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

The appropriate language for making a motion to reconsider shall be substantially similar to "I move to rescind/repeal the City Council's previous action related to _____ as stated in resolution number _____."

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

The appropriate language for making a motion to prevent reintroduction shall be substantially similar to "I move to prevent reintroduction of this issue for _____ months."

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

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

Rule 9. Robert's Rules.

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



APPENDIX B

Rules of Decorum

City Council meetings are for the primary purpose of considering City Council action on matters pertaining to City business, public interest, the operation of the City, and the provision of City services. City Council meetings on important community issues may at times become contentious. Establishing rules of decorum to govern the conduct of all persons attending and/or participating in such meetings is in the public interest and helps to ensure orderly and respectful meetings as well as the safety of attendees and participants. On occasion, however, members of the City Council, public and/or staff may not follow the rules. On these occasions, the mayor's role as the meeting's presiding officer is particularly important. The mayor, as presiding officer, and any presiding officer of a meeting, shall be responsible for maintaining order and decorum of such meetings. All councilmembers, as well as members of committees, boards and commissions, as applicable, shall assist the presiding officer in preserving order and decorum at meetings and in providing for the efficient and orderly operation of meetings. The following rules of decorum shall apply to all persons attending and/or participating in a meeting, unless otherwise expressly noted. The following rules of decorum shall also apply to all persons attending and/or participating in a meeting of any City Council committee, and/or board or commission established by the City.

1. City Council meetings shall be conducted in a courteous manner that recognizes the validity of differing points of view and promotes the ideal of democratic discussion and debate free of insult, slander, and personal attacks and threats.
2. Participants shall conduct themselves at City Council meetings in a manner consistent with the following:
 - a. No person shall engage in conduct which delays or interrupts the proceedings.
 - b. No person shall hinder honest, respectful discussion and debate.
 - c. No City Council member shall engage in private conversation or pass private messages while in the chamber in a manner so as to interrupt the proceedings of the City Council.
 - d. In keeping with the intent of the Minnesota Open Meeting Law, the City Council shall not use any form of electronic communications technology, such as sending or receiving text messages or e-mail, to communicate with one another or third parties about the business of the meeting during a public meeting.
 - e. No person shall leave his or her seat or make any noise of disturbance while a vote is being taken and until the result of the vote is announced.
 - f. No person shall use profane or obscene words or unparliamentary language or use language that threatens harm or violence toward another person during a City Council meeting.
 - g. No person shall use dismissive body language (i.e. eye rolling, gestures, turning back to speaker, etc.)
 - h. No person shall speak on any subject other than the subject in debate.

- i. No person shall ask rhetorical or leading questions during City Council question period. Questions of clarification should be succinct.
- j. No person shall speak without being recognized by the chair; nor shall any person interrupt the speech of another person, except where permitted to raise a point of order.
- k. No person shall disobey the City Council Rules of Order and Procedure or a decision of the presiding officer on questions of order or practice or upon the interpretation of the rules of council.
- l. No person shall engage in disorderly conduct that interferes with the effective orderly conduct of any meeting by failing to comply with these rules of decorum or otherwise disrupting or impeding the meeting, where the interference is solely caused by the conduct of the person and not the content of the person's expression. Prohibited conduct includes, but is not limited to, audible demonstrations of approval or disapproval; cheering or shouting; vulgar, profane, threatening, obscene, abusive, or disruptive conduct or unprotected speech; whistling, clapping, or stamping of feet; or, holding, displaying, or placing banners, signs, objects, or other materials in any way that endangers the safety of others, prevents the free flow of individuals within the meeting room or the ingress or egress from the meeting room or any emergency exits thereto, or otherwise obstructs or prevents the viewing of the meeting by other persons in attendance.
- m. All cell phones and other electronic devices shall be silenced during meetings.
- n. Persons should be addressed by use of title and/or last name.

Enforcing decorum:

When a person, attendee or participant violate the above rules of order and decorum, the presiding officer is authorized to take any one or more of the following actions:

- Not recognize a violating or breaching person's, attendee's or participant's request to speak, or limiting their role in debate or comment, as applicable, until decorum is observed.
- Declare the person's, attendee's or participant's actions out of order.
- Temporarily recess the meeting until order is restored.
- Issue the person, attendee or participant a verbal warning and/or directive that the person, attendee or participant is out of order and shall follow the rules of order and decorum, be silent unless recognized to speak and/or immediately cease such conduct.
- If after issuance of a verbal warning as provided above, the person, attendee or participant continues to engage in prohibited conduct or otherwise fails to comply with the presiding officer's warning, the presiding officer may further direct or order the person, attendee or participant to immediately leave the meeting.
- If the person, attendee or participant so ordered as provided above does not immediately abide by the presiding officer's order or directive by leaving the meeting, and/or the person, attendee or participant continues such prohibited conduct, the presiding officer may direct any law enforcement officer to remove the person from the meeting

Members of the council may request action by the presiding officer to curb another member's conduct through a motion for a point of order. The motion may request a specific response to conduct by the

presiding officer. For example, “I make a motion for the presiding officer to call Councilmember ____ to order and to desist from making personal attacks.” Any member of the Council may appeal to the full council a ruling on order or procedure made by the presiding officer. The procedure is noted in Rule 7 of the Council Rules of Order.

