

RESOLUTION NO. 8058

A Resolution Adopting Rules of Order and Procedures for the City Council in Accordance with the City Charter, Section 5.04

BE IT RESOLVED by the City Council of the City of Red Wing, Minnesota, as follows:

In accordance with the Charter of the City of Red Wing, Section 5.04, the following are hereby adopted as the 2025 rules of order and procedures for the City Council. This resolution supersedes Resolution No. 7954.

Section 1: Schedule of Meetings and Elections

1. On the first Tuesday after the first Monday of January following a City General Election, the City Council shall hold an organizational meeting to swear in newly-elected officials, elect officers, adopt the rules of order, adopt the designations of depositories for City funds, adopt the designation of the official newspaper, and conduct any other business as deemed appropriate.
2. On non-election years, the City Council shall decide at their last regular meeting in December the date when they will hold their organizational meeting in January of the upcoming year. At that organizational meeting, the Council will elect officers, adopt the rules of order, adopt the designation of depositories for City funds, and adopt the designation of the official newspaper.
3. The Council shall meet in regular session on the second and fourth Mondays of each month at 6:00 p.m. unless the Council shall direct otherwise.
4. All meetings shall be held in City Hall unless otherwise directed and properly noticed.
5. Council members can attend meetings virtually by following all State law.

Section 2: Election of Officers

1. The Council shall elect a Council President, Council Vice President, and Council President Pro Tem. Each officer will serve a one-year term.
2. There will be a term limit for the office of Council President of four consecutive years. The Council President serves as the leader of the Council by running all Council meetings, making appointments of Council liaisons to boards and commissions, and other miscellaneous roles.

Section 3: Meeting Materials

1. The Council Administrator shall include all appropriate items on the agenda according to the order of business. All reports, communications, ordinances, resolutions, or other matters to come before the Council shall be reported to the Council Administrator at least by noon of the Thursday prior to each regular meeting.
2. Unless the Council otherwise directs, at least 72 hours prior to the meeting, the Council Administrator shall furnish a copy of the regular meeting agenda and all supporting materials to each Council Member. The Council Administrator shall also furnish the meeting agenda and appropriate supporting materials to the press and City staff. Failure to accomplish any of these tasks shall not invalidate the meeting.
3. The Council Administrator shall maintain a copy of the agenda and supporting materials and make the same available for public inspection. All items required to be posted for public notice shall be so done on a notice board located in City Hall.
 - a. In the case of routine claims that allow for early payment discounts, travel advances and reimbursements, and payroll-related claims, the Council Administrator, Administrative Business Director, and Mayor are authorized to pay such claims as they become due and without specific approval of the Council, provided they are contained in the next regular listing of all claims.
 - b. The Council Administrator shall be authorized to make payments for goods and services delivered or performed as per contract conditions prior to Council meetings at his/her discretion and upon approval, as appropriate, by the various affected department heads. All such payments shall be listed at the next regular Council meeting with the listing of bills.

Section 4: Notice and Recording of Meetings

1. Notice of meetings and the manner in which they are conducted shall comply with requirements of the City Charter, City Code, and Minnesota Open Meeting Law.
2. The Council Administrator shall notify the press and post public notice of the time and purpose of the meeting.
3. All meetings in which action is taken shall be televised or audio recorded.

Section 5: Rules of Parliamentary Procedure

1. The rules of parliamentary procedure comprised in the newest revision of Robert's Rules of Order shall govern the Council in all cases in which they are applicable, and to the extent they are not inconsistent with these rules, the Charter, ordinances of the City, or laws of the State of Minnesota.
2. The City Attorney or his/her designee shall function as Parliamentarian to advise the presiding officer on matters of Parliamentary Law.
3. The Mayor, Council Members, and staff shall occupy their respective seats in the Chambers while the Council is in session. The Council President shall make all seating assignments on or before the first regular meeting of the year.
4. The President, or in his/her absence, the Vice President, or in both their absences, the President Pro Tem, shall take the chair at the hour appointed for the Council to meet and shall immediately call the members to order. The names of those present, absent, and excused shall be recorded, as well as arrival and departure time for the members arriving late or leaving early.
5. The presiding officer may debate from the chair and shall not be deprived of any rights or privileges of a Council Member by reason of acting as presiding officer.
6. A quorum shall consist of at least a majority of all members of the Council. If a quorum is not present, a majority of the members present may cancel the meeting. No member or officer shall absent himself/herself from any meeting unless excused by the Council.
7. The City Council shall respect and follow the Code of Conduct, Section 2.15 of City Code.

