

# Redbook

## Rules of the City Council\* [Amendment for Audit Committee] *Draft – for discussion purposes only*

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### Rule 1. Meetings

(A) All meetings of the Council shall be open to the public. A portion of any open meeting may be closed to the public pursuant to Minnesota Statutes Section 13D.03 or 13D.05. At such closed meeting, only City Council Members, the Mayor, members of the City Clerk's Office, City Attorney's Office, the Mayor's Chief of Staff and appropriate departmental staff may be present. Council or Mayoral aides and associates may not be present at a closed Council meeting. If an elected official is not able to attend the closed meeting, the elected official may contact the City Attorney to receive information regarding discussions at the closed Council meeting. (1/9/2009)

(B) Except as modified by a yearly calendar schedule adopted by the city council at its organizational meeting, regular committee of the whole meetings shall be held at 10:00 a.m. on the second and fourth Thursdays of each month and regular council meetings shall be held at 9:30 a.m. on the second and fourth Fridays of each month. A meeting for transacting business relating to the organization of the city council shall be held at 9:30 a.m. on the first business day in January of each even-numbered year. The president (and in the president's absence the vice-president) of the council shall take the chair at the appointed hour for the council to meet, whether in regular or special session, and call the members to order, at which time the roll of members of the council shall be called by the clerk.

(C) If a quorum of members is present and answer to their names the minutes of the preceding meeting or session shall be presented for approval and all mistakes in the minutes, if any, shall be corrected. Alternatively the further consideration of such minutes may be made the special order for any subsequent meeting or session of the council. If such minutes shall not be corrected within forty (40) days from the taking thereof, they shall be considered approved.

(D) The president shall preserve order and decorum and shall decide all questions of order and the decision shall be final unless an appeal shall at once be taken to the council.

On every appeal so taken the president shall have the right to give reasons for the decision and the council member shall be permitted to explain the reasons for the requested appeal.

Such appeal shall be decided by a majority vote.

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(E) Except as otherwise provided by law, the term "majority" shall mean a majority of those members voting, a quorum being present.

(F) Any amendments, motions or resolutions submitted for action at a regular or special Council meeting must be offered in writing. Any amendments, motions or resolutions not submitted in compliance with this provision shall not be considered unless a motion to suspend the rules is approved. This provision does not apply to non-substantive motions, including but not limited to motions to postpone, limit debate, refer a matter to committee, recess, or adjourn, or a motion to correct typographical errors.

(G) Any matter that has been on the "Unfinished Business" portion of the city council's agenda for three consecutive regular council meetings will be returned to the appropriate standing committee for further consideration.

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## **Rule 2. Voting**

(A) The "yeas" and "nays" shall be called on any question and entered on the journal. Every member present who declines to vote on any question shall be recorded as "declining to vote." Every member absent shall be recorded as "absent." The vote of each member shall be recorded on each appropriation of money, except for payment of judgments, claims and amounts fixed by statute. Unless objected to by a council member, the council president may, upon his or her own motion, allow a member who was present at the original roll call of the meeting to vote after the vote has been announced.

(B) By order of the chair and no objection being made by any member, any action which requires a roll call vote may lay over to final roll call and such roll call shall have the same force and effect as though the vote had been taken on each matter separately.

(C) By order of the chair and no objection being made by any member, any action may be set aside for action later in the meeting.

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## **Rule 3. Committee Procedure**

(A) All meetings of committees shall be open to the public except as otherwise permitted by law and concurred in by a majority vote of the committee members present.

(B) Regular meetings of standing and special committees of the council shall be held at times established by the president of the council. Special meetings of committees may be called by the chair of the committee, provided that reasonable attempt is made to notify each member of the committee of the time and place of such meeting.

(C) The "yeas" and "nays" shall be called on all questions and recorded in the minutes of the committee. All committee members, including the chair, shall have their votes recorded. Every member present who declines to vote on any question shall be recorded as "declining to vote." Every member absent shall be recorded as "absent." A voice vote shall be permitted and the clerk shall upon request record the names of those who vote "yea" or "nay."

(D) Any matter referred to a committee by the council shall be considered at the next regular meeting of such committee. The committees may also consider and act upon other matters directed to their attention by city staff or officials.

(E) After a committee has adopted a report, no change therein shall be made before it is presented to the council except by the action of the committee at a public meeting.

(F) The reception of a committee's report shall not be construed as conferring any authority upon any committee, nor upon any city officer, but the adoption of such report shall have the same effect as the adoption of a motion or resolution, except in cases where a resolution or ordinance would be required under the provisions of the charter.

