

CHAPTER 2

ORGANIZATION AND PROCEDURE OF THE CITY COUNCIL

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SECTION 2.010 ORGANIZATION OF THE CITY COUNCIL

Subd. 1. Compensation. The City Council shall consist of the Mayor and four Council Members pursuant to Minnesota Statutes 412.191 subdivision 1.

SECTION 2.020 COMPENSATION OF THE MAYOR AND COUNCIL MEMBERS

Subd. 1. Monthly Salary. The Compensation payable to the duly elected Mayor of the City of Eagle Lake shall be \$325.00 per month. The compensation payable to the other duly elected members of the City Council of the City of Eagle Lake shall be \$225.00 per month.

Subd. 2. Special Meetings. The compensation payable to the Mayor and members of the City Council shall be \$50 for each special meeting which that member attends.

Subd. 3. Fee Adjustment for Nonattendance. If the Mayor or a City Council Member fails to be present at three or more of the scheduled regular meetings in any given calendar year, the total compensation payable to such Mayor or City Council Member shall be reduced by the percentage of the regular meetings missed in such year.

SECTION 2.030 MEETINGS

Subd. 1. Regular Meetings. Regular meetings of the City Council shall be held on the first Monday of each calendar month at 6:00 P.M. Any regular meeting falling on a holiday shall be held on the following Monday at the same time and place. The City Clerk shall maintain a schedule of regular meetings. This schedule shall be available for public inspection during regular business hours at the City Office. All meetings, including special, emergency, and adjourned meetings shall be held in a location designated by the City.

Subd. 2. Special Meetings. The Mayor or any two members of the Council may call a special meeting of the Council with at least 24 hours written notice to each member of the Council. This notice shall be delivered personally to each member, or left at the member's usual place of residence with a responsible person. Similar written notice shall be posted on the bulletin board at the City Office or on the door to the usual meeting room. Written notice shall be mailed at least three days before the meeting date to those who have requested notice of such meetings. This request must be by written request filed with the City Clerk, designating an official address where notice may be mailed to. Such request will be valid for one year.

Subd. 3. Emergency Meetings. The Mayor or any two Council Members may call an emergency meeting when circumstances require immediate consideration of the Council. Notice may be in writing personally delivered to Council members or may be in the form of personal telephone communication. Notice must include the date, time, place, and subject of such meeting. Where practical, the Clerk shall make an effort to contact news-

gathering organizations that have filed a request to receive notice of special meetings.

Subd. 4. Workshop Meetings. Workshop meetings of the City Council may be held at the call of the Mayor, who shall serve as the presiding officer at workshop meetings. No official Council action will be taken at workshop meetings.

Subd. 5. Initial Meeting. At the first regular Council meeting in January of each year the Council shall:

- A. Designate the depositories of City funds;
- B. Designate the official newspaper;
- C. Choose an acting Mayor from the Council Members who shall perform the duties of the Mayor during the disability or absence of the Mayor from the City or, in case of a vacancy in the office of the Mayor, until a successor has been appointed and qualifies;
- D. Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary.

Subd. 6. Public Meetings. Except as otherwise provided in the Minnesota open meeting law, Minnesota Statutes 471.705, all Council meetings, including special, emergency, and adjourned meetings and meetings of all Council committees, shall be open to the public.

SECTION 2.040 PRESIDING OFFICER

Subd. 1. Who Presides. The Mayor shall preside at all meetings of the City Council. In the absence of the Mayor, the acting Mayor shall preside. In the absence of both, the Clerk shall call the meeting to order and shall preside until the Council Members present at the meeting choose one of their numbers to act temporarily as presiding officer.

Subd. 2. Procedure. The presiding officer shall preserve order, enforce the rules of procedure herein prescribed and determine without debate, subject to final decision of the Council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the proceedings of the Council shall be conducted in accordance with Robert's Rules of Order, Revised.

Subd. 3. Appeal from Ruling of Presiding Officer. 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 or her ruling, but no other Council Member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present.

Subd. 4. Rights of the Presiding Officer. The presiding officer may make motions, second motions, or speak on any question, except that on demand of any Council

Member the presiding officer shall vacate the chair and designate a Council Member to preside temporarily.

SECTION 2.050 MINUTES

Subd. 1. Who Keeps. Minutes of each Council meeting shall be kept by the Clerk or, in the Clerk's absence, by the Deputy Clerk. In the absence of both, the presiding officer shall appoint a secretary pro tem. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in permanent records of the Clerk and can be accurately identified from the description given in the minutes.

Subd. 2. Approval. The minutes of each meeting shall be reduced to typewritten form, shall be signed by the Clerk, and copies thereof shall be delivered to each Council Member as soon as practical after the meeting. At the next regular meeting following such delivery, approval of the minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there are no objections 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.

Subd. 3. Publication. The Clerk shall publish a condensed version of the official minutes within 30 days of a regular or special meeting which includes a summary of the action on motions, resolutions, ordinances and other special proceedings.

SECTION 2.060 ORDER OF BUSINESS

Subd. 1. Matters for Consideration. Matters for Council action shall be submitted by department heads; committees, boards, or commissions; members of the Council, or by citizens. Matters for consideration must be submitted to the City Clerk no later than 5 days prior to the Council meeting.

Subd. 2. Agenda. The Clerk shall prepare an agenda of business for each regular Council meeting and file a copy in the office of the Clerk not later than 3 days before the meeting. The agenda shall be prepared in accordance with the order of business and copies thereof shall be delivered to each Council Member as far in advance of the meeting as time for preparation will permit.

