



Resolution No. 2026R-004

City of Minneapolis

File No. 2026-00006

Author: Payne

Committee: None

Public Hearing: None

Passage: Jan 5, 2026

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RECORD OF COUNCIL VOTE				
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Payne	X			
Wonsley	X			
Rainville	X			
Vetaw	X			
Warren	X			
Osman	X			
Shaffer	X			
Stevenson	X			
Chavez	X			
Chughtai	X			
Whiting		X		
Chowdhury	X			
Palmisano	X			

MAYOR ACTION

Pursuant to City Charter Article IV § 4.4, this act does not require Mayor's signature

DATE

Certified an official action of the City Council

ATTEST:

*[Handwritten Signature]*  
CITY CLERK

Presented to Mayor: N/A

Received from Mayor: N/A

**Adopting the 2026 Council Rules as the definitive Minneapolis City Council Rules of Order.**

Whereas, pursuant to Article IV of the Minneapolis City Charter, the legislative and policymaking authority of the municipal government is vested in the City Council, except as otherwise provided by law, and such authority is to be exercised in the common interests, safety, health, and general welfare of the City of Minneapolis; and

Whereas, the City Council is empowered to regulate its own procedures and the conduct of business, as provided in Minneapolis City Charter §4.4(a)(1), and to that end has adopted Robert's Rules of Order, Newly Revised, as its parliamentary authority, in addition to a number of special rules which collectively define and govern its legislative process with respect to the consideration and transaction of municipal business;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the 2026 Version of the Council Rules is hereby adopted and declared to be the definitive *Rules of Order* of the City Council of the City of Minneapolis, which shall regulate the proceedings of the City Council and its committees.

Be It Further Resolved that the City Clerk is directed to update, as appropriate, and produce sufficient copies of the *Rules of Order* and to maintain the same for ready reference and use by the City Council, its committees, staff, and the public.

**APPENDIX A – RULES OF CITY COUNCIL  
ADOPTED PURSUANT TO RESOLUTION ~~2024R-013~~ 2026R-004**

**I. RULES**

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

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

SECTION 3. Amendment of Rules. Proposals to amend the rules shall first be referred to the committee having subject-matter jurisdiction for its review and recommendation before final action by the City Council. Final adoption of any amendment to the rules shall be by a two-thirds vote of the fixed membership.

**II. ORGANIZATION**

SECTION 1. Organizational Meeting.

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

SECTION 2. Officers and Duties.

- A. President: The President is the presiding officer of the City Council and, when present, shall officiate over its proceedings; shall have a voice and vote in all its deliberations; and shall be fully vested with the authority necessary to discharge the duties of office. Without limiting the generality of the foregoing, it is the duty of the President (or presiding officer) to:
  - (1) Have principal supervision over the City Council docket and direct the preparation of an agenda for each of its meetings.
  - (2) Convene each meeting of the City Council at the appointed hour and, in the presence of a quorum, proceed to the business to be presented in proper order.
  - (3) Recognize those entitled to the floor and confine debate to matters under consideration.
  - (4) Preserve order and decorum in the Council's proceedings and ensure compliance with these rules to determine the will of the Council.
  - (5) Refer all matters to the appropriate committee having proper subject matter jurisdiction.
  - (6) State and put to vote all matters properly introduced and declare the result thereof for the record.
  - (7) Speak in preference to others on points of order, inquiry, or information.
- B. Vice-President: The Vice-President shall be first to serve as presiding officer in the absence or disability of the President, or whenever the President is acting as Mayor pursuant to the City Charter. In addition, the

Vice-President shall have and perform such other duties as may be assigned or delegated from time to time by the President or by the City Council.

- C. Clerk: The City Clerk is ex officio Clerk of the City Council and, in that capacity, shall: attend all its meetings and record the proceedings thereof; superintend the issuance of notices, dockets, agendas, and similar matters; keep and preserve the journals, records, and papers of the City Council; render advice and assistance in the interpretation and application of the rules, precedents, procedures, and practices of the City Council; cause committees, officers, and departments to be informed of such duties as they may be charged with by the City Council from time to time; and provide information to the City Council or its committees, when requested, as the Clerk may possess relating to the City, its affairs, or the actions of the City Council.
- D. Other Officers: The City Council may provide for other officers of its own body that it deems necessary, including the process for selection of the officer and the duties to be assigned.
  - (1) Majority Leader: The Majority Leader shall have and perform such duties as may be assigned or delegated from time to time by the President or by the City Council.
  - (2) Minority Leader: The Minority Leader shall have and perform such duties as may be assigned or delegated from time to time by the President or by the City Council.

### III. MEETINGS OF THE COUNCIL

SECTION 1. Meetings, generally. Unless otherwise noticed, meetings shall be held in the Council's chamber (~~room 350~~) ~~at the public service center~~ (Room 380) at City Hall, unless otherwise noticed, in accordance with an adopted schedule. All meetings shall be open to the public in accordance with the Minnesota Open Meeting Law. In the event of a disturbance or conduct that is disruptive to the proceedings, the presiding officer may remove the individual(s) or may recess the meeting until such time as order may be restored.

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

SECTION 3. Adjourned Meetings. Any regular or special meeting may be adjourned to a future date or time.

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

- A. Attendance by Elected Officials. The Mayor and Council Members have the right to attend and participate in closed meetings.
- B. Staff attendance.
  - (1) The City Clerk shall attend and record the proceedings and may designate staff members to assist.
  - (2) The City Attorney, and representatives of the City Attorney's Office, including external legal counsel on behalf of the City of Minneapolis, may attend closed meetings to provide legal advice on issues being presented.
  - (3) The Mayor's chief of staff may attend closed meetings.
  - (4) Appropriate departmental staff may be present when such attendance is required because of the nature of the issues being presented.
  - (5) Anyone not specifically identified in this section shall not be admitted to a closed meeting except when such attendance is granted by motion carried by a majority of Council Members present and participating.
- C. If an elected official is unable to attend a closed meeting, the elected official may contact the City Attorney to receive information regarding those closed proceedings.