Section 6: Order of Business

1. The order of business for all regular Council meetings shall be as follows, unless the Council directs otherwise:
 - a. Call to Order
 - b. Pledge of Allegiance
 - c. Excusal of Members
 - d. Approval of Agenda
 - e. Proclamations and Recognitions
 - f. Presentations

- g. Public Comment
- h. Board and Commission Communication
- i. Consent Agenda
- j. Motions and General Business
- k. Communication Items
- l. Adjournment

Section 7: Creating and Amending the Agenda

1. The Council President, in consultation with the Mayor, Council Vice President, and City Council Administrator, shall establish the City Council Agenda for regular and special meetings at the Council Agenda Committee meeting. The Council Agenda Committee meetings are public meetings and will be noticed as open meetings.
2. The presiding officer may vary the order of business or business items to facilitate special orders or the efficient use of meeting time. The Council shall not amend the agenda once the agenda is approved.

Section 8: Consent Agenda

1. Consent agenda items are usually items that are routine business, non-controversial, or have been discussed publicly in the past.
2. Any member of the Council may pull an item from the Consent Agenda, and the Council can then consider that item in its proper order of business.

Section 9: Public Comment

1. Public comment and active involvement of residents in government is encouraged through in-person communication, phone, and email. The City Council will dedicate time during each regular meeting to hear from people.
 - a. The Public Comment period will take place near the beginning of the meeting for people to speak to the Council on items on the agenda and items not on the agenda.
 - b. Each person is allowed two segments of time to speak to the Council. Each segment has a maximum of three minutes and can relate to one or more topics of the person's choosing. If a person uses their second three-minute segment, it must be about topics that are separate from the first

segment. If a person wishes to speak twice, they must either sign up or raise their hand (in person or virtually) two times.

- c. A person may not give either of their three-minute allotments of time to another person.
 - d. Every person desiring to speak shall first be recognized by the presiding officer. No one is allowed to make comments from the audience when the person making comments has not been recognized by the presiding officer. The presiding officer shall preserve order and decorum and decide all questions of order, subject to appeal to the Council.
 - e. Speakers may not make allegations, charges, or complaints against any City employee. If a person wishes to make an allegation or to file a charge or complaint against an employee, the person should do so with the Council Administrator in writing or in a private meeting, or with the individual designated in City policy to receive the allegation, charge, or complaint. Speakers may not make comments or gestures that are threatening, profane, lewd, vulgar, obscene, harassing, or abusive.
 - f. No person shall be allowed to delay or interrupt the proceedings or refuse to obey the orders and rules of the Council. Any person can be removed from the meeting for failure to comply with the chair's rules or for a violation of these rules. The Police Chief or his/her designee shall function as Sergeant-at-Arms to assist the presiding officer in enforcing this rule.
 - g. When a special meeting is scheduled, the Council President will decide whether public comment will be added to the agenda.
 - h. For information on public comment during workshops, see Section 15 (5) of this document.
2. Public comments to the City Council after a Public Hearing at the Advisory Planning Commission should not provide new information.
- a. After a mandatory public hearing has been held at the Advisory Planning Commission, individuals and/or the applicant may choose to present comments on the Advisory Planning Commission's recommendations at a City Council meeting. The purpose of allowing these comments is to provide the applicant and the public the opportunity to directly address the Council on the matter.

- b. The public comments cannot be used to present new information, as all relevant information needs to be provided to the Advisory Planning Commission at the public hearing.
- c. Comments from the public and the applicant at the City Council meeting will happen during the public comment segment of the Council meeting and will be kept to the customary three-minute limit. If the Council requests answers from a member of the public or an applicant on the pertinent topic later in the Council meeting, those may be answered.
- d. If new information is presented to the City Council that was not considered at the Advisory Planning Commission's public hearing, the Council may vote to send the matter back to the Advisory Planning Commission.

Section 10: Electronic Communication

- 1. In keeping with the intent of the Minnesota Open Meeting Law, the Mayor and City Council members shall not use any form of electronic communication technology, such as text messaging or e-mail, to communicate with one another during public meetings. Nor will elected leaders correspond with third parties during a public meeting on matters on the agenda or of public interest.
- 2. Council members who receive electronic communication regarding such shall disclose the information shared with the public at the meeting.
- 3. Text or email communications with staff during the meeting are permitted to address technology or meeting process items.

Section 11: Rules of Voting

- 1. The Council President shall open each agenda item with a brief summary of the issue. A presentation by the appropriate source may be made if requested by the President and/or members of the body. The Council may discuss or debate the issue prior to the motion being made.
- 2. Once a motion is made, a second is necessary prior to additional discussion. The President will ask for action once the discussion is over or if a Council member calls the question.
- 3. If a Council Member calls the question, a vote will occur on that question. A two-thirds (2/3) vote of support will end the debate.

