

Minute-Taking, Meetings, Parliamentary Procedure

Minnesota Municipal Clerks Institute
Year I

Instructor

Amber Eisenschenk
Research Manager
League of Minnesota Cities

651-281-1227
aeisenschenk@lmc.org

Meetings, Meetings, Meetings

“A meeting of an assembly is a single official gathering of its members in one room or area to transact business for a length of time during which there is no cessation of proceedings and the members do not separate, unless for a short recess.”

Courts generally say a meeting is a gathering of a quorum of public officials to discuss, decide, or receive information on matters over which they have authority.

Meeting Procedures

Rules of Procedure

- The City Council has the power to regulate its own procedure.
- Council bylaws usually cover issues like:
 - The place and time of regular council meetings
 - The order of business
 - Parliamentary rules governing council procedures
 - Minutes
 - Standing and special committees

Quorum= majority of the council members

- For a five-member council, three members makes a quorum.
- Charter cities, however, may provide that a different number of council members constitutes a quorum.
- For most other public bodies, a majority of its qualified members constitutes a quorum.

Open Meeting Law

The Open Meeting Law requires that meetings of public bodies must generally be open to the public.



Groups Governed by the Open Meeting Law

- All city council meetings and executive sessions must be open to the public, with only a few exceptions.
- The OML requires that meetings of any committee, subcommittee, board, department, or commission of a public body to be open to the public.

Citizen Involvement and Accessibility

- Any person may observe city council meetings.
- Citizens must be able to hear the discussion at a meeting.
- One copy of the agenda and all materials must be made available.
- Citizens must be recognized by the mayor or presiding officer before speaking or participating in the meeting.
- A public comment period is not required at a regular council meeting.
- All meeting rooms must be accessible to all people, including those with mobility impairments.

Public Participation at Council Meetings

- Regular & special meetings
- Public hearings
- Right to be put on the agenda
- Pandemic issues with participation

<https://mn.gov/admin/data-practices/resources/emergency/>

Maintaining Order

- Individuals who are noisy or unruly do not have the right to remain in the council chambers.
- If the entire audience becomes so disorderly that it is impossible to conduct a meeting, the mayor should declare the meeting continued to another time and place, or the council may move for adjournment.
- No matter how disorderly a meeting may be, it is a legal meeting and any action the council takes in proper form is valid.

Meeting Agendas



Agendas

The bylaws should establish an order of business and a process for placing items on an agenda. Many councils have found the following order of business convenient:

1. Call to Order
2. Roll Call & Pledge of Allegiance
3. Approval of Minutes from previous meeting (s)
4. Consent Agenda
5. Petitions, Requests & Complaints
6. Reports of Officers, Boards, Commissions & Committees
7. Reports from Staff and Administrative Officers
8. Ordinances and Resolutions
9. Presentation of Claims
10. Unfinished Business
11. New business
12. Miscellaneous Announcements
13. Adjournment

Consent Agenda

- By resolution or through bylaws, a council may establish a consent agenda containing routine, non-controversial items that need little or no deliberation.
- The clerk or person responsible for placing items on the agenda prepares the consent agenda.
- By a majority or higher vote, the council may approve all actions on the consent agenda with one vote.
- If a council member objects to an item placed on the consent agenda, it should be removed and acted on as a separate agenda item.

Consent Agenda – Typical Items

- Approval of License Applications
- Approval of Minutes
- Approval of Disbursements/financial
- Approval of Change Orders
- Approval of Payment of Contracts
- Approval of Appointments/Resignations
- Set Hearing Dates
- Authorization to Advertise for Bids
- Approval of Leases and Agreements

Tips for Shortening Meetings

- In addition to the consent agenda, councils may consider the following suggestions to shorten meetings:
 - Set a closing date for placing items on the agenda.
 - At the beginning of the meeting, many city councils establish a specific time when citizens can present concerns to the council and allow a limited time for each person who wishes to speak (Open Forum).
 - No action should be taken on issues raised by citizen input.
 - When the council is going to discuss a major public issue, the bylaws or the council, by resolution, may allot a limited, specific amount of time for each side to express its views.

