

REGULAR CITY COUNCIL WORK SESSION

January 5, 2021

On-Line Meeting Via Webex

Following the

7:00 p.m. regular City Council Meeting

THE PUBLIC MAY OBSERVE THE ON-LINE MEETING BY CALLING MARCIA GLICK, CITY MANAGER, AHEAD OF TIME AT 763-531-1258 FOR LOG-IN INSTRUCTIONS. THE PUBLIC WILL BE ABLE TO LISTEN BY CALLING +1-312-535-8110 AND ENTERING ACCESS CODE 177 711 2389 . IF PROMPTED, HIT #.

AGENDA

1. CITY COUNCIL WORK SESSION CALLED TO ORDER BY MAYOR PRO TEM
2. ROLL CALL: Kline, Webb, Selman, Backen, Mayor Blonigan
3. REPORT: City Attorney update on Beach South Parking Agreement
4. REPORT: NLC City Summit Virtual Meeting Report: Kline, Webb, Blonigan
5. REVIEW: Strategic Direction & Identify Key topics for 1/30/21 goal session
Note: Work Session with Facilitator following 1/12/21 REDA meeting
6. REVIEW: Council Rules of Procedure and Decorum
7. MONTHLY UPDATE: Problem Properties
8. OTHER BUSINESS
9. ADJOURNMENT

**RULES OF PROCEDURE AND DECORUM
CITY COUNCIL MEETINGS
ROBBINSDALE, MINNESOTA**

Adopted January 2, 1980

SECTION 1. PURPOSE

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

SECTION 2. GENERAL

- Subd. 1. Law. The City Charter, Ordinances and State Statutes governing the City Council shall be followed and supplemented by the Rules of Procedure and Decorum of the City Council.
- Subd. 2. General Rules. In all matters of parliamentary procedures, the Council shall be governed by the latest printed edition of the STURGIS STANDARD CODE OF PARLIAMENTARY PROCEDURE as published from time to time except as modified by these rules.

SECTION 3. PRESIDING OFFICER

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

SECTION 4. AGENDA

- Subd. 1. Matters for Consideration. Matters for Council action shall be submitted by members of the Council and residents to the City Manager.
- Subd. 2. Preparation. An agenda of business for each regular meeting shall be prepared in the Office of the City Manager and copies thereof delivered to each Council member as far in advance of the meeting as time for preparation will permit.
- Subd. 3. Order of Business at Regular Meetings. At the hour appointed for the regular meeting of the City Council, the meeting shall be called to order by the Mayor and in the Mayor's absence,

by the Mayor Pro Tem. If a quorum is present, the City Council shall then proceed with its business in the following order:

- 1) Call to Order
- 2) Roll Call
- 3) Opportunity for the Public to Address the City Council Matters not on the Agenda
- 4) Televising of Meeting Commences.
- 5) Approval of the Agenda for the Meeting.
- 6) Consent Agenda: (a) approval of the minutes of the last City Council meeting; (b) other routine, non-controversial items needing little or no deliberation.
- 7) Recognitions, Proclamations
- 8) Informational Presentations/Guest Speakers
- 9) Public Hearings
- 10) Old Business
- 11) New Business
- 12) Other Business
- 13) Administrative Reports
- 14) Council General Communications
- 15) Adjournment

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

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

Subd. 6. Items Not on the Agenda. The Council may consider items not appearing on the agenda as normal business if an objection is not raised by a Council member. If an objection is raised by a council member to considering an item not appearing on the agenda, a vote shall be taken by the Council to determine the appropriateness of further consideration of the matter at that time.

Subd. 7. Public Participation. Members of the public may address the City Council during:

(a) Public hearings.

(b) "Opportunity for the Public to Address the City Council on Matters Not on the Agenda." This portion of the meeting shall be limited to fifteen minutes and individuals shall be requested to limit their comments to four minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted then discussion on that issue shall be continued under Other Business at the end of the agenda.