SECTION 5. Policy Roundtables. A policy roundtable is a meeting that permits detailed study and examination of specific subject matters or topics that are not yet formulated as formal policy or proposal nor yet ripe for official action by the City Council. A roundtable may be conducted by the full Council or by any of its committees. No formal or final action may be taken on any matters presented or discussed at a policy roundtable; however, if appropriate, direction may be given to prepare the matter for introduction through a standing committee in accordance with the standard legislative process. The Council President shall approve the subject matter(s) and scheduling of all policy roundtables but may delegate this duty to another Member.

SECTION 6. Calendar & Notices. Notice of all meetings of the City Council and of its standing committees shall be provided as required by law. For convenience, notice of regular meetings may be made in the form of a calendar, which, if produced, shall be posted in a public place and made available to the public upon request. When necessary due to lack of quorum or the needs of the City, the President, or, in the President's absence, the Vice-President, may cancel any regular meeting of the City Council, or may direct the rescheduling of a regular meeting to another date and time prior to the next regular meeting.

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

SECTION 8. Order of Business. In the ordinary transaction of business at regular meetings, the following order shall be observed:

- A. Call to Order.
  - (1) Adoption of the agenda.
  - (2) Acceptance of minutes. The minutes of the preceding meeting shall be presented for acceptance. If the minutes are not accepted within forty (40) days from the taking thereof, they shall be deemed approved without further action by the City Council.
  - (3) Presentation and referral of petitions, reports, and other communications.
- B. Reports of Standing Committees, in alphabetical order.
- C. Reports of Special Committees, including the Audit committee, if any.
- D. Notice of Ordinance Introductions. Notices for the subsequent introduction of ordinances shall be included under this order.
- E. Introduction & Referral Calendar. Pursuant to notice, ordinances for formal introduction, first reading, and referral shall be included under this order.
- F. Resolutions.
- G. Motions.
- H. Unfinished Business. Matters under Unfinished Business for three consecutive regular meetings shall be returned to the appropriate standing committee for further consideration.
- I. New Business. The presentation of new business matters not properly classified under a separate established order shall be included under this order.
- J. Announcements. Announcements shall be limited to notification of public events or programs of community significance and interest. Concerns or matters of current, pending, or future Council deliberations are not considered announcements. Council Members may not report on their activities or accomplishments.
- K. Adjournment.

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

The order of business for special or other types of meetings shall be determined by the President.

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

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

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

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

Aides, assistants, and other staff of individual Council Members and of the Mayor are granted access to the dais to provide assistance, relay messages, deliver papers or messages, and similar purposes. The Council President, on behalf of the City Council, and without objection from any Member, may invite other persons within the bar and upon the dais for specific, limited purposes, such as the presentation of special honors or recognitions.

SECTION 12. Public Attendance and Participation. To ensure meetings are conducted in a professional and courteous manner which enables the orderly conduct of business, all persons in attendance or who participate in such meetings shall conduct themselves in a manner that does not interfere with the ability of others to observe and, when allowed, to participate without disruption or fear of intimidation.

- A. Decorum. Persons who attend meetings must avoid conduct that disrupts, interferes with, or disturbs the orderly conduct of the meeting or the ability of other attendees to observe and participate as appropriate. To that end, persons who attend meetings are subject to the following:
- (1) Members of the public may only speak during meetings when allowed under Council Rules and only after being recognized by the presiding officer. The presiding officer may establish time limits for the acceptance of public comments or testimony.
  - (2) Public comments or testimony must be addressed to the presiding officer and not to other Council Members, staff, or others in attendance.
  - (3) All elected officials shall be referred to by their proper title and surname.
  - (4) Public comments should avoid personal accusations, profanity, or other improper content for a public meeting.
  - (5) Intimidating behaviors, threats of hostility, or actual violence are disallowed.
  - (6) Audible demonstrations of approval or disapproval should be avoided, including conduct that may be intimidating or threatening to others.
  - (7) Holding, displaying, or placing banners, signs, objects, or other materials in any way that endangers others, prevents the free flow of individuals within the chamber, or obstructs or prevents the viewing of the meeting by others is not allowed.
- B. The presiding officer shall request any person(s) who disrupt, interfere with or disturb the orderly conduct of a meeting to cease the conduct and, as necessary, shall issue an oral warning to the individual(s) found to be in violation. If the individual(s) persists in disrupting, interfering with, or disturbing the meeting, the presiding officer may have the individual(s) removed or, under appropriate circumstances, temporarily clear the gallery. If for any reason the presiding officer fails to take such action, a majority vote may be substituted for action by the presiding officer to maintain order and decorum over the proceedings.

SECTION 13. Acknowledgment of Public Recording of Meetings. Meetings of the City Council and its committees are public and are, typically, both recorded and televised. Members of the public who attend and present comments or testimony at hearings shall have been deemed to grant permission to the City of Minneapolis to record and televise their presence and testimony.

**IV. COMMITTEES**

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

SECTION 2. Standing Committees. Standing committees are responsible for providing direction, setting priorities, and ensuring coordination between related policies, programs, and services within their assigned jurisdictions; providing forums for public participation in the City’s decision-making processes; and monitoring the implementation and effectiveness of policy and program decisions through the City’s departments and divisions. It is the duty of each standing committee to review and make recommendations on matters referred to it, or which arise within its jurisdiction, and to forward its recommendations on the same to the full City Council.

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

STANDING COMMITTEES	MEMBERS	QUORUM
<del>Administration &amp; Enterprise Oversight</del>		
Budget	13	7
Business, Housing & Zoning	<del>6</del> 7	4
Climate & Infrastructure	<del>6</del> 7	4
Committee of the Whole	13	7
<u>Enterprise &amp; Labor Relations</u>	<del>6</del> 7	4
<del>Public Health &amp; Safety</del> <u>Public Health, Safety &amp; Equity</u>	<del>6</del> 7	4
SPECIAL COMMITTEES	MEMBERS	QUORUM
Intergovernmental Relations	13	7

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

- A. Settlement Agreement & Consent Decree Subcommittee. There shall be a subcommittee of the standing Committee of the Whole called the Settlement Agreement & Consent Decree Subcommittee to which shall provide focused oversight and evaluation on the Mayor and Administration’s implementation of the Court-Enforceable Settlement Agreement with the Minnesota Department of Human Rights; to receive reports and information and to provide policy-level coordination and direction and to consider and take other appropriate actions with respect to the United States Department of Justice investigation into the City’s Police Department; and to consider related matters associated with police reform and accountability that fall outside the scope of authority of the Public Health & Safety Committee.