Parliamentary Procedure

Parliamentary Procedure

Parliamentary procedure is a system of rules that aid in transacting business, such as, *Roberts Rules of Order* or the *Minnesota Mayor's Association Rules of Order for City Council*. The rules are designed to:

- Preserve order
- Expedite business
- Protect the rights of those involved in making decisions

Motions

The Council transacts business through motions made by council members. These motions are seconded, at times, and then passed or rejected by council vote.

- Each motion has different rules.
- Councils may debate some motions while they must vote on others immediately.
- Some motions require a simple majority for passage. Others need a two-thirds majority.

Steps to Make and Act on a Motion

- A member of the council addresses the presiding officer.
- The presiding officer recognizes the member.
- The council member states his or her motion.
- Another council member seconds the motion.
- The presiding officer repeats the motion or states the question to the council. Debate may take place.
- Sometimes a motion to amend original motion occurs.
- A vote is taken and the presiding officer announces the result of the vote.

Voting Procedures

- State law does not regulate the process of council voting.
- Council bylaws may include voting rules.
- Bylaws may also set the order in which council members vote.
- Councils may use voice voting or standing voting unless a council member calls for voting by ballot.
- Minutes must report the name of each council member present and his or her vote.

Role of the Mayor and Clerk

- Mayors and Standard Plan Clerks have the same powers as a council member to make, second, and vote on motions.
- The mayor does not have a veto, and the mayor generally may not vote twice in order to break a tie; however.
 - Except when filling a vacancy in elective office.
- The mayor presides at council meetings and the clerk keeps the minutes.

Minutes

Minutes, Minutes, Minutes

- The council must keep a full and accurate record of its actions at every council meeting.
- In statutory cities, the clerk records the council proceedings in a minute book.
- In the clerk's absence, the council should delegate the duty of taking minutes of the meeting.

Minutes must . . .

- Be Permanent
- Be Accessible to the Public
- Be signed by the City Clerk; Mayor is optional

Publication of Minutes

- “The council after every regular or special meeting shall publish the official council proceedings, a summary ...or a condensed version of the official minutes which shall include action on motions, resolutions, ordinances, and other official proceedings.”
- As an alternative to publication, the city may mail, at the city’s expense, a copy of the proceedings to any resident, upon request.

Four Values of Minutes:

1. *Administrative Value*
2. *Legal Value*
3. *Fiscal Value*
4. *Historical Value*

Required Contents of Minutes

- Time and place of meeting
- Members present
- Summary of all decisions made by the council
- Names of members voting for and against each motion, including the mayor

Required Contents of Minutes (cont'd)

- The subject matter of proposed resolutions or ordinances, and whether the resolutions or ordinances are defeated or adopted.
- Minutes should be in a language the average citizen can understand.

Recommended Contents of Minutes

- ✓ Type of meeting (regular, special, emergency, etc.)
- ✓ Type of group meeting (council, commission, etc.)
- ✓ Time the meeting was called to order
- ✓ Approval of minutes of the previous meeting(s) with any corrections
- ✓ Identity of parties whom contracts were awarded
- ✓ Abstentions from voting due to a conflict and the member's name and reason for abstention
- ✓ Reasons the governing body awarded a particular contract to a bidder other than the lowest bidder

Recommended Contents of Minutes (cont'd)

- ✓ Granting of variances and special use permits
- ✓ Approval of hourly rates paid for services provided, mileage rates, meal-reimbursement amounts, and per-diem amounts
- ✓ Listing of all bills allowed or approved for payment, noting the recipient, purpose, and amount
- ✓ List of all transfers of funds
- ✓ Appointments of representatives to committees or outside organizations
- ✓ Reports of the officers
- ✓ Authorizations and directions to invest excess funds, information on investment redemptions and maturities
- ✓ Time the meeting concluded

Historical Relevance of Minutes

- Will this statement be beneficial if the minutes are used in the court of law?
- Will this statement educate the reader on a complicated issue?
- Will this statement be important 10 years from now?

Correcting Mistakes in the Minutes

- If the council finds a mistake in the minutes of the previous meeting, the City Clerk should change the minutes to show what actually occurred.
- Once the council has formally approved the minutes of any meeting, they should not be changed under any circumstances.
- The council may dispense with the reading of the minutes if all members have received them prior to the meeting.

