

**CITY OF SCANDIA
ORDINANCE NO. 91**

**AN ORDINANCE ESTABLISHING RULES FOR THE ORGANIZATION AND
PROCEDURE OF THE CITY COUNCIL OF THE CITY OF SCANDIA**

The City Council of the City of Scandia hereby ordains:

Section 1. MEETINGS

Subdivision 1. Regular meetings. Regular meetings of the city council shall be held on the third Tuesday of each calendar month at 7:00 p.m. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place, unless otherwise determined by a majority vote of the Council. 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 clerk's office. All meetings, including special emergency meetings, shall be held at the Scandia Community Center, 14727 209th Street North.

Subdivision 2. Meetings with Planning Commission. A meeting of the City Council shall be held on the first Tuesday of each calendar month at 7:00 p.m. The City Council meeting shall be continued while the Planning Commission meets at 7:30 p.m. to conduct its business, after which the Council shall receive recommendations of the Planning Commission. The Council may act upon recommendations of the Commission at that meeting or at a subsequent meeting.

Subdivision 3. Special meetings. The mayor or any two members of the council may call a special meeting of the council upon 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 some responsible person. Similar written notices shall be mailed at least three days before the meeting date to those who have requested notice of such special meetings. This request must be in writing and filed with the city clerk, designating an official address where notice may be mailed. Such request will be valid for one year.

Subdivision 4. Emergency Meetings. The mayor or any two councilmembers may call an emergency meeting when circumstances require the immediate consideration of a matter by the council. Notice may be in writing personally delivered to councilmembers or may be in the form of personal telephone communication. Notice must include the date, time, place and purpose of such a 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.

Subdivision 5. Annual Meeting. At the first regular Council meeting of January of each year, the council shall do the following:

- (a) Designate the depositories of city funds;
- (b) Designate the official newspaper;
- (c) Choose an acting mayor from the councilmembers who shall perform the mayor's duties during the mayor's absence, disability from the city, or in case of vacancy in the office of mayor, until a successor has been appointed and qualifies.
- (d) Appoint necessary officers, employees and members of boards, commissions and committees.

Subdivision 6. Public meetings. Except as otherwise provided in the open meeting law, all council meetings, including special, emergency and adjourned meetings and meetings of all council committees shall be open to the public.

Section 2. PRESIDING OFFICER

Subdivision 1. Who presides. The presiding officer shall be the mayor. In the absence of the mayor, the acting mayor shall preside. In the absences of both, the clerk shall call the meeting to order and shall preside until the councilmembers present at the meeting choose one of their number to act temporarily as presiding officer.

Subdivision 2. Procedure. The presiding officer shall preserve order, enforce the rules of procedure herein prescribed 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 these rules, the proceedings of the council shall be based on Robert's Rules of Order, Newly Revised, 10th Edition.

Subdivision 3. Appeals. 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 councilmember shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present.

Subdivision 4. Rights of presiding officer. The presiding officer may make motions, second motions, or speak on any question.

Section 3. MINUTES

Subdivision 1. Who keeps. Minutes of each council meeting shall be kept by the clerk or by the deputy clerk. In the absence of both the clerk and deputy clerk, 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 other permanent records of the clerk and can be accurately identified from the description given in the minutes.

Subdivision 2. Approvals. The minutes of each meeting shall be reduced to typewritten form, shall be signed by the clerk or deputy clerk, and copies shall be delivered to each

councilmember as soon as practicable 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 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 corrections. If there are no additions or corrections, the minutes shall stand approved.

Subdivision 3. Publication. The clerk shall publish the official minutes on the city web site within 10 days of their approval. The clerk shall mail a copy of the minutes to any resident upon request.

Section 4. ORDER OF BUSINESS

Subdivision 1. Order established. Each regular meeting of the council shall convene at the time and place appointed. Council business shall be conducted in the following order:

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Public Forum
4. Approve Agenda
5. Approval of Consent Agenda
6. Public Hearings
7. Committee Reports
8. Staff Reports
9. General Business
10. Adjournment.