(G) **Generally**, it is the role of a committee to make a recommendation and to forward that recommendation to the council. Committee recommendations shall be "recommend approval," "recommend denial," or "forward without recommendation". Any action of a committee making a recommendation to the council and adopted by a majority of the committee shall be reduced to writing and presented at the next meeting of the city council. In preparing reports, the clerk shall incorporate as many items as may reasonably be included in each report. **The Audit Committee, due to its unique structure and defined jurisdiction over matters not requiring the further review or consideration of the full council, necessitates an independence from these procedures. Therefore, the Audit Committee shall observe and comply with these procedures for those matters that require a report or referral to the City Council; otherwise, the Audit Committee shall, at its discretion, act by motion adopted by a majority of its members for those matters within the jurisdiction of the Audit Committee. For those matters within the jurisdiction of the Audit Committee which do not require its formal action, such matters shall be received and filed.**

(H) At the request of any member of the committee, the clerk shall separate any items from the report and prepare a separate report on such items, provided that if any member has received a copy of the consolidated report, the clerk shall promptly notify said member of the separation.

(I) Any matter referred to a committee shall remain in the committee until its report is made unless the committee has been directed to report back by a date certain. If, however, the council intends to act upon any matter referred to a committee before a report is made, it may do so by discharging the committee. A motion to discharge a committee shall require a two-thirds vote of the council unless previous notice has been given, in which case the motion shall pass upon a majority vote of all of the members of the council. **A motion to discharge from the Audit Committee may only pertain to those matters referred by City Council, or which would otherwise necessitate report or referral by the Audit Committee to the City Council for formal action. Matters that are within the exclusive jurisdiction of the Audit Committee may not be discharged by action of the City Council.**

(J) Any of the council's committees may meet jointly, **except for the Audit Committee, which may not meet in join session with any of standing or special committee.** A joint meeting requires a quorum of each standing committee that is meeting jointly. Committees meeting jointly may receive information but cannot take any action other than to refer matters to one or more of the council's standing committees.

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#### Rule 4. Committee of the Whole

(A) The council vice-president shall chair committee of the whole meetings.

(B) The rules of the council shall be observed in the committee of the whole so far as they may be applicable, except that the previous question shall not be enforced, nor

the number or length of speeches be limited, nor any motion made except to adopt, amend, report or to rise.

(C) Except for those matters for which a public hearing has been held, the committee chair may permit members of the public to speak at the committee of the whole meetings. After consultation with the council leadership, special events and presentations may be scheduled at the discretion of the council vice-president.

(D) The chair of the committee of the whole shall set the agenda.

(E) The following matters may be directly referred to committee of the whole without first having been referred to one of the other standing committees:

1. Consideration, modification and actions on the City's vision, goals and strategic directions.
2. Major enterprise-wide initiatives, with consent of the relevant committee chair(s).
3. Reports regarding the semi-annual resident survey or employee survey results.
4. Items that are not logically suited for another council committee, with consent of the relevant committee chair(s).
- 5. Reports or matters referred from the Audit Committee.**
6. Items that require a simultaneous, initial hearing by all council members.
7. Emergency or other actions where the regular committee cycle is not adequate to meet sequencing needs.

Any matters considered by the committee of the whole under this paragraph may be referred to another standing committee by motion under the regular rules of debate. Any action of the committee of the whole under this paragraph making a recommendation to the council shall be adopted by a majority of the committee under the regular rules of debate, shall be reduced to writing, and shall be presented to the council at its meeting in the next council cycle. In the event of an emergency or where the regular council cycle is not adequate, the action may be presented at the next meeting of the city council.

(F) There shall be a subcommittee of the committee of the whole called the intergovernmental relations subcommittee which shall be comprised of all council members. That portion of the committee of the whole meeting considering matters before the intergovernmental relations subcommittee shall be chaired by the intergovernmental relations subcommittee chair. Matters before the intergovernmental relations subcommittee shall be governed by Rule 3 of these rules and all actions and reports from the subcommittee shall be presented directly to the council at its meeting in the next council cycle. In the event of an emergency or where the regular council cycle is not adequate, the action may be presented at the next meeting of the city council.