Ways to Enhance Minutes

- Number each minute page
- Date each page
- Use subtitles
- Underline subtitles
- Use columns
- Include ordinance and resolution titles and numbers
- Indent the text
- Include agenda numbers

Ways to Enhance Minutes (cont'd)

- Insert City name on each page (footer)
- Bold subtitles
- Capitalize subtitles
- Subtitle in center
- Use tables and charts, if necessary
- Use all caps for text
- Use a different font or larger font size for headings

Minute Writing Tips

- Minutes are written in past tense
- Identify the speaker in the first sentence of the paragraph, then continue on as if that person were speaking
- In general, abbreviations should be avoided except for titles such as Dr., Mr., Ms., etc.
- Spell out street, avenue, lane, boulevard, drive when they are part of an address
- Spell out the word “incorporated” as part of a company name
- Do not use # for number.
- Generally, City alone is capitalized.

Minute Writing Tips (cont'd)

- Spell out numbers less than 11, except in zoning districts that have numbers that are part of the name
- Spell out the word “and”, do not use “&”
- Spell out fractions, i.e. one-third, one-fourth
- Spell out percentages, i.e. ten percent
- Spell out acronyms the first time they are used in the minutes, i.e. LGA, FAA
- Unless a woman introduces herself as Mrs., women are generally referred to as Ms.

Minute Writing Tips (cont'd)

- Comprehensive Plan and City Code are capitalized when they refer to the document by that name.
- Agenda item headers should not be split between two pages. If there is only a line or two of text following the header, the page break should be at the beginning of the header.
- You do not need to record topics irrelevant to the business at hand. Taking minutes is NOT the same as dictation.
- Write in a concise, accurate manner, taking care not to include any sort of subjective opinion.
- The person taking minutes does not participate in the meeting, unless they are asked a question or to comment on an item or issue.

Minute Writing Tips (cont'd)

Edit Council's use of vocabulary wherever possible, such as:

"Referred to staff" rather than *"have them take a look at this"*

"Proceed" rather than *"go ahead"*

"Review" rather than *"look into"*

"Before proceeding" rather than *"before anything else is done"*

"Recommended" rather than *"would like staff to"*

"Expressed support of..." rather than *"I like the idea"*

City Council Minutes
Regular Meeting

December 10, 2012
City Hall, 7:00 p.m.

CALL TO ORDER The New Hope City Council met in regular session pursuant to due call and notice thereof; Mayor Hemken called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE The City Council and all present stood for the Pledge of Allegiance to the Flag.

ROLL CALL

Council present: Kathi Hemken, Mayor
John Elder, Council Member (arrived 7:50 p.m.)
Eric Lammle, Council Member
Daniel Stauner, Council Member

Council absent: Andy Hoffe, Council Member

Staff present: Kirk McDonald, City Manager
Tim Fournier, Director of Police
Guy Johnson, Director of Public Works
Valerie Leone, City Clerk
Christopher Long, City Engineer
Susan Rader, Director of Parks & Recreation
Jeff Sargent, Community Development Assistant
Steve Sondrall, City Attorney

APPROVAL OF MINUTES Motion was made by Council Member Stauner, seconded by Council Member Lammle, **to approve the canvas board meeting minutes of November 13, 2012.** Voting in favor: Hemken, Lammle, Stauner; voting against: None; Absent: Elder, Hoffe. Motion carried.

Motion was made by Council Member Lammle, seconded by Council Member Stauner, **to approve the regular meeting minutes of November 13, 2012.** Voting in favor: Hemken, Lammle, Stauner; voting against: None; Absent: Elder, Hoffe. Motion carried.

Motion was made by Council Member Stauner, seconded by Council Member Lammle, **to approve the work session meeting minutes of November 19, 2012.** Voting in favor: Hemken, Lammle, Stauner; voting against: None; Absent: Elder, Hoffe. Motion carried.

OPEN FORUM There was no one present to address the Council for the open forum.

ROTATING VOTES Please note that votes taken on each agenda item are called by the secretary on a rotating basis; however, the written minutes always list the Mayor's name first

Motions, Resolutions & Ordinances...

What's the Difference?



Definitions

Motions

A motion is a matter of parliamentary procedure. Motions are generally made orally and may introduce ordinances & resolutions, amend them, and take any other actions.

Resolutions

A resolution is used for any action of a temporary, routine, or administrative nature. More formal than motion; less formal than ordinance.