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

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

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

These rules of decorum shall be posted in the City Council Chambers.



APPENDIX C

Public Participation Guide

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

- Public comment times at City Council meetings
- eComment through the City's website on agenda items
- Meetings of various Boards or Commissions
- Phone calls, e-mails, letters and/or visits with the City Council and/or City Staff.
- Public comment via electronic video/audio as provided during a health pandemic or other public emergency in accordance with Minnesota Statutes 13D.021.

City Council Meetings:

Meetings of the City Council are where the business of the City is conducted and vital decisions for the City's future are made. The main objective of the City Council in the proper conduct of its meetings is to ensure the public's business is conducted in an efficient manner with full opportunity for the City Council to communicate their thoughts on the agenda items before the City Council. City Council meetings are open to the public pursuant to the Minnesota Open Meeting Law. While City Council meetings are open to the public, opportunities for the public to participate in meetings are limited as provided in the publicly noticed meeting agenda as outlined in summary below.

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

- Not recognize a violating or breaching person's, attendee's or participant's request to speak, as applicable, until decorum is observed.
- Declare the person's, attendee's or participant's actions out of order.
- Temporarily recess the meeting until order is restored.
- Issue the person, attendee or participant a verbal warning and/or directive that the person, attendee or participant is out of order and shall follow the rules of order and decorum, be silent unless recognized to speak and/or immediately cease such conduct.
- If after issuance of a verbal warning as provided above, the person, attendee or participant continues to engage in prohibited conduct or otherwise fails to comply with the presiding

officer's warning, the presiding officer may further direct or order the person, attendee or participant to immediately leave the meeting.

- If the person, attendee or participant so ordered as provided above does not immediately abide by the presiding officer's order or directive by leaving the meeting, and/or the person, attendee or participant continues such prohibited conduct, the presiding officer may direct any law enforcement officer to remove the person from the meeting.

The City Council meets:

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

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

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

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

The typical order of agenda items is as follows:

1. Call to Order/Roll Call/Notification of Quorum

2. Approval of Agenda

3. Approval of Minutes

4. Presentations

5. Consent agenda

6. Open Public Comment. Persons may take one opportunity to address the City Council for two (2) minutes (not including interpreter's time) on any topic, even if on the agenda, with the condition that they may not speak on the same item later in the meeting. No notification of the Mayor is required. However, speakers are asked to complete a sign up card. Persons wanting a response to a question must submit the question in writing to the recording secretary. Questions must include name and information on how to contact. You may use the back side of the comment cards available in the meeting room.

- o Questions will not be responded to during the comment period but will rather be followed up by staff at a future time. Staff will determine appropriate responses based on whether there is a need for a formal data request, is a policy debate versus a question or simply a question that can be responded to.

Comments may also be made electronically until 12:00 noon on the day of the meeting through the eComment (electronic comment) system. These comments are automatically sent to the Council when they are submitted through the eComment system. The comments are available on the City's website as well as in paper form at the meeting for the public.

7. Public Hearings – 6:00 p.m. or later (procedure listed below).

8. Regular agenda. Persons that wish to speak on a regular agenda item must provide name and address by completing & submitting a sign up card. Persons may also use the electronic register to speak option on the City's website or contact the City Clerk no later than 12:00 noon on the day of the meeting. Persons may also provide comments through the eComment (electronic comment) system no

later than 12:00 noon on the day of the meeting. These comments are automatically sent to the Council when they are submitted through the eComment system. The comments are available on the City's website as well as in paper form at the meeting for the public. The Mayor will call up individuals to speak, based on preregistration and cards submitted, after the staff report on an item. Please be respectful of the public's and the City Council's time. Members of the public wishing to speak must adhere to the following guidelines:

- Speak only once for no more than two minutes (not including interpreter's time) on the topic unless the speaker is addressed by the City Council;
- Identify your relationship to the topic;
- Have a spokesperson or two for your group to present your comments;
- Persons wanting a response to a question must submit the question in writing to the City Clerk, including name and how you would like to be contacted. . You may use the back side of the comment cards available in the meeting room.
- Questions will not be responded to during the comment period.