(c) Specific issues scheduled on the agenda but in accordance with Section 6, Subdivision 6, of these rules entitled, "Addressing the Council."

Subd. 8. Written Communications on All Matters. All interested parties or their authorized representatives may address the Council by written communication regarding all matters under the Council's consideration. The City Manager shall place these communications on the Council Agenda under "Acknowledgment of Communications to the Council."

SECTION 5. VOTING

- Subd. 1. Procedure. The votes of the members on any ordinance or resolution, except those on the consent agenda, pending before the Council shall be by roll call vote. The votes of the members on any motion shall be by voice vote, unless the Mayor or any member of the Council requests that a roll call vote be taken. The Mayor shall call for a roll call vote whenever a voice vote of the council is not clear as to the disposition of the action before the Council.
- Subd. 2. Abstention. If a Council member does not vote, the abstention shall be recorded as “Abstain-name.”
- Subd. 3. Voting Order for Roll Call. The Secretary to the Council shall call for the vote in consecutive order of wards with the ward voting first rotating one position at each regular meeting. The presiding officer shall always vote last.

SECTION 6. RULES OF DECORUM.

- Subd. 1. Council. While the council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the presiding officer.
- Subd. 2. Recognition. No person or member of the council shall address the Council without being recognized by the presiding officer.
- Subd. 3. Discussion. No member of the Council shall speak more than twice on any question, nor more than five minutes each time without consent of the Council.
- Subd. 4. Staff. Members of the City staff shall observe the same rules of order and decorum as are applicable to the City Council.
- Subd. 5. Pertinent to Matter Under Debate. Members of the Council, staff and public shall confine remarks to the matter under debate.
- Subd. 6. Addressing the Council. Each member of the public addressing the Council shall step up to the microphone provided for the use of the public after being recognized by the presiding officer and give his/her name and address in an audible tone of voice for the records, state the subject to be discussed, and state who the speaker is representing if representing an organization or other persons. Unless further time is granted by a majority vote of the Council, remarks from the public shall be limited to four (4) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without permission of the presiding officer. No question may be asked a Council member or a member of the staff without the permission of the presiding officer.
- Subd. 7. Spokesman for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the presiding officer to request that a spokesman be chosen by the group to address the Council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.
- Subd. 8. After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by a majority vote of the City Council.

- Subd. 9. Conduct. Any member of the Council, staff or person indulging in personalities or making impertinent, slanderous, or profane remarks or who willfully utters loud, threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt, or disturb the orderly conduct of any meeting, hearing or other proceeding, shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer, be ordered barred from further audience before the Council during that meeting.
- Subd. 10. Members of the Audience. No person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting.

SECTION 7. ENFORCEMENTS OF DECORUM.

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

SECTION 8. WORKSHOP MEETINGS

- Subd. 1. General. Workshop meetings of the City Council may be held at the call of the Mayor Pro Tem, who shall serve as the presiding officer at workshop meetings. No official Council action will be taken at workshop meetings.
- Subd. 2. Rules of Procedure and Decorum. The Rules of Procedure and Decorum of the City Council shall be observed in workshops so far as they are applicable.

SECTION 9. CAMERAS AND RECORDING DEVICES

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

SECTION 10. SEPARABILITY

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

(Amended: June 19, 1984; March 19, 1986; February 7, 1989; September 5, 1989; February 5, 1991, April 19, 2005)

Sturgis's Standard Code of Parliamentary Procedure

Summary:

Basic Rules of Precedence:

1. When a motion is being considered, any motion of higher precedence may be proposed, but no motion of lower precedence may be proposed.
2. Motions are considered and voted on in reverse order to their proposal. The motion last proposed is considered and disposed of first.