Ordinances

An ordinance is an action by the council which regulates or governs people or property, and provides a penalty for violation of the ordinance. Ordinance regulations should be a permanent and continuing nature.

Ordinances...

- Only the city council has the power to enact ordinances. In almost all instances, ordinances do not need voter approval.
- City Councils can only deal with subjects that the Legislature has expressly authorized them to act on or that directly relate to a statutory grant of authority.

Ordinances...*Additional Information*

- When adopting an ordinance, city officials should be aware that the city must follow any procedures established in the ordinance and that the city might be liable for not enforcing its ordinance.
- Cities should not adopt or retain an ordinance they do not intend to enforce.
- The council can adopt an ordinance to respond to a pre-existing problem or nuisance.

Notice of Proposed Ordinances

- Cities must provide notice of most proposed ordinances at least ten days before the city council meeting at which the proposed ordinance is scheduled for a final vote.
- The ten-day notice requirements also apply to proposed amendments to an existing ordinance.
- These requirements do not apply to interim ordinances.
- Electronic Notification system or posting

Absences

A council member's absence from a meeting does not affect the number of votes needed if a statute requires an affirmative vote by a specified portion of the entire council.

Achieving a quorum: Need a quorum to conduct meeting.

Votes for motions and resolutions: The general rule is that if a quorum is present, a majority of the quorum can pass any action except those where a statute or charter provision requires a larger number (ie zoning issue).

Vacancies

- A vacancy temporarily reduces the size of the council; therefore, when there is a vacancy on a five-member council, the entire council consists of four people.
- For actions that require approval by a specified portion of the council, the required number of votes is calculated using the current number of seats that are filled.

Vacancies (cont'd)

Achieving a quorum.

One vacancy on a five-member council would not reduce the number of members needed to achieve a quorum (since both a majority of five and a majority of four is three). However, if there are two vacancies on a five-member council, the council would consist of three members and a majority of the council would be two members.

Sources of Information

The League of Minnesota Cities Handbook for Minnesota Cities is a comprehensive reference for city government. This handbook incorporates basic laws affecting city governments. The Minnesota Statute numbers are listed for each subject.

Follow the instructions below to use the handbook online.

1. Go to www.lmc.org
2. Hover over the “News & Publications” tab
3. Select “Handbook for Minnesota Cities”

Sources of Information (cont'd)

The *Minnesota Mayors Handbook*. Also available at www.lmc.org.

Parliamentary Procedure in Local Government manual.

Available from:

National Association of Parliamentarians (NAP)

213 South Main Street

Independence, MO 64050-3808

Phone: 1-888-627-2929

Web: <http://parliamentarians.org>

Join the MemberLink listserv for clerks, or other member forums through the League of Minnesota Cities at: <http://www.lmc.org>

Sources of Information (cont'd)

MemberLearn Online Courses

Cybersecurity for Clerks

Code Enforcement

Roles and Responsibilities for City

Data Practices for City Clerks

& more coming soon!

<https://www.lmc.org/learning-events/learnings/memberlearn/>

League of Minnesota Cities 2024 Clerks Academy

Sept. 4-6 — St. Paul

Sept. 12-13 — Staples

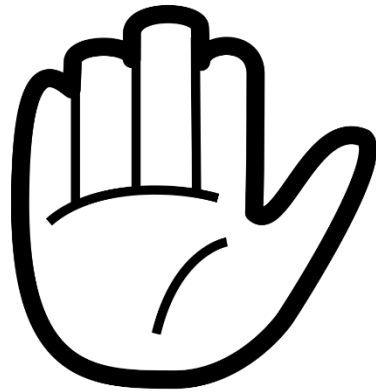
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Contact Information:

Amber Eisenschenk
Research Manager
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Phone: (651) 281-1227
Email: aeisenschenk@lmc.org



Resolution or Ordinance?



**Raise your right hand
for a Resolution!**



**Raise your left hand for
an Ordinance!**

Motion Practice

- Make a motion
- How to object to a motion
- Motion to amend original motion
- Motion to take a brief recess
- Motion to withdraw a motion
- Motion to go into a closed session
- Motion to reconsider
- Motion to rescind or repeal
- Motion to prevent reintroduction of an issue