9. City Administrator update

10. Mayor & Council reports

11. Adjourn.

Public Hearing Procedure:

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

- A. The Chair will open the hearing by identifying the subject.
- B. Staff Presentation- staff will give a presentation on the subject.
- C. Applicant's Presentation- if needed.
- D. Public Input- The public will have the opportunity to speak for or against the issue. The public may ask questions, make comments, voice support, agree or disagree with the issue.
 1. The Chair will recognize a speaker at the podium and comments/conversation will be between the Chair and speaker; and between the Chair and Council Members.
 2. At the podium the speaker must give their name, address, and if representing a business, must give the name of the business or corporation. If an Attorney or consultant is representing a client, the client must be identified for the record.
 3. Speakers will be allowed to speak a maximum of two (2) minutes per item (not including interpreter's time).
 4. Speakers who have material to be handed out to the City Council Members will pass the material to the City Administrator. The City Administrator will then pass the information to the appropriate people. A minimum of twelve (12) copies are needed.
- E. Questions or Clarifications from City Council – After the public input of the public hearing is completed, the City Council may request questions or clarifications prior to closing the public hearing. This section will be used when there are questions related to the topic on which the public hearing is being held.
- F. Any material to be entered into the record shall be noted. Any written communication presented to the City Council during a City Council meeting shall be read into the record or summarized for the record or simply delivered to the City Council, as the City Council may determine. They shall then be recorded in the minutes by title and filed with the minutes in the office of the city clerk.
- G. Motion to Close Hearing- the Chair will state if there is an extension of time for public input into the hearing. If not, the public hearing will be adjourned.

Assessment Hearing Procedures:

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

Documents/Recordings

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

Regular meetings, work sessions, and special City Council meetings are live streamed and recorded, if held at City Hall in the Council Chambers. Recordings, official records, and documents are available on the City's website www.ci.northfield.mn.us.

City Council Work Session:

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

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

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

**Rules of Business
Timelines Chart**

Item	Deadline*
Request to add item to an upcoming agenda	11 calendar days prior to meeting
Remote Attendance Notification	6 days prior to meeting
Removal of Items from Consent Agenda**	Monday 12:00 Noon
Council Question Deadline for written responses	Monday 12:00 Noon
Supplemental Memo(s) Distributed***	Tuesday 12:00 Noon
Meeting packets available electronically	Friday prior to meeting by 12:00 Noon
eComment Closes	Tuesday 12:00 Noon
Information handed out at meetings uploaded to website	48 hours following meeting

*No later than

**If advance notice is not given, items must be removed during agenda approval.

*** Supplemental Memo information will be posted on the website following distribution to Council.



City Council Rules of Procedure/Decorum Guidelines

Adopted: April 16, 2018

All Council Members

All members of the City Council have equal votes. No Councilmember has more power than any other Councilmember and all should be treated with equal respect.

All Councilmembers should:

- Demonstrate honesty and integrity in every action and statement
- Comply with both the letter and spirit of the laws and policies affecting the operation of government
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Hastings government
- Work for the common good, not personal interest, considering all impacts, influences and concerns, and not only those that are presented with the strongest emotions.
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Participate in scheduled activities to increase Council effectiveness
- Review Council procedures, such as these guidelines, at least annually
- Represent the City at ceremonial functions at the request of the Mayor
- Be responsible for the highest standards of respect, civility, and honesty in ensuring the effective maintenance of intergovernmental relations
- Respect the proper roles of elected officials and City staff in ensuring open, transparent, and effective government
- Accept and respect decisions made by the Council as a body. Deliver a consistent message to the community
- Provide accurate contact information to the City Administrator
-

Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to service in public office in order to improve the quality of life in the community. In all cases, this common goal should be acknowledged even as Councilmembers may “agree to disagree” on contentious issues.

In Public Meetings

- **Use formal titles**—The Council should refer to one another formally during Council meetings as Mayor or Councilmember followed by the individual's last name
- **Practice civility and respect for discussions and debate**—difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. Be respectful of diverse opinions.
- **Honor the role of the presiding officer in maintaining order and equity**—respect the Mayor's efforts to focus discussion on current agenda items. Objections to the Mayor's actions should be voiced politely and with reason.
- **Demonstrate effective problem-solving approaches**—Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole. Councilmembers are role models for residents, business people, and other stakeholders involved in public debate.
- **Be respectful of people's time**—stay focused on the matter being discussed and act efficiently during public meetings.
- **Be prepared**—Review items for discussion prior to the meeting.
- **Submit questions on Council agenda items ahead of the meeting**—in order to focus the Council meetings on consideration of policy issues and to maintain an open forum for public discussion, questions which focus on the policy aspects of agenda items should be discussed at the Council meeting rather than administrative minutia. Any clarifications or technical questions that can be readily answered can be handled before the meeting. Councilmembers are encouraged to submit their questions on agenda items to the City Administrator as far in advance of the meeting as possible so that staff can be prepared to respond at the Council meeting.