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## Rule 5. Ordinance Introduction

An ordinance may be introduced only by a member of the council who at a previous meeting or session has given notice thereof, or by any committee of the council when the subject matter of the ordinance shall have been referred to such committee at a previous meeting or session. Such ordinance shall include, immediately preceding the title thereof, the name of the council member introducing it. An ordinance may, by unanimous consent of all the members present, be introduced without previous notice and passed by unanimous consent at the same session. Also, an ordinance may be passed at the same session at which it is first reported when the reporting is done by any committee of the council to whom the subject of such ordinance had been referred at any previous session. Upon introduction and referral of an ordinance to the appropriate committee, the chair of that committee may at that time announce the time and place of the public hearing to be held on the ordinance.

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## Rule 6. Ordinance Adoption

(A) The second reading of an ordinance shall be at the city council meeting following committee action upon the ordinance. Amendments may be offered on the occasion of the second reading of the ordinance.

(B) If amendments are made, the chair shall so announce the same as they are made, and the parts of the ordinance that are amended shall be read as amended before a vote is taken on their passage.

(C) If no amendment is made, the question shall be called on the ordinance.

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## Rule 7. Ordinance Publication

After an ordinance has been passed, the clerk shall make a fair and correct copy of the same.

The same shall be presented by the clerk to the mayor for approval and shall be published.

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## Rule 8. Journal

In all cases where an ordinance, motion, resolution or order shall be entered on the journal, the name of the council member moving the same shall be also entered thereon.

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## Rule 9. Petitions And Communications

Petitions or other papers addressed to the council shall be presented by the clerk or a council member.

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## Rule 10. Clerk - Duties

(A) It shall be the duty of the clerk to keep a correct journal of the proceedings of the council, to cause committees, members of the council, city officers and departments to be informed of such duties as they may be charged with by the council from time to time, and to perform such other duties that devolve upon the office of the clerk.

(B) The clerk shall give such information to the members of the council when requested, as the clerk may possess, relating to the city, its affairs, or the actions of the council.

(C) The clerk shall retain custody of the journal, accounts and papers pertaining to the business of the council, except as may be required to conduct the business of the council.

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## Rule 11. Standing Committees

(A) Standing committees are established as follows and consist of the numbers of appointed members as indicated. Members shall be appointed by majority vote of the council and shall be changed from time to time by a majority vote of the council.

**The membership of the Audit Committee shall comply with the provisions of the Minneapolis Code of Ordinances, Title 2, Chapter 17.** Except as otherwise indicated, a majority of the members of a committee shall constitute a quorum. In no case shall a council member serve simultaneously on the Community Development and Ways & Means/Budget committees.

Council Members	Quorum	
6 (3 council members, 3 citizens)	4	Audit
5	3	Claims
13	7	Committee of the Whole
6	4	Community Development
13	7	Elections
6	4	Public Safety and Health
6	4	Regulatory, Energy and Environment
13	7	Rules
13	7	Taxes
6	4	Transportation and Public Works
6	4	Ways and Means/Budget
6	4	Zoning and Planning

(B) When the committee on taxes is serving as the board of equalization to consider applications for adjustment of assessed valuation of property, the chair may designate members of the committee to act as a hearing panel to obtain evidence and make recommendations to the entire committee which shall review the evidence and recommendations for purpose of submitting its report as the board of equalization.

(C) Temporary appointments to fill vacancies on committees, including chairs and vice-chairs, may from time to time be made by the president pending action by the council.

(D) When a license or license application has been referred to the committee on Regulatory, Energy and Environment for action requiring an evidentiary hearing, the chair of the committee may designate three (3) members of the committee to act as a hearing panel, and may appoint one of the members so designated to act as chair of the hearing panel. The hearing panel shall conduct a hearing, obtain evidence, and make a report and recommendation directly to the full council.

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## Rule 12. Order of Business

In the ordinary transaction of business, the following order shall be observed:

1. Adoption of agenda.
2. Acceptance of minutes.
3. Presentation of claims, petitions and other communications.
4. Reports from officers and departments of the city.
5. Reports from standing committees in alphabetical order.
  - a. Joint committee reports: A report shall be considered a joint committee report if it is acted upon simultaneously by two or more committees meeting together. The report shall appear at the end of the agenda of the first committee listed.
  - b. Referred committee reports: A report shall be considered a referred committee report if it is acted upon by one committee and then referred to another committee(s). If a referred committee report is not amended or otherwise modified by any committee(s) to which it has been referred, the report shall appear at the end of the agenda of the originating committee with a notation of the committee(s) to which the report has been referred. If a referred committee report is different from the report of the originating committee, all reports shall appear at the end of the agenda of the committee which took the first action in order of their referral.
  - c. Matters originating in two committees simultaneously: These reports shall appear on the agenda under the first committee listed.