SECTION 5. Work Groups. The City Council may from time to time establish work groups to give focused attention to specific subject matters referred to them, generally for the purpose of providing advice and recommendations on referred matters as well as preparing proposals for new or amended policies which could be addressed through the regular legislative process. These work groups would operate separately from the Council's system of standing and special committees as a means of centering community in the process of addressing complex subjects in a consistent, public, and accessible manner. In general, work groups will include membership from Council and Mayor and key representatives of the Administration (operating department), all formally appointed by City Council. The Council by resolution would create each work group and, among other issues, would:

- (1) Identify the subject matter to be referred;
- (2) Define the purpose, organization, and objectives of the work group, including its scope, working parameters, and any specific tasks to be completed;
- (3) Set the number of seats, membership, and method of its selection;
- (4) Specify the timeline in which its work is to be completed; and
- (5) Provide that the work group automatically terminates and ceases to function after submitting its findings and report to the City Council unless otherwise directed by formal act of Council.

SECTION 6. Committee Management. The chair of each committee is responsible to the City Council for the effective operation of his or her assigned committee. A committee chair has the same rights, duties, and privileges as other committee members, including the right to introduce business, to speak in debate, and to vote on all matters properly in possession of the committee.

- A. Duties of Chair. Without limiting the generality of the foregoing statement, it shall be the duty of each chair to:
- (1) Direct the preparation of an agenda for each meeting outlining all matters to be properly presented for consideration and action.
  - (2) Convene each meeting at the appointed time, ascertain the presence of a quorum, and proceed to the business of the committee.
  - (3) Recognize those entitled to the floor; confine debate to matters under consideration; explain or clarify rules or procedures, decide points of order, speak in preference to others for this purpose; and ensure order and decorum over the committee's proceedings.
  - (4) State and put to vote all matters before the committee and declare the result thereof for the record.
- B. Vice-Chair. The vice-chair shall preside and perform the foregoing duties in the absence of the chair.
- C. Committee Clerk. The City Clerk shall assign a clerk to each committee who shall, under the direction of the chair, or its presiding officer, attend to the business operations of the committee.

## **V. COMMITTEE PROCEDURES**

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

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

SECTION 3. Rules and Procedures in Committee. The rules of City Council, so far as they are applicable and to the extent practicable, shall apply to the meetings of its committees. The committee chair shall determine the degree

to which such rules are enforced so as to facilitate the committee's work in generating, evaluating, perfecting, and finalizing policy proposals and business matters referred to it, or such matters which arise within its jurisdiction.

SECTION 4. Consideration of Committee Business. Each committee shall consider matters referred by the City Council at its next regular meeting. A committee may also take up and consider proposals arising within its jurisdiction or upon matters which may be directed to its attention by City officials or departments. Committee recommendations shall be limited to: recommend approval; recommend denial; or, forward without recommendation. Any matter referred or directed to a committee, or any matter which is taken up by the committee within its own jurisdiction, shall remain in the committee until its report is made, unless the City Council has directed that the committee report by a date certain or discharged the matter from committee.

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

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

SECTION 7. Committee Reports.

- A. All actions of a committee, including the committee's recommendations on matters referred or directed to its attention, shall be reduced to writing in the form of a committee report adopted by a majority of the committee's members. A committee report, once adopted, shall be transmitted for presentation at the next regular meeting of the City Council.
- B. After a report has been adopted by a committee, no change therein shall be made before it is presented to the City Council except by further action of the committee during a duly noticed public meeting. At the request of any member, the matters contained within the report may be separated into individual reports and notice of this separation shall be given to all committee members.
- C. It is the duty of the chair to present the committee's report under the appropriate order of business during meetings of the City Council. In the absence of the chair, the vice-chair shall make the report or, in the absence of both, some other member of the committee may submit the committee's report.
- D. The Council's reception of a committee's report shall not be construed as conferring any authority upon any committee, nor upon any officer or department of the City; however, the adoption of a report shall have the same effect as the adoption of a motion or resolution, except in cases where a resolution or ordinance would be required by law.

## **VI. PUBLIC HEARINGS**

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

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

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

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

## **VII. MOTIONS, DEBATE & VOTING**

### SECTION 1. Motions.

- A. It is the duty of the presiding officer to accept a proper motion whenever it is in order. A motion is in order when it is presented at an appropriate time, violates no rule, and is not clearly for the purpose of delaying or obstructing business. When necessary, the presiding officer may suggest the proper form of a proposal or may request clarification of a proposal before entertaining and proceeding with it.
- B. All substantive motions and amendments must be offered in writing and must be provided in sufficient quantity to permit copies to be distributed to the Mayor, all Council Members, the City Clerk, the City Attorney, and the public. This requirement shall not apply to non-substantive motions, including but not limited to motions to postpone, extend or limit debate, refer, recess, adjourn, or to correct clerical errors. Motions and amendments not submitted in compliance with this provision shall not be considered unless the rules shall first be suspended.
- C. Rank. The precedence of the ordinary motions have a rank amongst themselves, with the lowest in rank being the Main Motion. When any one of them is immediately pending, the motions above it in the list are in order, and those below it are out of order. [See Appendix D for the Chart of Ordinary Motions.]

### SECTION 2. Debate.

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

SECTION 3. Rulings by Presiding Officer; Appeals. The presiding officer shall decide all questions of order and priority in debate. Any Council Member may appeal from the decision of the presiding officer. On every appeal so taken, the presiding officer shall have the right to give reasons for the decision and the Council Member appealing shall be

permitted to explain the basis for his or her appeal. The question on any appeal shall then be: "Shall the decision of the presiding officer be sustained?" No other business shall be in order until the appeal has been decided by majority vote without debate.