4. If any question contains two or more divisional propositions, the presiding officer may, and upon the request of a member, shall, divide the same.
5. The vote on all ordinances or resolutions shall be by roll call vote.
6. The vote on all matters, with the exception of ordinances and resolutions, shall be taken by asking members in favor to say “aye” and asking if any members are opposed. If there is a question on the number of “aye” votes, any member (typically the President), may ask for a roll call vote.
7. After the decision on any question, any member who voted with the prevailing side may move to reconsider any action at the same meeting. At a subsequent meeting, any member may seek to have a motion to renew added to the agenda. If the motion to renew is added to the agenda, the vote on the motion to renew can take place at that same meeting.
8. When a question is put forward, each Council Member present shall vote aye, nay, or present, unless prior to voting a Council Member is excused from voting for special reasons (such as a conflict of interest as defined by state law) that must be recorded in the minutes. When a Council Member votes “present,” the member is presumed to be abstaining and the vote will be recorded as such. A “present” vote will not be counted when determining a majority vote.
9. Except in an emergency or other unusual circumstance where immediate action is in the best interests of the City, the Council shall not take action on a request for funding that has not been included in the published agenda. The funding request shall be placed on a subsequent agenda for Council consideration.
10. For the purposes of a break during the meeting, the presiding officer may recess the Council without a motion at any time he/she deems appropriate and shall state the time at which the meeting will resume. If the presiding officer decides to recess the meeting until another date, the presiding officer shall state the time and place at which the meeting will resume and the reason for the recess.
11. Occasionally the City Council will go into a closed session for limited reasons as allowed by state law and outlined by state law (see Meeting Guidelines). The Council will pass a motion to go into a closed session and read the reason for the closed session aloud. No action will be taken in a closed session. Following a closed session, the City Council shall publicly pass a motion to go into open session. All closed-session documents and the discussion shall be confidential.

Section 12: Resolutions and Ordinances

1. The City Council shall take action by resolution if required by law, agencies of the state, and/or City Charter. Generally speaking, the City Council shall take action in the form of a simple motion if a resolution is not required.
2. All proposed ordinances shall be introduced in written form and need not be read.
3. All proposed resolutions shall be introduced in written form and need not be read. Any resolution not introduced in writing shall immediately be reduced to writing, and a copy shall be furnished to each member of the Council unless waived by unanimous consent.
 - a. After introduction, any proposed ordinance or resolution may be referred by the presiding officer without objection to any regular or special committee of the Council or, when appropriate, a City board or commission.
 - b. Amendments may be adopted at any time and shall be in writing except for minor amendments which may be made orally and duly noted by the City Clerk. The text of amendments need not be recorded in the minutes but, if not recorded, shall be preserved along with the original proposed ordinance or resolution as introduced.
4. It shall be the responsibility of the Council Administrator, with the assistance of the City Attorney, to review all proposed ordinances and resolutions to ensure that each is properly drafted. Each proposed ordinance and resolution shall have a title clearly stating its subject and purpose.
5. When a proposed ordinance amends or repeals existing ordinances, the title shall refer to the section, subdivision, paragraph, subparagraph, and clause affected. Proposed ordinances shall contain the full text of the section, subdivision, paragraph, subparagraph, or clause as amended.

If a proposed ordinance provides for a new section to the City Code and is not an amendment of existing portions of the City Code, the proposed ordinance shall be arranged, subdivided, and numbered in like manner as the existing City Code, provided that proposed ordinances which relate only to a single purpose, act, or event (such as franchises or annexations), shall remain uncoded and noted in Chapter 25 of the City Code.

6. At any time before or after adoption, the Council Administrator is authorized to correct obvious mistakes in spelling, grammar, punctuation, and typographical errors. In addition, the Council Administrator may change obvious mistakes in the codification of any ordinance at any time prior to publication so as to provide that all ordinances are arranged, subdivided, and numbered in like manner as the existing City Code.
7. After the adoption of any ordinances or resolutions, the City Clerk shall cause the engrossment into it of any amendments properly adopted prior to adopting and prepare an accurate enrolled copy for signatures by the presiding officer of the Council and the City Clerk. The City Clerk shall thereafter cause the enrolled copy to be presented to the Mayor as required by the Charter.
8. Ordinances shall be kept in a permanent file in numerical order as adopted with proof of publication attached. An enrolled ordinance shall be labeled "Ordinance No. ____ Fourth Series."
9. Resolutions shall likewise be numbered and maintained within a separate book. An enrolled resolution shall be labeled "Resolution No. ____."
10. In all other respects, the ordinance or resolution shall be identical to the proposed ordinance or resolution as adopted by the Council subject to the correction of obvious mistakes as provided for in this rule.