6. Reports from special committees.
- 7. Reports from the Audit Committee.**
8. Motions.
9. Resolutions.
10. Unfinished business.
11. New business.
12. Announcements. Announcements shall be limited to notification of public events or programs of community-wide significance and interest. Concerns or matters of current, pending, or future Council deliberations are not considered announcements. Council Members may not report on their activities or accomplishments. (6/30/2006)  
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### Rule 13. Motions - Rank

The ordinary motions shall rank as follows, the lowest in rank being at the bottom and the highest at the top of the list. When any one of them is immediately pending, the motions above it in the list are in order, and those below are out of order.

#### UNDEBATABLE

- (Fix the time to which to adjourn)
- (Adjourn)
- (Take a recess)
- (Raise a question of privilege)
- (Call for the orders of the day)
- (Lay on the table)
- (Previous question)
- (Close, limit or extend limits of debate)

#### DEBATABLE

- (Postpone to a certain time)
  - (Commit or refer)
  - (Amend)
  - (Postpone indefinitely)
  - (A main motion)
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### Rule 14. Debate

(A) No member shall speak more than twice during the same day to the same question (only once on an appeal), nor longer than seven (7) minutes for the first speech on a question and five (5) minutes for a second speech on the same question. For the purpose of this rule the making of a motion other than a point of personal privilege or point of order shall be considered a speech. Additional speaking time may be granted by leave of the council, and the question upon granting the leave shall be decided by a two-thirds vote without debate. The mayor shall be permitted to speak in the same manner and subject to the same restrictions as a member except on matters of the city council's organization, rules or procedures.

(B) No member of the public shall be permitted to address the council at its meetings. Except for information relating to a quasi-judicial proceeding, members of the public may distribute printed material at regular or special council meetings if such materials are provided to the city clerk prior to the start of the meeting in sufficient number of copies for the mayor, city council members, city attorney, city clerk, and members of the public.

(C) A motion to resolve into a committee of the whole may be recognized by the president at any time during a regular, adjourned or special council meeting. The moving party must state the specific purpose for making the motion indicating the subject matter to be discussed, the names of persons who desire to speak, and the

time limits for discussion. The motion shall be nondebatable except as to the time limit for discussion.

(D) If a motion to close debate and bring one or more pending questions to an immediate vote is made and seconded and if the president or, in the absence of the president, the presiding officer, has not spoken to the pending question(s), the president or, in the absence of the president, the presiding officer may speak once before the vote is taken on the motion to close debate.

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## Rule 15. Suspension Of Rules

Any rules of council procedure may be suspended or amended at any meeting of the council by a vote of two-thirds of all of the members.

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## Rule 16. Motions

No written motion or motions submitted to the city clerk by members of the council shall be read by the clerk for consideration until and unless the member or members submitting the same is present and has first secured recognition from the chair, except that such motion or motions may be so read by the clerk without such recognition at the regular time fixed in the agenda of the council for the reading of motions.

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## Rule 17. Return to Author

Any proposed ordinance may, after it has been introduced and given its first reading, be by motion returned to the author.

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## Rule 18. Rescission of Previous Action

Any previous action which may properly be rescinded shall require a majority vote, provided notice has been given at a previous meeting or session, other than the meeting at which it is adopted; or on the agenda for any regular or special meeting; or it may be rescinded without notice by a vote of nine (9) or more members of the council.

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## Rule 19. Public Hearings - Requirement

(A) Appointments or approvals of persons to the following positions shall be made only after a public hearing by the appropriate council committee for which adequate notice has been provided:

City Assessor  
City Attorney  
City Clerk  
City Coordinator  
City Engineer  
Civil Rights Commission Member  
Civil Rights Department Director  
Civil Service Commission Member  
Civilian Review Authority Member  
Community Planning and Economic Development Department Director  
Commissioner of Public Health  
Fire Chief  
Metropolitan Sports Facilities Commission Member  
Planning Commission Member  
Police Chief

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## Rule 20. Rules of Parliamentary Practice

The rules of parliamentary practice, embraced in Robert's Rules of Order, Revised, shall govern the council in all cases to which they are applicable and in which they are not inconsistent with these rules.

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## Rule 21. Amendment of rules

These rules may be amended at any regular meeting of the city council by a two-thirds vote, provided that the rules committee has made a recommendation regarding the proposed amendment prior to the city council's consideration of the amendment.

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