Subdivision 2. Varying order. The order of business may be varied by the presiding Officer.

Subdivision 3. 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 four calendar days before the meeting. The agenda shall be prepared in accordance with the order of business and copies shall be delivered to each councilmember and posted at the community center as far in advance of the meeting as time for preparation will permit. 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 a majority vote of the councilmembers present.

Subdivision 4. Agenda materials. The clerk shall see that at least one copy of printed materials relating to agenda items is available to the public in the meeting room while the council considers their subject matter. The agenda items shall not be considered unless this provision is complied with. This section does not apply to materials that are classified as other than public under the Minnesota Government Data Practices Act or materials from closed meetings.

Section 5. QUORUM AND VOTING

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

Subdivision 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. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims and amounts fixed by statute. If any member is present but does not vote, the minutes, as to that member's name, shall be recorded as an abstention.

Subdivision 3. Votes required. A majority vote 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.

Section 6. ORDINANCES, RESOLUTIONS, MOTIONS, PETITIONS AND COMMUNICATIONS.

Subdivision 1. Readings. Every ordinance and resolution shall be presented in writing. An ordinance or resolution need not be read in full unless a member of the council requests such a reading.

Subdivision 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 resolution book. Proof of publication of every ordinance shall be attached and filed with the ordinance.

Subdivision 3. Repeals and amendments. Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number, if any, and the 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 amendments.

Subdivision 4. Motions, petitions, 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 7. COUNCIL COMMITTEES

Subdivision 1. Committees. The council may create such committees, standing or special, as it deems necessary. Committees shall consist of as many members and perform such duties at the council may require.

Section 8. ADVISORY COMMITTEES AND COMMISSIONS

Subdivision 1. Generally. The city council performs the duties and exercises the powers of administrative boards, committees or commissions. However, the Council may establish boards or commissions as set forth in this Section to investigate subjects or to perform quasi-judicial functions. Additional administrative boards or commissions shall be established as required by law or for the administration of a municipal function jointly shared with another political subdivision.

Subdivision 2. Planning Commission. The Planning Commission is established pursuant to the Minnesota Municipal Planning Act, and has the powers and duties assigned to it by that Act and by the Development Code (Ordinance 74, as amended). The Planning Commission is hereby designated the planning agency of the City pursuant to the Municipal Planning Act. The Planning Commission consists of five members appointed by the Council for staggered terms of five years, expiring on January 31st of each year. The Chairperson and Vice Chairperson of the Planning Commission are appointed by the Commission from among the members of the Commission, subject to approval by the Council, for a term of one year. The Commission shall adopt its own rules and procedures with the approval of the Council. All members of the Commission may vote on all questions before the Commission. No member of the Commission may vote on any question in which the member is directly or indirectly interested.

Subdivision 3. Parks and Recreation Committee. There is established a Park and Recreation Advisory Commission for the City, to act in an advisory capacity to the Council in all matters relating to a park and recreation program in the City. The Park and Recreation Advisory Committee consists of nine members appointed by the Council for staggered terms of five years, expiring on January 31st of each year. The Chairperson and Vice Chairperson of the Parks and Recreation Committee are appointed by the Commission from among the members of the Commission, subject to approval by the Council, for a term of one year. The Committee shall adopt its own rules and procedures with the approval of the Council.

Subdivision 4. Board of Adjustments and Appeals. Pursuant to Minnesota Statutes, Section 462.354, a Board of Adjustments and Appeals is hereby established. The city council shall serve as the Board of Adjustments and Appeals. The Planning Commission shall conduct required hearings for the Board and make recommendations to it on all variance applications.

Subdivision 5. Removal of appointees to advisory committees and commissions. A member of any advisory committee or commission appointed by the council may be removed at any time by the council.

Section 9. EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication according to law.

Passed and adopted by the City Council of the City of Scandia this 2nd day of January, 2007.

Dennis D. Seefeldt, Mayor

ATTEST:

Anne Hurlburt, Clerk/Administrator