#### SECTION 4. Voting.

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

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

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

SECTION 7. Presentation of Official Acts to the Mayor. All official acts of the City Council, except those pertaining to its own organization, rules, and procedures, are subject to the consideration and approval of the Mayor. Within five days of such presentation (Sundays excepted), the Mayor must either: 1) approve and sign the action(s); or 2) veto the action(s) and return the same together with the Mayor's objections thereto to the City Clerk. If the Mayor returns any ordinance, resolution, or other act of the City Council within the allotted five-day period without having signed the same, it shall be deemed to have been approved without the Mayor's signature.

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

### **VIII. ORDINANCES & RESOLUTIONS**

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

of an ordinance to the appropriate committee, the chair of that committee may at that time announce the time and place of the public hearing to be held on the ordinance.

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

SECTION 3. Ordinances: Number of Readings. Generally, each ordinance shall receive a minimum of two readings, conducted on separate dates. After introduction and referral, the ordinance is subject to perfection through the ordinary amendment process.

SECTION 4. Ordinances: Introduction by Unanimous Consent. Notwithstanding the requirement for two separate readings, an ordinance may be introduced without previous notice by unanimous consent of all Council Members present at the meeting.

SECTION 5. Ordinances: Emergency Action. In the event of an emergency or declared disaster, for which purpose the cause must be recorded in the journal, the City Council may introduce without prior notice and pass in a single meeting an ordinance by the unanimous vote of the entire membership.

SECTION 6. Ordinances: Enactment Procedure. Ordinances shall be passed by a majority vote of the fixed membership, taken by yeas and nays. After an ordinance has been passed, the Clerk shall engross all amendments, if any, and produce an official, conformed copy which shall be transmitted to the Mayor. If approved by the Mayor, or if the Mayor's veto is overturned by the City Council, the City Clerk shall assign the ordinance a number and enroll the same in the permanent records of the City. Each enacted ordinance shall become effective upon publication in the City's official newspaper unless an alternate effective date is provided within the ordinance. If an alternate effective date is provided within the ordinance, then the ordinance shall become effective upon the date stated within the ordinance.

SECTION 7. Ordinances: Return to Author. After it has been introduced and given its first reading, any proposed ordinance may, by motion, be returned to its author.

SECTION 8. Resolutions. When necessary, the City Council may exercise its powers through the adoption of resolutions where the same may not suitably be done through the enactment of an ordinance. Whenever required, by law or otherwise, the City Council shall act by resolution, which shall require a majority vote of the fixed membership, taken by yeas and nays.

SECTION 9. Ordinances & Resolutions: Expiration. At the organizational meeting of City Council, following the regular municipal election, the City Clerk shall cause to be presented a report listing all ordinances, resolutions, and other matters introduced and referred to committee during the previous four-year term which remain undisposed and have not been reported by a standing committee. The City Council may direct any or all such matters to be re-introduced and re-referred; otherwise, all such matters as reported by the City Clerk shall be deemed to have expired.

## **IX. JOURNAL & RECORDS**

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

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

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

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

## KEY TO PROCEDURAL CITATIONS & REFERENCES

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

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

\* \* \*

### I. Rules ..... 1

SECTION 1. Purpose; Procedural Authority.

See Minn. Stat. §412.191, subd. 2

See MCC §4.4.(a)(1)

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

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

NOTE 1: It is necessary that every deliberative assembly be governed by rules of procedure which enable the will of the majority to be decided in an orderly manner. Among other purposes, these rules of procedure determine the priority and manner in which questions are to be considered. Cushing says the great purpose of all such rules and forms is to subserve the will of the assembly rather than to restrain it; to facilitate and not to obstruct the expression of its deliberate sense. Parliamentary law is founded on certain organizing principles; these include:

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

Procedural rules are derived from several sources and take precedence in a definite order, as follows:

- (1) Constitutional provisions and judicial decisions thereon;
- (2) Statutory provisions and judicial decisions thereon;
- (3) Adopted rules of an assembly;
- (4) Adopted parliamentary authority;
- (5) Common parliamentary law; and
- (6) Precedents and customs.

Whenever there is a conflict between rules from these sources, the rule established in the higher-ranking source prevails over any rule or procedure from a lower-ranking source. If there is a conflict between rules originating from the same source, then the rule or procedure that is more specifically directed to the matter at issue prevails; the specific prevails over the generic.

NOTE 2: It is an accepted legal principle that the ultimate authority of the municipal government is vested in its duly constituted governing body as it meets. Thus, it is only in the context of a properly convened meeting that the governing body may take action. It is also an accepted legal principle that every governmental body has the inherent right to regulate its own procedure, subject to constitutional and other lawful controlling provisions. Rules of procedure are always within control of the majority of a deliberative assembly; the assembly has exclusive power to adopt, amend, or abolish its own rules of procedure. A violation of procedural rules that are adopted by a deliberative assembly for its own purpose, where not required by or in conflict with an applicable constitutional or lawful regulation, will not impair the validity of an action as the act of breaking a mere procedural rule is at least the equivalent of a suspension of that rule when it is disregarded by those who have power to control it.

NOTE 3: Rules of procedure exist to serve the deliberative assembly and its members; thus, a third party cannot object to a breach of procedural rules or even of an established procedure or custom of the body, provided there is no conflict with or violation of a constitution or lawful authority. The right to object to a breach in procedure is an exclusive right of the body and its members.

NOTE 4: *Robert’s Rules of Order Newly Revised*, 11th Edition, is the most current version and supersedes all earlier editions as the parliamentary authority for organizations which have adopted it [See RONR – In Brief, page 100].

SECTION 2. Suspension of Rules.  
See RONR §25 [Suspend the Rules, pp. 260-267]

NOTE 5: The purpose of procedural rules is to aid a deliberative assembly in performing its duties more efficiently and with fairness to its members. Whenever the rules fail to serve this purpose and are not required by a constitution or other lawful authority, the rules may be suspended. Procedural rules may be amended, suspended, or waived at the body’s pleasure when they exist within the control of a majority of the body.

SECTION 3. Amendment of Rules.  
See RONR §35 [Rescind/Amend Something Previously Adopted]  
See RONR §44 [Voting – Two-Thirds Vote Required, p. 401, l. 19-28]

NOTE 6: Because rules are established to protect the rights of all members, and to provide a consistent framework within which the assembly conducts its business, any motion to suspend or amend the adopted rules requires a higher voting threshold for passage.