Section 13: Veto by the Mayor

1. In accordance with Charter provisions, the Mayor has the right to veto any ordinance or resolution. Except for emergency ordinances, the veto must occur within 96 hours, not including Saturdays, Sundays, or holidays, of receipt of the ordinance or resolution and shall be returned to the City Clerk with a written objection message.
2. The Council shall be presented with the ordinance or resolution and the written veto objection at the next regular Council meeting or at a special meeting called by the Mayor, the President of the Council, or any three members of the Council.
3. When the vote is taken on the veto override, it shall be by roll call and the question shall be, "Shall the veto be overruled and the ordinance/resolution repassed?" If the ordinance or resolution receives the affirmative vote of two-thirds of all members, it shall be deemed adopted without the Mayor's approval and, in the case of ordinances, published as other ordinances.

Sections 14: Rules of the Boards and Commissions

1. Subject to the City Council's approval, City boards and commissions may adopt their own rules of procedure adopted annually for use at their regular meetings. If boards or commissions have not adopted rules of procedure, they will follow the City Council rules, insofar as practical.
2. The establishment of rules of procedure is not intended to curtail the authority of any board or commission in the programming of any operation; rules of procedure are intended to create a foundation under which a public board will conduct business.
3. Board and commission staff liaisons shall cause meeting minutes to be kept and, in all cases, the minutes shall be promptly filed with the City Clerk. Minutes shall provide a general background on the topic, a summary of the discussion, specific action being considered, and the tally of the vote.
4. The Council Administrator shall ensure the meetings are appropriately staffed.
5. Quorums consist of a majority of the appointed commission or board members. The Council Administrator's ex-officio, non-voting membership on all boards and commissions does not count for purposes of determining a quorum, majority, or exceptional majority vote requirements.

Section 15: Workshops

1. The City Council may meet in a workshop session as an alternative to a regular or special meeting when no action is requested.
2. Generally, the subject of the workshop is focused on one topic, is a joint meeting with another public entity, or, in some cases, is a forum for the exchange of ideas. In all cases, topics discussed at workshops will advance to a formal City Council meeting if action is being considered.
3. The workshop format is generally more informal. Workshops can be held at alternative sites. All workshops will be audio recorded and, when feasible, will be video recorded. Mobile workshops shall be audio recorded. Recordings will be made available to the public.
4. Workshops require public notice and are open to the public.

5. Except in the cases of budget workshops, public comment will not be heard at workshops. Instead, the public is encouraged to attend or listen to the workshop audio online and make comments to the Council via email, phone call, a mailed letter, an in-person meeting, or by attending a City Council meeting and speaking during that public comment period. During budget workshops, public comments will be taken at the end, and all comments must be pertinent to the workshop topic.

Section 16: Ad Hoc Subcommittees and Standing Committees

1. The Council may have ad hoc subcommittees to research and explore solutions to problems and/or brainstorm ideas on projects.
 - a. The ad hoc subcommittees must be smaller than a quorum of the Council, have a limited scope of study, and have no decision-making authority.
 - b. Ad hoc subcommittee meetings do not need to be publicly noticed, and agendas and minutes are not necessary. Summaries and recommendations of ad hoc subcommittee work will be regularly reported to the full City Council in the Status Report.
2. The Council may establish Standing Committees to process work.
 - a. Standing committees have regular scheduled meetings, limited scope of responsibilities, and limited authority.
 - b. Standing committee agendas, membership, and minutes will be provided, with the exception of the Agenda Committee. Public Comment will be at the discretion of the committee chair and included on the agenda if directed by the chair.
3. The City Council will receive a copy of the list of standing committees and ad hoc committees in January of each year. The committee list and appointments will be made public on the City's website.

Section 17: Suspension, Amendment, or Continuation of the Rules of Order

1. These Rules of Order may be suspended or amended by a majority vote of all elected members, provided that any amendments shall be presented in writing at the preceding regular meeting and placed on the subsequent agenda under the order of Motions and General Business.

2. These Rules of Order remain in place until a majority of the City Council votes to amend the document.

Adopted this 13th day of January 2025.


Janie Farrar, City Council President

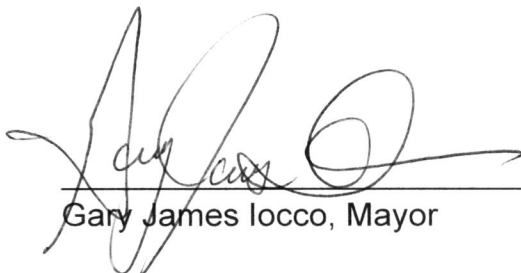
ATTEST:


Teri L. Swanson, City Clerk

(Seal)

Presented to the Mayor at 8:10 p.m. on this 13 day of January 2025.

Approved this 13 day of January 2025.


Gary James Iocco, Mayor