

## **CHAPTER 10 COUNCIL**

### **10.01 REGULAR MEETINGS**

(A) Regular meetings of the council shall be held on the fourth Tuesday of each month at 6:30 P.M. at the Municipal Offices. The second Tuesday of the month will be the preferred day for addition of special meetings of the council. The City Council may adopt a new start time from time to time by Council Resolution. If any such Tuesday is a legal holiday, the meeting will be canceled or held on another date and time as established by council action.

### **10.02 SPECIAL MEETINGS**

Special meetings may be called by the Mayor or by any two members of the Council by a written request filed with the clerk who shall then post a three (3) day notice and mail a notice to all members of the time and place of meeting at least one (1)-day before the meeting.

### **10.03 ORDER OF BUSINESS**

At the hour appointed for the meeting, the members shall be called to order by the Mayor, and in his/her absence, by the acting mayor; the clerk shall call the roll and note the absentees. If a quorum is present, the Council shall then proceed with its business.

### **10.04 MINUTES**

#### Subd. 1 Approval of Minutes

The clerk shall provide a printed copy of the minutes of each meeting to each councilperson. Amendments or corrections proposed by any member of the Council may be made by the clerk, but no amendment to which objection is raised by any councilperson shall be made without the approval of a majority of the Council.

#### Subd. 2 General Contents of Minutes

The clerk shall record all material matters considered by the Council in the minutes. Ordinances, resolutions, communications, and claims considered by the Council need not be recorded in full in the minutes if they appear in other permanent records of the clerk and can be accurately identified from the description given in the minutes. The Council may, in its discretion, direct that any one of the above be fully set out in the minutes.

### **10.05 ORDINANCES AND RESOLUTIONS**

#### Subd. 1 Preparation and Introduction

All legislation of the municipality shall be by ordinance. Ordinances, resolutions, and other matters requiring council action shall be prepared at the direction of the Council, provided, however, that the clerk or attorney may present ordinances, resolutions, and other matters for consideration.

#### Subd. 2 Enactment of Ordinances and Amendments

Every ordinance and amendment of an ordinance shall be enacted by a majority vote of all of the members of the Council except where a larger number is required by law. It shall be signed by the Mayor or in his absence by the acting mayor, attested by the clerk and published once in the legal newspaper. Proof of the publication shall be attached to and filed with the ordinance.

Every ordinance shall be recorded in the Ordinance Book within 20 days after its publication. All ordinances shall be suitably entitled.

## **10.06 RULES OF ORDER**

### **Subd.1 Presiding Officer**

The Mayor, or in his absence, the acting mayor, shall preside at council meetings, preserve order and decorum, and decide questions of order. The Mayor's duties under this subdivision shall be in addition to his/her duties, rights, and privileges as a council member.

### **Subd. 2 Special Rules**

The following special rules shall be applied:

- (A) A member may be excused from voting on a matter duly before the Council only with the unanimous consent of the other members present.
- (B) A motion before the Council shall be reduced to writing by the clerk at the request of any council member.
- (C) Such other special rules may be adopted and included in this subdivision, as the Council from time to time deems necessary.

### **Subd. 3 Finality of Council Decisions**

(A) Ordinances. An ordinance may be repealed or amended at any time upon a motion, second, vote, and publication in the legal newspaper, all in accordance with applicable Minnesota Statutes.

(B) Motions and Resolutions. After a motion or resolution has been duly passed or adopted by the Council, it shall be final, in all respects, except as hereafter noted:

(I) No council can bind a successor council by a motion or a resolution.

(II) Within any session, a motion or resolution which has been duly passed or adopted by the Council may only be modified or repealed after two votes have been approved:

(a) A motion to reconsider the previous motion or resolution must be made by a member who originally supported that motion or resolution, seconded by any member, and passed by a majority vote. Such a motion shall only be made and passed upon the grounds that new evidence or information which was previously unavailable warrants a reconsideration. If the motion to reconsider is defeated, the issue cannot be reconsidered during that session and the original motion or resolution stands as previously passed or adopted.