II. Organization ..... 1

SECTION 1. Organizational Meeting.  
See MCC §4.3 (c)

NOTE 7: The object of organizing an assembly is to provide members with the necessary means of expressing their deliberative sense on all matters and questions presented in a reasonable and orderly fashion, to facilitate and control its collective work, so that the assembly may achieve the purpose and objectives of the organization.

NOTE 8: At the start of each elective term, the City Clerk—as returning officer—presides over the initial organization of the City Council. In the absence of the City Clerk, the Assistant City Clerk assumes this duty.

SECTION 2. Officers and Duties.  
PRESIDENT:  
See MCC §4.3.(c)(2)  
See MCC §7.1.(e)(1)  
See generally RONR §47 [Officers – Chairman or President, pp. 448-457]

VICE-PRESIDENT:  
See MCC §4.3.(c)  
See generally RONR §47 [Officers – Vice-President, pp. 457-458]

CITY CLERK:  
See MCC §4.2.(e)(1)  
See generally RONR §47 [Officers – Secretary, pp. 458-460]

III. Meetings of Council ..... 2

SECTION 1. Meetings, generally.  
See Minn. Stat. § 13D [Open Meetings Law]  
See generally Minn. Stat. § 142.191, subd. 2  
See generally MCC §4.3.  
See MCC §4.3.(d) – Regular meetings  
See RONR §9 [Regular Meeting, pp. 89-91]

SECTION 2. Special Meetings  
See MCC §4.3.(e) – Special meetings  
See RONR §9 [Special Meeting, pp. 91-93]

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

NOTE 9: An adjourned meeting is a continuation of a prior regular or special meeting; therefore, it is out of order to renew or consider motions previously introduced and disposed of without adoption. See RONR §38, pp. 336-339 for details.

SECTION 4. Closed Meetings

See Minn. Stat. §13D.01, subd. 3 [Subject of and grounds for closed meeting]

See Minn. Stat. §13D.03 or §13D.05

See RONR §9 [Executive Session, pp. 95-96]

SECTION 5. Study Sessions.

SECTION 6. Calendar & Notices.

See Minn. Stat. §13D.04 [Notice of meetings]

- Subd. 1 [Regular meetings]
- Subd. 2 [Special meetings]
- Subd. 2 [Recessed or continued meetings]
- Subd. 2 [Closed meetings]

See Minn. Stat. §645.15

See Minn. Stat. §331A.08

SECTION 7. Quorum.

See Minn. Stat. §645.08 (5)

See MCC §4.3.(a)

See RONR §40 [Quorum]

SECTION 8. Order of Business.

See RONR §41 [Order of Business (Agenda or Program)]

See *generally* definition, terms, and uses for agenda, pp. 371-375.

SECTION 9. Informal Consideration via Committee of the Whole.

SECTION 10. Seating and office arrangements.

SECTION 11. Attendance upon the dais.

SECTION 12. Public Attendance and Participation.

SECTION 13. Acknowledgment of Public Recording of Meetings.

IV. Committees ..... 4

SECTION 1. Committees: Purpose, Appointment & Structure.

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

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

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

NOTE 10: A committee—as understood in parliamentary law—is a subordinate body composed of one or more members tasked with investigating, developing recommendations, or acting on referred matters or upon subjects within its jurisdiction, or both, or to do all these things. A committee generally has no independent authority, it being merely an instrument formed for the benefit and purposes of the assembly.

SECTION 2. Standing Committees.

SECTION 3. Special Committees.

SECTION 4. Subcommittees.

SECTION 5. Committee Management.

V. Committee Procedures ..... 6

SECTION 1. Meetings.

NOTE 14: The committee system is at the heart of the legislative process; committees shape, perfect, and put proposals into proper form for consideration by the assembly. Consequently, it is presumed the City Council will refer all proposals to the proper committee for review and recommendation, and that any exception or deviation from this practice shall be in a narrowly-defined and extraordinary circumstance.

SECTION 2. Quorum.

See RONR §40 [Quorum]

SECTION 3. Rules and Procedures in Committee.

NOTE 15: To assure free and full discussion on the merits of proposals and referred matters, the rules are generally relaxed in committee and procedure is much less formal, the purpose of a committee being to thoroughly evaluate and develop recommendations; see procedures for small boards in RONR, pp. 487-488. The intent is to provide a minimum structure that enables the committee to reach consensus and to make decisions. To that end, the following are usual and acceptable procedures in committee:

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

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

SECTION 4. Consideration of Committee Business.

SECTION 5. Discharge of Committee.

SECTION 6. Voting in Committees.

SECTION 7. Committee Reports.

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

VI. Public Hearings ..... 7

SECTION 1. Public Hearing, Defined.

SECTION 2. Role of the Chair.

SECTION 3. Public Speakers.

SECTION 4. Public Hearing Required for Certain Appointments.

VII. Motions, Debate & Voting ..... 8

SECTION 1. Motions.

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

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

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

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

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

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

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

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

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

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

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

An incidental motion pertains to the procedures of the assembly and questions about procedure that arise out of other motions. Incidental motions must be disposed of before other motions may be considered or acted upon. The list of incidental motions—which carry no rank order—are as follows:

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

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

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

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

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

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

**NOTE 16:** ABOUT MAIN MOTIONS—There are four instances in which a main motion is never in order; these are:

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

**NOTE 17:** ABOUT AMENDMENTS—If a proposition cannot be stated in a different form, it cannot be amended. The following are general rules related to the motion to amend:

- (1) The motion to amend is a primary amendment, or an amendment in the first degree, and is applied to the immediately pending motion. The motion to amend an amendment is a secondary

amendment, or an amendment in the second degree, and is used to modify a pending primary amendment. Amendments which exceed the second degree are not allowed.