In Private Encounters

- Treat others how you would like to be treated—ask yourself how you would like to be treated in similar circumstances, and then treat the other person that way.

Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, which analyze issues, make recommendations, and implement and administer the Council's priorities. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**—Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with your Council colleagues, practice civility and respect in all interactions with City staff.
- **Channel communications through the appropriate senior City staff**—questions of City staff should be directed only to the City Administrator or Department Heads. The City Administrator should be copied on any request to senior staff. When in doubt about what staff contact is appropriate, Councilmembers should ask the Mayor and/or City Administrator for guidance.
- **All Councilmembers should have the same information with which to make decisions**—the City Administrator and Department Heads will endeavor to ensure Councilmembers are provided with clear and consistent information upon which to base decisions.
- **Never publicly criticize an individual employee**—All critical comments about staff performance should only be made to the City Administrator through private correspondence or conversation.

- **Do not get involved in administrative or personnel functions**—Avoid any interactions with staff that may be construed as trying to shape staff recommendations. Councilmembers shall refrain from coercing staff in making recommendations to the Council as a whole.
- **Be cautious in representing City positions on issues**—before sending correspondence related to the legislative position, check with the City Administrator to see if a position has already been communicated. When corresponding with representatives of other governments or constituents, remember to indicate if appropriate that the views you state are your own and may not represent those of the full Council.
- **Respect the competing demands for staff work**—requests for information should be made through the City Administrator, according to the protocol for channeling communications. Any request which would require an inordinate amount of staff to research a problem or prepare a response may be referred to the full Council for direction to ensure that staff resources are allocated in accordance with overall Council priorities.
- **Support a respectful, positive and constructive workplace**—Councilmembers should support the maintenance of a respectful, positive and constructive workplace environment for City staff and for citizens and businesses dealing with the City.
- **Depend upon the staff to respond to citizen concerns and complaints**—it is the role of Councilmembers to pass on concerns and complaints on behalf of their constituents if the Councilmember is not familiar with the current practice/policy/background. It is not, however, appropriate to pressure staff to solve a problem in a particular way. Refer citizen complaints to the Department Head or City Administrator who will coordinate follow-up by the appropriate staff member(s). The City Administrator should be copied on any request to senior staff. Staff is responsible for making sure the Councilmember knows how the matter was resolved.

Council Conduct with Boards and Commissions

The City has established several boards and commissions as a means for gathering more community input. Citizens who serve on boards and commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect. Councilmembers are expected to represent the full Council in providing guidance to boards and commissions. In some instances, Councilmembers may attend board or commission meetings as individuals, and should follow these protocols:

- **If attending a board or commission meeting, identify your comments as personal views or opinions**—Councilmembers may attend any board or commission meeting, which are always open to any member of the public. Any public comments by a Councilmember at a board or commission meeting should be clearly made as an individual opinion and not as a representation of the feelings of the entire City Council.
- **Remember that boards and commissions are advisory to the Council as a whole, not individual Councilmembers**—the City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. Individual Councilmembers should not feel they have the power or right to unduly influence Board and Commission members in any way if they disagree about an issue. A board or Commission appointment should not be used as a political “reward.”
- **Concerns about an individual Board or Commission member should be pursued with tact**—if a Councilmember has a concern with the effectiveness of a particular board or commission member, the Councilmember should consult with the Mayor who can bring the issue to the Council as a whole.

- **Be respectful of diverse opinions**—a primary role of boards and commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closing working relationship with some individuals serving on boards and commissions but must be fair to and respectful of all citizens serving on boards and commissions.
- **Keep political support away from public forums**—board and commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support board and commission members who are running for office, but not in an official forum in their capacity as Councilmember

Staff Conduct with City Council

- **Respond to Council questions as fully and as expeditiously as is practical**—senior staff will strive to respond to all Councilmember inquiries as completely and quickly as practical. If a Councilmember forwards a complaint or service request to the City Administrator, there will be follow through with the Councilmember on the outcome.
- **Respect the role of Councilmembers as policy makers for the City**—staff is expected to provide its best professional recommendations on issues. Staff should provide information about alternatives to staff recommendations as appropriate, as well as pros and cons for staff recommendations and alternatives.
 - **Demonstrate professionalism and non-partisanship in all interactions with the community and in public meetings.**
 - **It is important for the staff to demonstrate respect for the Council at all times. All Councilmembers should be treated equally.**

Other Procedural Issues

- Don't politicize procedural issues (e.g. minutes approval or agenda order) for strategic purposes.
- Respect the work of the Council standing committees
- Commit to periodically review procedural rules and guidelines and advise presiding officer of any issues or concerns—throughout the year, Councilmembers should routinely review these guidelines. Questions or unresolved issues should be brought to the Mayor for clarification or to schedule follow up with the full Council at a future meeting.