Subd. 3. Agenda Materials. When a copy of printed materials relating to agenda items is required by Minnesota Statutes 471.705, subdivision 1b to be available to the public in the Council meeting room for inspection by the public, the Clerk shall see that at least one copy of such material is so available while Council considers the subject matter. The agenda item will not be considered unless this provision is complied with.

Subd. 4. Order Established. Each meeting of the Council shall convene at the time and place appointed therefore. Council business shall be conducted in the following order:

- Call to order
- Pledge of Allegiance
- Roll call
- Open public comments
- Approval of agenda
- Approval of minutes
- Consent agenda
- Public hearing
- Regular agenda
- City Administrator's Update
- City Council Members Update
- Announcements
- Adjournment

Subd. 5. Varying Order. The order of business may be varied by the presiding officer, but all public hearings shall be held at the time specified in the notice of the hearing.

Subd. 6. Consent Agenda. Matters for the Council of a routine or non-controversial nature which need minimal Council deliberation shall be placed on the Consent Agenda. The Consent Agenda shall only be adopted by unanimous vote of the Council Members present.

Subd. 7. Items Not On The Agenda. No item of business shall be considered unless it appears on the agenda for the meeting, or is approved for addition to the agenda by unanimous vote of the Council members present.

SECTION 2.070 QUORUM AND VOTING

Subd. 1. Quorum. At all Council meetings a majority of all the Council Members elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

Subd. 2. Voting. The votes of the members on any question may be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action taken shall be recorded in the minutes. If any member is present but does not vote, the minutes, as to that member's name, shall be marked "Abstain."

Subd. 3. Votes Required. A majority of all members of the Council shall be necessary for approval of any ordinance 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.

Subd. 4. Procedure. The votes of the members on any ordinance pending before the Council shall be by roll call vote. The votes of the members on any motion or resolution 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.

SECTION 2.080 ORDINANCES, RESOLUTIONS, MOTIONS, PETITIONS, AND COMMUNICATIONS

Subd. 1. Readings and Notification

- A. Ordinances. Every ordinance and resolution shall be presented in writing. Notice of the public hearing for said ordinances shall be given in the City's official newspaper a minimum of ten (10) days prior to the hearing date and a maximum of thirty (30) days to the hearing. Every ordinance shall receive one reading before the Council prior to final adoption. An ordinance need not be read in full unless a member of the Council requests such reading.
- B. Resolutions. Every resolution shall be presented in writing. A resolution need not be read in full unless a member of the Council requests such reading.

Subd. 2. Signing and Publication Proof. Every ordinance and resolution passed by the Council shall be signed by the Mayor, attested by the Clerk, and filed by the Clerk in the ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with the ordinance.

Subd. 3. Repeals and Amendments. Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number and title of the ordinance or code number of the ordinance or resolution to be repealed in whole or in part. Each ordinance or resolution amending an existing ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.

Subd. 4. Motions, Petitions and Communications. Every motion shall be stated in full before the presiding officer submits it to a vote and shall be recorded in the minutes. Every petition or other communication addressed to the Council shall be in writing and shall be read in full upon presentation to the council unless the Council dispenses with the reading. Each petition or other communication shall be recorded in the minutes by title and filed with the minutes in the office of the Clerk.

SECTION 2.090 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 of 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 first being recognized by the presiding officer.

Subd. 3. Discussion. Members of the Council, staff and public shall confine remarks to

the matter under debate.

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. Addressing the Council. Each member of the public addressing the Council shall, after being recognized by the presiding officer, give his or her name, address, subject to be discussed, and 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 three (3) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof.

Subd. 6. 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 spokesperson 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. 7. 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. 8. 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. 9. 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.

Subd. 10. Suspension or Amendment of Rules. These rules may be suspended only by a two-thirds vote of the members present and voting.

SECTION 2.100 ENFORCEMENT OF DECORUM

Subd. 1. Warnings. 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 disrupting the meeting, said officer may order that person to remove him/herself from the meeting. If that person does not remove him/herself from the meeting, 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. 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 the rules and the affirmative vote of a majority of the Council shall require the presiding officer to do so.

Subd. 5. Adjournment. In the event that any meeting is willfully disturbed by a group or groups 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.

SECTION 2.110 COMMITTEES

Subd. 1. Committees Designated. The Council may create such committees, standing or special, as it deems necessary. The following boards and committees shall be appointed by the Mayor at the first regular Council meeting in January of each year:

- A. Personnel Committee
- B. Budget Committee
- C. Park Board
- D. Safety Committee
- E. Economic Development Authority
- F. Charitable Gambling Board
- G. Fire Board

Subd. 2. Membership. Each committee shall consist of two members of the Council and the Mayor shall designate the chairperson of each committee. Each committee member shall serve as appointed unless a majority of the members of the Council excuse the member. If the committee does not provide otherwise, committee meetings shall be at

the call of the chairperson. The same notice shall apply to committee meetings as for special meetings of the Council.

Subd. 3. Referral and Reports. Any matter brought before the Council for consideration may be referred by the Presiding Officer to the appropriate committee or to a special committee which the presiding officer appoints for a written report and recommendation before it is considered by the Council as a whole. A majority of the members of the committee shall sign the report and file it with the Clerk no later than 5 days prior to the meeting which it is to be presented. Each committee shall act promptly and faithfully on any matter referred to it.