(b) If the motion to reconsider passes, a new motion with a specific action may be made and seconded by any member. If it passes by a majority vote, it shall be deemed passed or adopted. If it is defeated, the original motion or resolution stands as previously passed or adopted and the issue may not be considered during that session.

(C) Definitions

(I) Session: is defined as the two-year period commencing upon the first council meeting in January of an odd-numbered year until the first council meeting during the next January of an odd-numbered year.

(II) Successor Council: is one, which is seated as of January after a general election has been held to fill any council seat, even if all council members are the same after said election. A successor council is in office during the next session of the City Council.

(III) Unavailable Information or Evidence is information or evidence which was not presented to the council at a prior meeting when a motion or resolution was passed and which, with reasonable diligence, could not have been found or produced at said meeting.

Subd. 4 General Rules

In all other matters of parliamentary procedure, the Council shall be governed by the latest printed edition of "Robert's Rules of Order".

Subd. 5 Suspension of rules

The operation and effect of any rule established or followed pursuant to this section may only be suspended upon the unanimous vote of the Council.

**10.07 ATTENDANCE AT COUNCIL MEETINGS**

The attendance at council meetings of each member of the Council is deemed to be one of the most important duties imposed by law upon him/her. His/her presence to participate in the hearings, deliberations and decisions of the Council is essential to the proper discharge of his/her official duties. Recognizing that it is not always possible for each member of the Council to be present at all meetings, and that by reason of business demands, state of health, personal problems, vacations, and other matters; occasional absences are excusable, the Council may compel the attendance of members and punish non-attendance by resolution adopted by a majority.

**10.08 COMPENSATION OF MAYOR AND COUNCIL**

Subd. 1. Mayor's Compensation

The salary of the Mayor shall be \$5,000.00 for all regular city council meetings. When attending additional meetings for official City business as an appointee, a \$40.00 fee will be paid, with the exception of special council meetings immediately before or following a regularly scheduled council meeting, and any City paid training course. The \$40.00 per meeting fee shall be effective January 1, 2023.

Subd. 2. Councilpersons Salaries

The salary of each councilperson is fixed at \$4,000.00 for all regular city council meetings. When attending additional meetings for official City business as an appointee, a \$40.00 fee will be paid, with the exception of special council meetings immediately before or following a regularly scheduled council meeting, and any City paid training course. The \$40.00 per meeting fee shall be effective January 1, 2023.

Subd. 3. Method of Payment  
Said compensation shall be paid quarterly

#### **10.09 GENERAL POWERS.**

Subd. 1 Composition of Council  
The Council shall consist of the Mayor and four Councilpersons. Three members shall constitute a quorum although a smaller number may adjourn from time to time.

Subd. 2 Special Powers  
The Council may preserve order at its meetings and shall be the judge of the election and qualification of its members. The Council shall have power to regulate its own procedure. Every current contract, conveyance, license, or other written instrument shall be executed on behalf of the municipality by the Mayor and clerk, with the corporate seal affixed, and only pursuant to authority from the Council.

#### **10.10 ACTING MAYOR**

At its first meeting each year the Council shall choose an acting mayor from the Councilpersons. (S)he shall perform the duties of Mayor during the disability or absence of the Mayor from the Municipality or, in case of vacancy in the office of Mayor, until a successor has been appointed and qualifies.

#### **10.11 APPOINTMENT OF OFFICERS, EMPLOYEES AND AGENTS**

The Council may appoint such officer's, employees, and agents for the Municipality as may be deemed necessary for the proper management and operation of municipal affairs. The Council may prescribe the duties and fix the compensation of all officers, both appointive and elective, employees, and agents, when not otherwise prescribed by law. The Council may, except as otherwise provided, remove any appointive officer or employee when in its judgment the public welfare will be promoted by the removal. Such power of removal is subject to veterans' preference and civil service laws that may be applicable.

#### **10.12 OFFICIAL NEWSPAPER**

At its first meeting each year the Council shall designate the Official Newspaper that shall be the legal newspaper for the Municipality.

#### **10.13 DEPOSITOR**

At its first meeting each year, the Council shall designate the depository for the municipal funds.

Amended 8/24/93, Amended 10/22/02, Ord. 250, Ord. 278(8/12/08), Ord. 296(2/13), Ord. 320