Enforcement

Councilmembers have a primary responsibility to assure that these guidelines are understood and followed, so that the public can have full confidence in the integrity of their local government. These guidelines are intended to be self-enforcing thereby requiring an ongoing commitment by Councilmembers to faithfully honor the trust and dignity bestowed upon them as elected leaders and community role models.

City of Alexandria Code of Conduct for Elected Officials, Amended June 22, 2020

The Three Rs of Alexandria Government Leadership: Roles, Responsibilities and Respect

The Home Rule Charter of the City of Alexandria and the Alexandria City Code provide information on the more formal duties of Councilmembers, the Mayor, and the President Pro Tempore. The City's Code of Ethics Policy (most recently adopted in 2009) provides guidance related to conflicts of interest. To further clarify the conduct expectations of Councilmembers and the Mayor, the Council in 2016 adopted a Code of Conduct for Alexandria's elected officials. After careful review of the Code of Conduct, the Council has determined that it is in the public interest to amend it as noted herein.

This Code of Conduct is designed to describe the manner in which the Mayor and Councilmembers should treat one another, city staff, consultants, constituents, and others they come into contact with in representing the City of Alexandria. It reflects the work of the Mayor and City Council in defining more clearly the behavior, manners, and courtesies that are suitable for various occasions. In concert with this document, the Mayor and City Council may wish to consider policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The contents of this Code of Conduct includes:	Page
Overview of Roles & Responsibilities	2
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The constant and consistent theme through all of the conduct guidelines is "respect." The Mayor and Councilmembers experience stress in making decisions that impact the lives of the citizens. At times, the impacts of the entire community must be weighed against the impact of only a few. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide the Mayor and Councilmembers to do the right thing in even the most difficult situations.

Overview of Roles & Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials are the Home Rule Charter of the City of Alexandria, Alexandria City Code, and League of Minnesota Cities resources for elected officials, including the *Handbook for Minnesota Cities* and the *Minnesota Mayors Handbook*, among many other publications.

MAYOR

- Elected “at-large” for a four year term (Note the Charter still calls for two year terms for the Mayor and Council. The City Council passed a transitional ordinance in 1996 that resulted in four-year terms for the Mayor and City Council)
- Presiding officer of the council (Alexandria City Charter, Section 2.03, Subd. 1)
- Chief Executive Officer of the City (Alexandria City Charter, Section 2.03, Subd. 1)
- Votes in the event of a tie vote by the City Council (Alexandria City Charter, Section 2.02, Subd. 1)
- Holds veto power (Alexandria City Charter, Section 2.03, Subd. 2)
- Executes and authenticates ordinances and resolutions (Alexandria City Charter, Section 3.03 and 3.05)
- Leads the Council into an effective, cohesive working team

PRESIDENT PRO-TEMPORE

- Elected by the City Council at their first meeting in January of each year (Alexandria City Charter, Section 2.03, Subd. 1)
- Performs the duties of the Mayor if the Mayor is absent or disabled (Alexandria City Charter, Section 2.03, Subd. 1)

ALL COUNCIL MEMBERS

All members of the City Council, including president pro tempore, have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

All Councilmembers should:

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of meetings and be familiar with issues on the agenda
- Represent the City at ceremonial functions at the request of the Mayor
- Be respectful of other people’s time
- Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Alexandria government
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities

Policies & Protocol Related To Conduct

Ceremonial Events

Requests for a City representative at ceremonial events will be directed to the Mayor. The Mayor will serve as the designated City representative. If the Mayor is unavailable, the Mayor will determine if event organizers would like another representative from the Council. If yes, then the President Pro Tempore will be recommended to serve as the substitute. Invitations received at City Hall are presumed to be for official City representation.

Correspondence Signatures

The Mayor and Councilmembers do not need to acknowledge the receipt of correspondence relating to City business, or copies of such correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor or the appropriate City staff. If correspondence is addressed only to the Mayor or to one Councilmember, that correspondence will be shared with the rest of the Council.

Endorsement of Candidates and Ballot Initiatives

The Mayor and Councilmembers have the right to endorse candidates for all Council seats, other elected offices, and ballot initiatives by other government bodies. It is inappropriate to include such items on any Council agenda or to mention those endorsements during Council meetings or other official City meetings or functions.

Intergovernmental Relations

The Mayor and Council value intergovernmental relations with neighboring communities and other entities. As a result, the Mayor and Councilmembers should make a concerted effort to attend scheduled meetings with other entities to further promote intergovernmental relations.

Legislative Process

The procedural rules adopted by the City Council will be the governing guide for council proceedings.