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

## SECTION 2. Debate.

See RONR §43 [Debate, pp. 385-399]

**NOTE 18:** The purpose of debate is to enable a majority of a deliberative assembly, through the exchange of ideas and opinions, to produce a collective judgment on a particular subject matter or proposal for action, which stands as the decision or action of the assembly. As the interchange of ideas and opinions necessarily involves criticism of expressed viewpoints, which can be interpreted as criticism of individuals, parliamentary law provides a number of procedures to focus debate on the merits of propositions and to avoid discussion of personalities. First and foremost, all debate is directed to and through the presiding officer. Second, members must not impute the motives of others, but must always confine remarks in debate to the pending question. Third, members must display respect for others, which includes refraining from sidebar conversations or other actions that would distract from the individual claiming the floor and recognized by the presiding officer. Finally, members must not abuse the rules to obstruct the business of the assembly.

**NOTE 19:** Rights in regard to debate are not transferrable. Thus, a member cannot yield any unexpired portion of time to another member or reserve any portion of time for a later point. If a member yields the floor before his or her allotted time in debate has concluded, the presumption is that member the member has waived the right to any remaining balance of time. [See RONR § 43, p., 388, ll 12-25.]

**NOTE 20:** Each debatable motion introduces a new question with respect to members' rights in debate — see RONR 43, pp. 389-390, ll. All main motions, amendments, and appeals are debatable because they represent substantive questions requiring the judgment of the assembly. Thus, if a series of debatable questions is pending, a member has the right to debate each question (that is, to speak twice to each debatable question) subject to the general time limitations provided within these Rules. Modification to the general limits of debate—that is, to limit/restrict or to extend debate—may be made as set forth in *Robert's Rules of Order, Newly Revised*, pp. 390-391.

**NOTE 21:** Some motions, by design, are undebatable. Thus, those motions which are designed to perform a time-sensitive task where debate would be counterproductive are classified as undebatable; these include:

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

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

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

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

- Parliamentary Inquiry

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

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

SECTION 3. Rulings by Presiding Officer; Appeals.

See RONR §24 [Appeal, pp. 255-260]

SECTION 4. Voting.

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

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

NOTE 22: All proceedings of a deliberative assembly which ripen into a result do so by a vote of its members; hence, all official acts are rightfully referred to as votes of the City Council, regardless of actual form. There are, however, different forms in which an act by such vote may be taken. For example, legislation is enacted by ordinance; administrative acts and the expression of the will or sense of the assembly is by adoption of a resolution; orders to agencies and staff are accomplished by directives; and the bulk of routine business is processed by the passage of motions, etc.

NOTE 23: On final action on ordinances and resolutions, and on many other proposals, the vote is taken by roll call. The majority of legislative bodies utilize this voting method because it is the most accurate and easily verified form of voting to transact. Moreover, this voting method places on record the vote of each member of the assembly; since Council Members vote in a representative capacity, their constituents are thus able to determine how their representative voted on a specific issue or subject matter.

NOTE 24: A tie vote results in no action being taken by the assembly but does not automatically equate to the opposite effect of the original proposal. Thus, if a motion to approve a proposal results in a tie vote, no action has been taken, and the original proposal remains in possession of the assembly, subject to further motions under the rules of debate; however, the proposal was not defeated (voted down) as a result of the tie vote. One notable exception to this general application of the rule is that on an appeal taken to the ruling of the presiding officer, a tie vote does sustain the ruling of the presiding officer. This is based on the principle that the decision of the presiding officer can only be reversed by a majority vote.

SECTION 5. Reconsideration.

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

SECTION 6. Rescission of Previous Action.

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

SECTION 7. Presentation of Official Acts to the Mayor.

See MCC §4.4.(c)

SECTION 8. Consideration of Mayoral Veto.

See MCC §4.4.(c)(3)

VIII. Ordinances & Resolutions ..... 10

SECTION 1. Ordinances: Manner of Introduction.

See MCC §4.4.(a)(2)

See MCC §4.4.(b)

NOTE 25: The introduction and referral of ordinances generally follows a two-step process intended to ensure adequate notice to all parties. Generally, this process is as follows—

First, a notice of intent must be made at a prior meeting. Such notices are agendaized under the order of *Notice of Ordinance Introductions*.

Second, after notice is given in the first cycle, the ordinance is brought forward under the order *Introduction & Referral Calendar* in the next cycle. Under Council’s Rules, the President refers the ordinance to the standing committee(s) having proper subject-matter jurisdiction, although the President’s decision may be appealed to the full City Council. A majority vote is required to approve the referral. The

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

SECTION 2. Ordinances: Title, Author & Enacting Clause.  
See Rule IX., Section 2, which addresses required content for ordinances.

SECTION 3. Ordinances: Number of Readings.  
See MCC §4.4.(b)  
See Rule IX., Section 3, which establishes a standard of two readings for passage of an ordinance on two separate days, subject to certain exceptions and alternate provisions.

SECTION 4. Ordinances: Introduction by Unanimous Consent.  
See ORDINANCE FLOWCHART, page 20, for an outline of the standard legislative process.

SECTION 5. Ordinances: Emergency Action.  
See ORDINANCE FLOWCHART.

NOTE 26: This emergency enactment procedure eliminates the notice, introduction, first reading and referral processes and enables the City Council to introduce and pass an ordinance in a single meeting. As ordinances are the equivalent of municipal statutes, this provision is extraordinary and is designed to expedite passage under declared emergency conditions.

SECTION 6. Ordinances: Enactment Procedure.  
See MCC §4.4(b), (c), (d), and (e)  
See ORDINANCE FLOWCHART, page 20, for an outline of the standard legislative process.

SECTION 7. Ordinances: Return to Author.  
NOTE 27: A motion to Return to Author effectively kills the proposal.

SECTION 8. Resolutions.  
See MCC §4.4.(a)(2)

NOTE 28: An ordinance refers to a local law of a municipal corporation prescribing general, uniform, and permanent policies, rules, or regulations related to the corporate affairs of the municipality. [McQuillin, *Municipal Corporations*, § 15 01 (3d Ed )]. The general ordinances of the municipality, as codified, comprise the body of local law governing the management of local affairs, the conduct of persons, the allowable uses of property, and a myriad of other subject matters upon which the municipal government exercises primary oversight and power.

