

Chapter 2.03

Rules Of The City Council

Section 1. Purpose of Rules. 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 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.

Subdivision 1. Mayor Presides. The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Vice Mayor 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.

Subdivision 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.

Subdivision 3. Rights of the Presiding Officer. The presiding officer may speak on any questions, and make motions and second motions.

Section 4. Quorum and Voting.

Subdivision 1. Quorum. A Majority of all of the members of the Council elected constitutes a quorum, but a smaller number may adjourn from time to time.

Subdivision 2. Procedure. Upon the adoption of all ordinances and by-laws the vote shall be taken by yeas and nays and entered upon the minutes of the Council and upon all questions the vote shall be taken by yeas and nays and entered upon the minutes when demanded by any members of the council.

Subdivision 3. Required Vote. Every Member present shall vote upon all questions before the council unless for special reasons they shall be excused.

Subdivision 4. Conflict of Interest. No member shall vote on any question in the event of which they are immediately interested.

Subdivision 5. Abstention. If a Council member does not vote, the abstention shall be recorded as "Abstain-name."

Subdivision 6. A majority of all members of the Council is required for approval of ordinances and resolutions, unless a larger number is required by State Law. Except as otherwise provided by statute shall prevail in all other cases.

Section 5. Rules of Decorum

Subdivision 1. Council. While the Council is in session, the members must preserve order and decorum, and a member shall, neither by conversations 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.

Subdivision 2. Recognition. No person or member of the council shall address the Council without being recognized by the presiding officer.

Subdivision 3. Discussion. No member of the Council shall speak more than twice on any question, or more than five minutes each time without consent of the Council.

Subdivision 4. Staff. Members of the City staff shall observe the same rules of order and decorum as is applicable to the City Council.

Subdivision 5. Pertinent to Matter under Debate. Members of the Council staff and public shall confine remarks to the matter under debate.

Subdivision 6. Addressing the Council. Each member of the public addressing the Council shall step up to the podium 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 record, state the subject to be discussed, and state who the speaker is representing if representing an organization or other person. 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 may 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 of a Council member or a member of the staff without permission of the presiding officer.

Subdivision 7. Spokesman for Group or 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.

Subdivision 8. After Motion. After a motion has been made or 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.

Subdivision 9. Conduct. Any member of the Council, staff of persons 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.

Subdivision 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 6. Enforcements of Decorum

Subdivision 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/her to remove himself from the meeting. If they do not remove themselves, the presiding officer may order that the Sergeant-at-Arms remove the person.

Subdivision 2. Sergeant-at-Arms. The Chief of Police, or such member or members of the police department, shall be Sergeant-at-Arms for the Council meetings. 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.

Subdivision 3. Resisting Removal. Any person who resists removal by the Sergeant-at-Arms may be charged with violating City Ordinance.

Subdivision 4. Motions to Enforce. Any Council member may move to require the presiding officer to enforce these rules and the affirmative vote of majority of the Council shall require him to do so.

Subdivision 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.

Subdivision 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 7. Cameras and Recording Devices

Subdivision 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 device may be used in the Council Chamber, but only in such manners as will cause a minimum of interference with or disturbance of the proceedings of the Council.

Section 8. Separability

Subdivision 1. General. If any section, Subdivision, 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 holdings shall not affect the validity of the remaining portions thereof.

Section 9. Committee Appointments

Subdivision 1. Mayor Appointments. All Committees shall be appointed by the Mayor, unless otherwise directed by the council.

Subdivision 2. The standing committees of the City Council shall be appointed at the first regularly scheduled meeting of each year and shall consist of not less than two members each. All Commissions of the City shall be appointed pursuant to City code. The following shall be the standing committees:

- a. Personnel Committee
- b. Public Safety Committee
- c. Liquor Committee
- d. Finance Committee
- e. Economic Development Committee

f. Intergovernmental Committee

Subdivision 3. Committee Reports. All standing and special committees to whom any matter may be referred, shall in all cases report in writing the state of facts with their opinion thereon, which opinion shall be summed upon in the form of an order, resolution or recommendations.