Public Meeting Hearing Protocol

The Mayor will determine the meeting protocol on a case-by-case basis, taking into account any legally-required protocols that may apply in certain circumstances. Generally, the Mayor will open the public hearing, and staff will then make an initial presentation. After the staff presentation, the applicant or appellant, if any, shall be given the opportunity to speak first, followed by those with opposing views. In situations where there is no applicant or appellant, members of the public will be invited to speak in any order deemed appropriate by the Mayor. If deemed necessary by the Mayor, any speaker who has already spoken may be given the opportunity to respond to comments made by others. The Mayor has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly. This includes determining how much time will be allowed for each speaker, with 3 to 5 minutes the standard time granted. The Mayor may also limit presentations of viewpoints that are repetitive of comments that have already been made and may exclude any person who exhibits disorderly conduct or other inappropriate or unlawful behavior. The Mayor may ask the Council if any issues need clarification before the public hearing is closed. The Mayor and

Councilmembers will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by the Mayor and Councilmembers are not appropriate until after the close of the public hearing. The Mayor and Councilmembers should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view. Once the Mayor is satisfied that all information that could be gathered during the public hearing has been gathered, the Mayor shall close the public hearing and resume the Council meeting.

EEO, Discrimination, Harassment and Respectful Workplace

The Mayor and all councilmembers shall be familiar with and adhere to the City's equal employment opportunity, discrimination, sexual and other harassment and respectful workplace policies.

Mayor and Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as the Mayor and Council may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

• Practice civility, professionalism and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, the Mayor and Councilmembers to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threats will be tolerated. The Mayor and Councilmembers should conduct themselves in a professional manner at all times.

• Honor the role of the Mayor in maintaining order

It is the responsibility of the Mayor to keep the comments of Councilmembers on track during public meetings. Councilmembers should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in the procedural rules adopted by the Council.

• Avoid personal comments that could offend other Councilmembers

If a Councilmember is personally offended by the remarks of another Councilmember, the offended Councilmember should note their concerns during the meeting and make notes of the actual words used and follow the Council's procedural rules to request the other Councilmember to justify or apologize for the language used. The Mayor will maintain control of this discussion.

- **Demonstrate effective problem-solving approaches**

The Mayor and Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

- **Be punctual and keep comments relative to topics discussed**

The Mayor and Councilmembers have made a commitment to attend meetings and participate in discussions. Therefore, it is important that the Mayor and Councilmembers be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discussed scheduled issues.

IN PRIVATE ENCOUNTERS

- **Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

- **Be aware of the insecurity of written notes, voicemail messages, e-mail, text messages, “tweets,” and social media**

Technology allows words written or said without much forethought to be distributed wide and far. Before recording or putting something in writing, consider:

- Would you feel comfortable to have this note faxed to others?
- How would you feel if this voicemail message was played on a speaker phone in a full office?
- What would happen if this e-mail or text message was forwarded to others?
- How would you feel if this comment, image, video, “tweet,” or social media post went “viral” for the world to see and read?
- Written notes, voicemail messages, email and social media posts should be treated as potentially "public" communication. It is the responsibility of the City Council to be aware of and follow the City’s Data Practices Policy and the Minnesota Government Data Practices Act (“MGDPA”).
- If the communication is between Councilmembers, could this conversation or written exchange, including emails, text messages, and other forms of electronic communication violate Minnesota’s Open Meetings Law?

- **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates and arguments will be watched, and casual comments between individuals before and after public meetings noted. Before Council meetings are opened and after they are closed, Councilmembers should avoid any pre- and post-meeting discussions amongst themselves, as such conversations could violate Minnesota’s Open Meetings Law, or at least be perceived as a violation.

Mayor and Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

- **Limit contact to specific City staff**

Questions of City staff and/or requests for additional background information should be directed to the City Administrator, Mayor, or Department Heads. The City Administrator should be copied on or informed of any request.

Requests for follow-up or directions to staff should be made only through the City Administrator. When in doubt about what staff contact is appropriate, Councilmembers should ask the City Administrator or Mayor for direction. Materials supplied to a Councilmember in response to a request will be made available to the Mayor and all members of the Council so that all have equal access to information.

- **Do not disrupt City staff from their jobs**

The Mayor and Councilmembers should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. As a matter of courtesy and effective time management, Councilmembers should schedule appointments with staff in advance.

- **Never publicly criticize an individual employee**

The Mayor and Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Administrator through private correspondence or conversation. Councilmembers must respect the City's employees' right to data privacy under the MGDPA.

- **Do not get involved in administrative functions**

The Mayor and Councilmembers must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

- **Check with City staff on correspondence before taking action**

Before sending correspondence, the Mayor and Councilmembers should check with City staff to see if an official City response has already been sent or is in progress.

- **Do not attend meetings with City staff unless requested by staff.**

Even if the Mayor and/or Councilmember does not say anything, the Mayor and/or Councilmember's presence implies support, shows partiality, intimidates staff, and hampers staff's

ability to do their job objectively.

- **Limit requests for staff support**

Requests for additional staff support – even in high priority or emergency situations – should be made to the City Administrator who is responsible for allocating City resources in order to maintain a professional, well-run City government.