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

From this general distinction, it follows that those matters of a general, uniform, and permanent nature which establish policies, rules, or regulations, especially those which include penalty provisions for violations, the form should be an ordinance. An ordinance should also be used in any instance required by state statute, city charter, or any other applicable requirement of law. Notwithstanding this guide, the City Council may, in specific instances, exercise its powers through the adoption of resolutions when the same cannot be more readily done through the enactment of an ordinance. Note, however, that the City Charter (Plain Language Revision) removed the more rigid differences between ordinances and resolutions and refers more generally to “acts” of the City Council, which includes ordinances, resolutions, and any other form of lawful action.

SECTION 9. Ordinances & Resolutions: Expiration.

IX. Journal & Records ..... 10

SECTION 1. Journal of Proceedings.

See Minn. Stat. 13D.01, subd. 5, regarding statutory requirement that public access be provided to the journal

See Minn. Stat. §13.03 [Access to government data]

See Minn. Stat. §15.17 [Official records]

See Minn. Stat. §331A.01, subd. 6 [Content of proceedings]

See Minn. Stat. §331A.01, subd. 10 [Summarization for publication]

See Minn. Stat. §412.151, subd. 1 [Clerk to record proceedings]

See Minn. Stat. §363A.42 [Accessibility of public records]

See MCC §4.4.(e)

**NOTE 29:** The veracity of the official record of acts, orders, and judgments is critical in providing documentary evidence of decision-making processes, particularly if such actions become subject to judicial review. The Minnesota State Auditor's Office has issued a position statement (revised in 2009 and reviewed December 2010) outlining the recommended components for meeting minutes which establishes minimum contents to be included for every type of meeting. In that statement, the State Auditor's Office opined that audio or video recordings of meetings do not constitute "minutes," and are not a substitute for a requirement to produce and keep minutes.

SECTION 2. Petitions & Communications.

SECTION 3. Publication.

See Minn. Stat. §331A.01, subd. 6 and 10 [Content of proceedings and Summarization of proceedings]

See Minn. Stat. §331A.08, subd. 3 [Computation of time for legal publication]

See Minn. Stat. §412.191, subd. 3

See Minn. Stat. §645.11

See MCC §4.4.(d)

SECTION 4. Codification.

See Minn. Stat. §415.02 and §415.021

See MCC §4.2.(e)(2)(C)

## ORDINANCE FLOWCHART

*This flowchart illustrates the steps in the process of enacting an ordinance in the City of Minneapolis.*

### **STEP 1: NOTICE OF INTENT**

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

### **STEP 2: ORDINANCE INTRODUCTION**

Introduction  
First Reading and Referral

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

### **STEP 3: COMMITTEE ACTION**

Public Hearing  
Perfection

Under the rules, all matters referred by the City Council must be considered at the next regular meeting of the committee. If required, the committee will conduct a public hearing on the proposed ordinance. The committee may then proceed to perfect the draft through the regular amendatory process. When its work is completed, the committee, through its chair, must submit its recommendation—either to approve, to deny, or to submit without recommendation—to the full Council.

### **STEP 4: COUNCIL CONSIDERATION**

Second Reading  
Final Action

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

### **STEP 5: MAYORAL CONSIDERATION**

The ordinance, as passed by the City Council, is submitted to the Mayor, who may approve the ordinance by authenticating it with his or her signature, or may veto the ordinance. An ordinance vetoed by the Mayor is returned to the City Council at its next regular meeting and the Council, with a two-thirds vote of its membership, may override the veto of the Mayor, otherwise the veto is sustained. If the ordinance, as passed by the City Council, is approved and signed by the Mayor, or is approved over the veto of the Mayor, then it becomes an *enacted ordinance*.

### **STEP 6: ENROLLMENT & PUBLICATION**

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

### **STEP 7: CODIFICATION**

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

### CHART OF REQUIRED VOTES

TYPE OF VOTE	VOTES REQUIRED	CITATION
Abolishment of a planning agency	2/3 of all members (9)	Minn. Stat. 462.354, subd. 1
Acceptance of Gifts to Municipalities/Grants	2/3 of all members (9)	Minn. Stat. 465.03
Adopt motion	Majority of quorum	
Adopt resolution	Majority of members (7)	MCC, Art. IV § 4.4 (a) (3) (A)
Adopt resolution annexing territory to City	Majority of members (7)	Minn. Stat. 414.041
Amend City Charter	Unanimous of all members (13)	Minn. Stat. 410.12
Amend the Rules of City Council	2/3 of all members (9)	Council Rule I. Section 3
Amend zoning ordinance changing property classification from residential to either commercial or industrial, which is enacted following a 40-acre survey and a finding that compliance with the consent requirement is impractical (If the 2/3 written consent requirement is met for the amendment of the zoning classification, only a majority vote is required)	2/3 of all members (9)	Minn. Stat. 462.357, subd. 2 and subd. 5
Appoint City Clerk	Majority of quorum	MCC, Art. IV § 4.2 (f) (1) MCO, Title 2, § 8.120 (b)
Appoint officers: Grant consent to Mayor's nomination	Majority of quorum	MCC, Art. VIII, § 8.4 (b)
Appoint officers: If office is vacant for at least 90 days (30 days for Police Chief)	Majority of members (7)	MCC, Art. VIII, § 8.4 (b) (2)
Change grade of street	2/3 of all members (9)	MCC, Art. IV § 4.4 (a) (4) (B)
Authorize slaughterhouse within the City	3/4 of all members (10)	MCC, Art. IV 4.4 (a) (4) (H)
Authorize unbudgeted payment out of current funds	3/4 of all members (10)	MCC, Art. IV 4.4 (a) (4) (I)
Adopt or amend the comprehensive plan by resolution	2/3 of all members (9) (Majority of all members (7) for amendments to permit affordable housing development)	Minn. Stat. 462.355, subd. 3
Designate improvements under Elwell Law (Paving), by resolution	Majority of members (7)	Minn. Stat. 430.01
Discharge a committee without previous notice	2/3 of members present	Council Rule VI. Section 5
Grant leave to speak more than twice on same day to same subject	2/3 of members present	Council Rule VIII. Section 2A
Levy property taxes for special service charges	Majority of members (7)	MCO, Title 17
Make appropriations (roll call vote required)	Majority of members (7)	MCC, Art. IV § 4.4 (a) (3) (C)
Make improvement for which special assessment will be required, except sidewalks	2/3 of all members (9)	MCC, Art. IV § 4.4 (a) (4) (A)
Order sidewalks	Majority of members (7)	MCC, Art. IV § 4.4 (a) (5)
Override veto of the Mayor	2/3 of all members (9)	MCC, Art. IV § 4.4 (a) (4) (F) Council Rule VIII. Section 8
Pass ordinance	Majority of members (7)	MCC, Art. IV § 4.4 (a) (3) (A)
Pass ordinance at same meeting or session at which presented, also amendments	Unanimous consent of all members present	MCC, Art. IV § 4.4 (b) (3) Council Rule IX. Section 5
Remove City Clerk and City Auditor	2/3 of all members (9)	MCC, Art. VIII § 8.2 (g) (3)
Remit or discharge any judgment in the City's favor	2/3 of all members (9)	MCC, Art. IV § 4.4 (a) (4) (E)
Request Board of Estimate & Taxation to sell City of Minneapolis bonds	2/3 of all members (9)	MCC, Art. IX § 9.4 (a) (1) (A)
Rescind prior action without prior notice	2/3 of all members (9)	Council Rule VIII. Section 6
Sell real estate of City	2/3 of all members (9)	MCC, Art. IV § 4.4 (a) (4) (C)
Suspend the Rules of City Council	2/3 of members present	Council Rule I. Section 2
Terminate franchise agreement	2/3 of all members (9)	MCO, Appendix C-1 and D-1, § 11.3
Vacate a public street or alley	2/3 of all members (9)	MCC, Art. IV § 4.4 (a) (4) (D)

