

ARTICLE II. CITY COUNCIL*

*Charter references: Council generally, §§ 3.3 et seq., 4.1 et seq.

DIVISION 1. GENERALLY**Sec. 2-26. Compensation.**

(a) The annual salary for the elected members of the city council shall be in the amount of \$ 6,000.00 commencing January 1, 2005, and shall be increased to the amount of \$7,200.00 commencing January 1, 2006.

(b) The annual salary for the mayor shall be in the amount of \$8,400.00 commencing January 1, 2005, and shall be increased to the amount of \$9,600.00 commencing January 1, 2006.

(c) The salaries established shall be paid on a biweekly basis.

(d) The salaries established by this section shall be effective as of the dates set forth above and shall continue in the amounts which will be effective January 1, 2006, until changed as provided by state law.

(Code 1986, § 100:45; Ord. No. 816, 10-18-2004)

State law references: Authority to fix salary of council, Minn. Stat. § 415.11.

Sec. 2-27. Mayor's term of office.

The mayor shall serve a term of four years beginning in 2001 and thereafter, unless otherwise provided by charter.

Secs. 2-28--2-55. Reserved.

DIVISION 2. RULES OF ORDER AND PROCEDURE**Sec. 2-56. Suspension or amendment of rules.**

The provisions of this division, except as required by the Charter and state law, may be temporarily suspended by a majority vote of all the councilmembers or by consent evidenced by lack of objection and shall not be repealed or amended except by ordinance adopted by a majority vote of the whole council after notice has been given at some preceding council meeting.

(Code 1986, § 100:35)

Sec. 2-57. Meetings.

(a) Regular meetings of the council shall be held as prescribed by resolution, which resolution shall state the days, time and usual location of all regular meetings.

(b) At least 12 hours before a special meeting of the council, the finance director/city clerk shall notify each member of the time, place, and purpose of the meeting by causing written notice thereof to be delivered to the member personally if the member can be found or, if the member cannot be found, by leaving a copy at the place of residence of the member with some responsible person of suitable age and discretion or by notifying the member by phone. Any special meeting properly called shall be a valid meeting for the transaction of any business that may come before the meeting. In an emergency, this notice requirement may be waived.

(c) On the first business day of January of each year, the council shall meet at the usual place and time for holding council meetings, and the council shall:

(1) Designate the depositories of municipal funds.

(2) Designate the official newspaper.

(3) Choose a president pro tem from the councilmembers, who shall perform the duties of the mayor during the disability or absence of the mayor or in case of a vacancy in the office of mayor, until a successor has been appointed and qualifies.

(4) Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary.

(d) Notice of all meetings of the council and its committees and commissions shall be given to the public in compliance with the law.

(Code 1986, § 100:00)

State law references: Notice of meetings, Minn. Stat. § 13D.04.

Sec. 2-58. Presiding officer.

(a) The mayor shall preside at all meetings of the council. In the absence of the mayor and president pro tem of the council, the finance director/city clerk shall call a council meeting to order and shall preside until the councilmembers present at the meeting choose one of their members to act temporarily as presiding officer.

(b) The presiding officer shall preserve order, enforce the rules of procedure prescribed in this division, and determine without debate, subject to the final decision of the council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by this division, the proceedings of the council shall be conducted in accordance with Robert's Rules of Order, 1990 edition, ninth edition.

(c) Any member may appeal to the council 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/her ruling, but no other councilmember shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present, exclusive of the presiding officer.

(d) Whenever the presiding officer desires to speak on any question or second any motion, he/she shall not vacate the chair. To make any motion, he/she shall vacate the chair, designate the president pro tem or, in his/her absence, some other councilmember to preside temporarily, and shall not resume the chair until the matter under consideration has been acted upon by the council.

(Code 1986, § 100:05)

Sec. 2-59. Vote required to adopt certain measures.

A majority vote of all the councilmembers shall be necessary for the approval of any ordinance or resolution unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

(Code 1986, § 100:20(3))

Sec. 2-60. Minutes.

(a) The minutes of each council meeting shall be kept by the finance director/city clerk or his/her designee. Ordinances, resolutions, and claims need not be recorded in full in the minutes of council meetings if they appear in other permanent records of the finance director/city clerk and can be accurately identified from the description given in the minutes.

(b) The minutes of each meeting shall be reduced to typewritten form, shall be signed by the finance director/city clerk, and copies thereof shall be delivered to each councilmember as soon as practicable after the meeting. At the next regular council meeting following such delivery, approval of the minutes shall be considered by the council.

The minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the council. If there is an objection, the council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

(Code 1986, § 100:10(1), (2); Ord. No. 784, 4-7-2003)

Editor's note: Ord. No. 784, adopted April 7, 2003, repealed § 2-60 in its entirety. Formerly said section pertained to order of business and derived from Code 1986, § 100.15(1), (2). Said ordinance also renumbered § 2-61 as § 2-60.

Sec. 2-61. Reserved.

Editor's note: See editor's note at § 2-60.

Sec. 2-62. Mayor's vote.

The mayor shall vote last on any question before the council.

(Code 1986, § 100:20(4))

Sec. 2-63. Manner of voting.

The votes of the members on any question pending before the council may be by voice vote, standing vote, or in any other manner of voting which signifies the intention of the members. If the vote is not unanimous, there shall be a roll call and the names of those voting for and against the question shall be recorded in the minutes. If any member, being present, does not vote, the minutes, as to his/her name, shall be marked "Present - Not Voting."

(Code 1986, § 100:20(2))

Sec. 2-64. Ordinances, resolutions, motions, petitions and communications.

(a) All ordinances and resolutions shall be read in full before a vote of the council is taken thereon, except when reading in full is dispensed with by unanimous consent. Failure to request reading in full shall be deemed to be consent to less than a full reading. No ordinance except an emergency ordinance shall be passed at the meeting at which it is introduced, and at least three days shall elapse between its introduction and final passage. All motions shall be recorded in the minutes and stated in full before they are submitted to a vote by the presiding officer. All petitions and other communications addressed to the council shall be in writing and shall be read in full upon presentation of the petition or other communication to the council. They shall then be recorded in the minutes by title and filed with the minutes in the office of the finance director/city clerk.

(b) Every ordinance and resolution passed by the council shall be signed by the mayor and two other councilmembers, attested by the finance director/city clerk, and filed by him/her in the ordinance or resolution book. Proof of publication of every ordinance shall be attached to and filed with the ordinance.

(Code 1986, § 100:25)

Sec. 2-65. Committees.

(a) All council committees shall be appointed by the mayor either upon his/her own initiative or upon the majority vote of all of the members of the council.

(b) Each committee shall consist of three members of the council, and the chair of each committee shall be designated by the mayor. Each committee member shall serve as appointed unless excused by a majority of the members of the council.

(c) Any matter brought before the council for consideration may be referred by the presiding officer to the appropriate committee or to a special committee appointed by him/her for a written report and recommendation before it is considered by the council as a whole. Each committee report shall be signed by a majority of the members and shall be filed with the finance director/city clerk prior to the council meeting at which it is to be submitted. Minority reports may be submitted. Each committee shall act promptly and faithfully on any matter referred to it.

(Code 1986, § 100:30)

Secs. 2-66--2-90. Reserved.