- **Do not solicit political support from staff**

The Mayor and Councilmembers should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Mayor and Council Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of the Mayor or individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony or comment.

- **Be welcoming to speakers and treat them with care and gentleness**

Speaking in front of the Mayor and Council can be a difficult experience for some people. Some issues the Council undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that the Mayor and Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity. Deescalating a situation will lead to a more productive outcome for all involved and the community as whole.

- **Give the appearance of active listening**

It is disconcerting to speakers to have the Mayor and Council members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

- **Ask for clarification, but avoid debate and argument with the public**

Only the Mayor – not individual Councilmembers – may interrupt a speaker during a presentation. However, using the Council's rules of procedure, a Councilmember may ask the Mayor to address the situation if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council members' personal opinions or inclinations about upcoming votes should not be revealed until after the public

hearing is closed.

- **No personal attacks of any kind, under any circumstance**

The Mayor and Councilmembers should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

- **Follow the Council's rules of procedure in conducting public meetings**

The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to the Council's rules of procedure. Final rulings on procedural issues are made by the Mayor, subject to the Council's rules of procedure.

MAYOR AND COUNCIL CONDUCT IN UNOFFICIAL SETTINGS

- **Make no promises on behalf of the Council**

The Mayor and Councilmembers will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to express personal feelings or positions on an issue or to give a brief overview of City policy and to refer to City staff or Council for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers, approve a license or permit, install a traffic sign, etc.).

- **Make no personal comments about the Mayor or other Councilmembers**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about the Mayor or other Councilmembers, their opinions and actions.

- **Remember that despite its continued growth, Alexandria is a small community at heart**

The Mayor and Councilmembers are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Alexandria. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by the Mayor and Councilmembers, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Mayor and Council Conduct with Other Public Agencies

- **Be clear about representing the City or personal interests**

If the Mayor or a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Mayor or Councilmember must clearly state:

- 1) If his or her statement reflects personal opinion or is the official stance of the City;
- 2) Whether this is the majority or minority opinion of the Council, if the Council has taken a position on the matter. Even if the Mayor or Councilmember is representing his or her own personal opinions, remember that this still may reflect upon the Council as an organization and the City as a whole.

If the Mayor or Councilmember is representing the City, the Mayor or Councilmember must support and advocate the official City position on an issue, not a personal viewpoint even if the Councilmember may personally disagree with the City's official position.

If the Mayor or Councilmember is representing another organization whose position is different from the City, the Mayor or Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. The Mayor and Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

- **Correspondence also should be equally clear about representation**

City letterhead may be used when the Mayor or Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the City Administrator to be filed as part of the permanent public record.

City letterhead may not be used for correspondence of the Mayor and Councilmembers representing a personal point of view, or a dissenting point of view from an official Council position.

Mayor and Council Conduct with Boards, Committees and Commissions

The City has established several Boards, Committees, and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Mayor and City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- **If attending a Board or Commission meeting of which the Councilmember is not a member, be careful to only express personal opinions** The Mayor and Councilmembers may attend any Board or Commission meeting, which are always open to any member of the public. However, if the Board or Commission is conducting a public hearing, the Mayor or Councilmember shall remove themselves from the proceedings. The Mayor and Councilmembers should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by the Mayor or a Councilmember at a Board or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council. Also, the Mayor or a Councilmember's presence may affect the conduct of the Board or Commission and limit their role and function. In addition, Councilmembers must be cognizant of how their presence impacts any potential quorum of the Council and, therefore, the resulting implications under Minnesota's Open Meeting Law.

- **Limit contact with Board and Commission members**

It is inappropriate for the Mayor or a Councilmember to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. The Mayor and Councilmembers should contact staff in order to clarify a position taken by the Board or Commission.

- **Remember that Boards and Commissions serve the community, not the Mayor or individual Councilmembers**

The Mayor and City Council appoint individuals to serve on Boards and Commissions, and it is the

responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to the Mayor or individual Councilmembers, nor should the Mayor or Councilmembers feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

- **Be respectful of diverse opinions**

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Mayor and Council with advice based on a full spectrum of concerns and perspectives. The Mayor and Councilmembers must be fair and respectful of all citizens serving on Boards and Commissions.

- **Keep political support away from public forums**

Board and Commission members may offer political support to the Mayor or a Councilmember, but not in a public forum while conducting official duties. Conversely, the Mayor or Councilmembers may support Board and Commission members who are running for office, but not in an official forum in their capacity as the Mayor or a Councilmember.

- **Inappropriate behavior can lead to removal**

Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council which shall decide the appropriate action, which may include removal from the Board or Commission.

Mayor and Council Conduct with the Media

The Mayor and Councilmembers may be contacted by the media for background and quotes.