Common Motions in Order of Precedence:

LANGUAGE		INTERRUPT SPEAKER?	SECOND NEEDED?	MOTION DEBATABLE?	VOTE NEEDED?
Privileged Motions: Motions of urgency entitled to immediate consideration.					
1) *Adjourn the meeting	I move that we adjourn.	NO	YES	YES**	MAJORITY
2) *Recess the meeting	I move that we recess until...	NO	YES	YES**	MAJORITY
3) Questions of Privilege (Noise, temperature, etc.)	I raise the question of privilege....	YES	NO	NO	Decided by presiding officer
Subsidiary Motions: Motions which alter the main motion, or delay or hasten its consideration.					
4) Postpone temporarily	I move we table the motion.	NO	YES	NO	MAJORITY
5) Close debate	I move to close debate and vote immediately.	NO	YES	NO	TWO THIRDS
6) *Limit or extend debate	I move that the debate on this question be limited to...	NO	YES	YES**	TWO THIRDS
7) *Postpone to a certain time	I move we postpone this matter until...	NO	YES	YES**	MAJORITY
8) *Refer to committee	I move we refer this matter to committee.	NO	YES	YES**	MAJORITY
9) *Amend	I move that we amend this motion by....	NO	YES	YES	MAJORITY
Main Motions: Motions bringing substantive proposals before the assembly for consideration and action.					
10) *Main motions and restorative main motions	I move that...	NO	YES	YES	MAJORITY

The following motions can be offered whenever they are needed and have no order of precedence. They should be handled as soon as they arise.

LANGUAGE		INTERRUPT SPEAKER?	SECOND NEEDED?	MOTION DEBATABLE?	VOTE NEEDED?
Incidental Motions: Motions that arise incidentally out of the business at hand. They relate to matters incidental to the conduct of the meeting.					
1) Appeal a decision of the chair	I appeal the chair's decision.	YES	YES	YES	MAJORITY
2) Suspend the rules	I move to suspend the rules and....	NO	YES	NO	TWO THIRDS
3) Point of order	I rise to a point of order.	YES	NO	NO	Decided by presiding officer
4) Raise a question relating to procedure.	I rise to a parliamentary inquiry.	YES	NO	NO	Decided by presiding officer
5) Withdrawal of a motion	I move to withdraw my motion.	YES	NO	NO	MAJORITY
6) Separate a multi-part question for voting purposes	I move division on the question.	NO	NO	NO	MAJORITY

*Can be amended.

**Debatable if no other motion is pending.

Note: General consent is a way of saving time by avoiding votes on routine or non controversial matters. After a motion has been moved and seconded the presiding officer may ask if there are any objections. If anyone objects, a vote must be taken on the action. If there are no objections, the matter has been decided by general consent. The presiding officer may also propose actions by general consent without any motion. If anyone immediately objects, the question must be stated and voted on in the usual way.

Properties with Chronic Code Enforcement Issues – January, 2021.

Owner occupied or non-rental property

3800 Vera Cruz

The Police have not had any recent calls for this property. A rubbish related warning was resolved before the deadline. Property unkempt, but no current property maintenance code violations.

The person responsible for most of the complaints seems to have moved. His vehicle has not been seen recently and the property is checked several times a week.

3415 Zenith Ave. N.

Staff continues to monitor.

3947 Zenith Ave. N.

Owner has five dogs that get loose and the neighbors say they are aggressive.

4154 Beard Ave. N.

Staff has submitted documentation to the City Attorney in hopes of obtaining an administrative search warrant. Other efforts caused a delay in this project.

3822 Noble Ave. N.

No code enforcement issues.

4032 Quail Ave. N.

New owner intends to occupy this former rental property. Former tenant (now non-owner occupant) refuses to vacate property. Legal action by owner resulted in Housing Court (virtual) appearance and testimony by staff. Judge has taken testimony under advisement.

4100 West Broadway (Walgreen's)

Another citation was issued for rubbish. Manager often seen picking up litter. Pictures of the litter are being sent to remind the management of the extent of the problem.

Unlicensed/Presumed rental

Licensed Rental properties

3220-22 Grimes Ave. N.

Problematic Tenant has vacated property.

4162 Adair Ave. N.

The tenant has vacated the property.