## CHART OF ORDINARY MOTIONS

*Adapted from Robert's Rules of Order, Newly Revised*

RANKED ORDER ↓	ORDINARY MOTIONS	Interrupt	Second	Amend	Debate	Vote Req'd	Reconsider
UNDEBATABLE	<i>—PROCEDURAL MOTIONS—</i>						
	<i>The motions listed below are shown in the established order of precedence. When any one of them is pending, a motion of higher precedence (rank) may be proposed, but a motion of lesser precedence (rank) is out of order. The Main Motion has no precedence over none of the listed ordinary motions.</i>						
	Fix the Time to which to Adjourn	No	Yes	Yes	No	Majority	Yes
	Adjourn	No	Yes	No	No	Majority	No
	Recess	No	Yes	Yes	No	Majority	No
	Raise a Question of Privilege*	Yes	No	No	No	<i>Chair Decides</i>	No
	Call for Orders of the Day*	Yes	No	No	No	<i>Chair Decides</i>	No
	Lay on the Table	No	Yes	No	No	Majority	Neg. only
	Previous Question†	No	Yes	No	No	Two-Thirds	Yes
	Delete from the Agenda	No	Yes	No	Yes	Majority	Neg. only
Limit or Extend Debate	No	Yes	Yes	No	Two-Thirds	Yes	
DEBATABLE	Postpone to a Time Certain	No	Yes	Yes	Yes	Majority	Yes
	Commit or Refer	No	Yes	Yes	Yes	Majority	Yes
	Amend**	No	Yes	Yes	Yes	Majority	Yes
	Postpone Indefinitely	No	Yes	No	Yes	Majority	Affirm. only
	Return to Author	No	Yes	No	Yes	Majority	Neg. only
	Receive and File***	No	No	No	No	<i>Chair Instructs</i>	Yes
	<b>► MAIN MOTION (Substantive Motion)</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Majority</b>	<b>Yes</b>
NO RANK ORDER IN THESE MOTIONS	<i>—INCIDENTAL MOTIONS—</i>						
	<i>The motions and points listed below have no established order of precedence amongst them; any of these motions may be proposed at any time except when the body is considering one of the privileged motions: Raise a Point of Privilege; Call for Orders of the Day; Appeal; Object to Consideration; or Point of Order.</i>						
	Appeal*	Yes	Yes	No	Yes	Majority	Yes
	Division of Assembly	No	No	No	No	<i>Chair Decides</i>	No
	Division of Question	No	Yes	Yes	No	Majority	No
	Object to Consideration*	Yes	No	No	No	Two-Thirds	Neg. only
	Parliamentary Inquiry	No	No	No	No	<i>Chair Decides</i>	No
	Point of Order*	Yes	No	No	No	<i>Chair Decides</i>	No
	Request Information	No	No	No	No	<i>Chair Decides</i>	No
	Suspend the Rules	No	Yes	No	No	Two-Thirds	No
	Withdraw Motion	No	No	No	No	Majority	Neg. only
	<i>—RESTORATIVE MOTIONS—</i>						
	Discharge a Committee	No	Yes	Yes	Yes	Two-Thirds	Neg. only
	Reconsider	No	Yes	No	Yes	Majority	No
	Take from the Table	No	Yes	No	No	Majority	No
Rescind Prior Action‡	No	Yes	Yes	Yes	Two-Thirds	Neg. only	
Amend Prior Action‡	No	Yes	Yes	Yes	Two-Thirds	Neg. only	

\* These motions constitute "priority motions" for use of the Council's SPEAKER MANAGEMENT system.

\*\* The motion *Amend* is not debatable when applied to an undebatable underlying motion, and it is not amendable when applied to another amendment.

\*\*\* The motion *Receive and File* disposes of an item without taking any action; it is most commonly a directive made by the presiding officer without the formality of a vote.

† The motion *Previous Question* can be applied to all motions which are amendable and/or debatable, including those of a higher precedence.

‡ These motions do not apply to ordinances and legislative resolutions (bylaws or policies); rather, the correct procedure for addressing changes to these acts is to modify through the positive enactment of a new ordinance or legislative resolution (to amend the prior action) or to introduce the motion to repeal.

### Four Motions Always Out of Order

1. Motions which conflict with any laws, rules or regulations, etc., applicable to the body.
2. Motions which present substantially the same matter as one already decided or rejected during the same session or a conflict with a motion already adopted.
3. Motions which conflict with or present substantially the same question as one which has been finally or temporarily disposed of or which is beyond the authority of the body.
4. Motions which propose actions that are beyond the scope of the body's authority (jurisdiction).