- **The best advice for dealing with the media is to never go "off the record"**

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted. Words that are said cannot be unsaid.

- **The Mayor is the official spokesperson for the representative on City position**

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.

- **Choose words carefully and cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, cursing or word play. When talking to the media, consider the same issues noted in the **In Private Encounters** section above.

Sanctions

• Public Disruption

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

• Inappropriate Staff Behavior

Council members should refer to the City Administrator any City staff who do not follow proper conduct in their dealings with Council members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions.

• Council members Behavior and Conduct

The Mayor or City Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

1. If the Mayor or a Councilmember believes that another Councilmember or the Mayor has violated this Code of Conduct or the City's Code of Ethics during a meeting of the Council, s/he should call the matter to the offending person's attention at that or a subsequent Council meeting. If the problem continues, it shall be referred to the Mayor (or the President Pro Tempore if the complaint is against the Mayor) who will attempt to resolve the matter in private. If the dispute is between the Mayor and the President Pro Tempore, the Council shall select one of its other members to attempt to privately resolve the matter. The Mayor (or President Pro Tempore or Council's designee, if any) may involve the City Administrator and/or City Attorney to investigate and make recommendations about the dispute. If these private efforts do not resolve the matter, then the Mayor or any member of the Council may bring it before the Council at a duly noted public meeting, at which time the Council shall decide whether or not to proceed with further action as noted in section 3 below.
2. If the Mayor or a Councilmember believes that another Councilmember or the Mayor has violated this Code of Conduct or the City's Code of Ethics at a time other than a meeting of the Council, s/he should call the matter to the offending person's attention and attempt to resolve it privately. If the problem is not resolved or continues after that informal discussion, it may be called to the attention of the Mayor (or the President Pro Tempore if it is the Mayor's actions that are being challenged) who shall attempt to privately resolve the matter. If the dispute is between the Mayor and the President Pro Tempore, then it shall be referred to the City Attorney who shall attempt to privately resolve the matter. The City Administrator shall be included in these efforts to privately resolve the matter. If these private efforts do not resolve the matter, then the elected official who initiated the complaint may raise it with the City Council at a duly noted public meeting, at which time the Council shall decide whether or not to proceed with further action as noted in section 3 below.
3. If a Code of Conduct or Code of Ethics complaint is raised with the City Council after informal efforts to resolve it have failed as described in 1 or 2 above, then the Council shall, at a duly noted public meeting, consider all available evidence and decide whether sanctions

are warranted, and if so, which sanction(s) to impose. Prior to making this decision, the Council may authorize the City Attorney, City Administrator, and/or other designee to investigate the matter further and to report his or her findings to the Council. The Council may also form an ad hoc committee to look into the matter. If, after considering all evidence presented, the Council determines that sanctions are warranted, the Council may take any and all lawful action it deems appropriate, including: requiring the offending member to undergo training or other appropriate education intended to fix the problem, censure, or terminating appointments to boards, committees and commissions.

Principles of Proper Conduct/Statement of Values

The proper operation of democratic government requires that decision-makers must be independent, impartial and accountable to the people they serve. All elected and appointed officials, City employees and volunteers shall subscribe to the statement below, understand how it applies to their specific responsibilities and practice this conduct and express these values in their work.

Representatives of the City of Alexandria.....

- Serve the public interest
- Fulfill the duties and responsibilities of holding public office
- Are forward thinking
- Keep promises
- Are dependable
- Build a solid reputation
- Participate and are available
- Demonstrate patience
- Practice fiscal responsibility
- Show empathy
- Hold onto ethical principles under stress
- Listen attentively
- Study thoroughly
- Keep integrity intact
- Overcome discouragement
- Go above and beyond, time and time again
- Model a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up divisiveness or controversy
- Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals . . . respect for the validity of different opinions . . . respect for the democratic process . . . respect for the community that we serve.

Checklist for Monitoring Conduct/Values

- ✓ Will my decision/statement/action violate the trust, rights or good will of others?
- ✓ What are my interior motives and the spirit behind my actions?
- ✓ If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- ✓ How would my conduct be evaluated by people whose integrity and character I respect?
- ✓ Even if my conduct is not illegal or unethical, is it done at someone else's expense? Will it destroy their trust in me? Will it harm their reputation?
- ✓ Is my conduct fair? Just? Morally right? If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- ✓ Does my conduct give others reason to trust or distrust me?
- ✓ Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- ✓ Do I exhibit the same conduct in my private life as I do in my public life?
- ✓ Can I take legitimate pride in the way I conduct myself and the example I set?
- ✓ Do I listen and understand the views of others?
- ✓ Do I question and confront different points of view in a constructive manner?
- ✓ Do I work to resolve differences and come to mutual agreement?
- ✓ Do I support others and show respect for their ideas?
- ✓ Will my conduct cause public embarrassment to someone else or my community?