

ORDINANCE 41

AN ORDINANCE ESTABLISHING RULES FOR THE ORGANIZATION AND PROCEDURE OF THE CITY COUNCIL OF COHASSET, MN

The city council of Cohasset, MN ordains:

SECTION 1. MEETINGS

Subdivision 1. Regular meetings. Regular meetings of the city council shall be held on second and fourth Tuesday of each calendar month at 7:00 p.m. Any regular meeting falling upon a holiday shall be rescheduled at the same 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 clerk's office. All meetings, including special emergency meetings, shall be held in the city hall.

Subdivision 2. 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 notice shall be mailed 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 3. Emergency meetings. The mayor or any two members of the council 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 council members 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 4. Organizational meeting. The first Monday of January is when the terms of new council members begin, MN Statutes § 412.02, subd. 2. The council can conduct an organizational meeting or wait until the first regular council meeting of January to do the following:

- Designate a newspaper of general circulation as its official newspaper in which the city will publish ordinances and other matters as required by law.
- Designate official depositories, by resolution, for city funds.
- Elect an acting mayor from among the council members. MN Statutes § 412.121
- Appoint the city attorney (s)
- Assign committee duties to members
- Review Council By-Laws

Subdivision 5. Public meetings. Except as otherwise provided in the open meeting law, MN Statutes § 13D.01, all council meetings or any gathering of a quorum or more of

council members where the members discuss, decide or receive information as a group on issues relating to the official business of the city 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 mayor pro-tem 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 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 conducted in accordance with the latest edition of *Robert's rules of Order Newly Revised*.

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 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.

Subdivision 4. Rights of 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 pass the chair to another council member to preside temporarily.

SECTION 3. MINUTES

Subdivision 1. Who keeps. Minutes of each council meeting shall be kept by the clerk or in the clerk's absence, 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 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, and copies shall be delivered to each council member as soon as practicable after the meeting. At the next regular meeting following such delivery, 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. The minutes shall be included on the consent agenda and all items on the consent agenda are moved as one motion. If there is an objection to a correction or a proposed addition, the minutes will be pulled from the consent agenda and the council will vote on the correction or proposed addition and then vote on the minutes as corrected separate from the remaining consent agenda. If there are

no additions or corrections, the minutes shall remain on the consent agenda and be approved when the consent agenda is moved.

Subdivision 3. Distribution. The clerk shall distribute copies of the approved minutes to all parties that have made written request to receive such copies within 30 days of approval of the minutes.

SECTION 4. ORDER OF BUSINESS

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

1. Call to order
2. Roll call
3. Public hearings
4. Resident input
5. Business update
6. City Engineers
7. City Department Heads
8. Administration
9. Consent agenda

Subdivision 2. 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.

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 three days before the meeting. The agenda shall be prepared in accordance with the order of business and copies shall be delivered to each council member and to those that have provided a written request to receive agendas 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 majority vote of the council members 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 item 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 simple majority of three of the elected council members shall constitute a quorum for the transaction of business.

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 (MN Statute §412.191) 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 ordinance or 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 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.

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. COMMITTEES

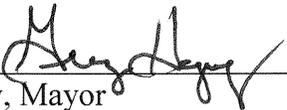
Subdivision 1. Committees designated. The following committee(s) shall be appointed by the council at the first regular council meeting in January of each year:

- 1) Personnel Committee

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

Subdivision 2. 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 that 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 prior to the council meeting at which it is to be submitted. Each committee shall act promptly and faithfully on any matter referred to it.

Subdivision 3. Suspension or amendment of rules. These rules may be suspended or amended only by majority vote of the members present and voting.



Greg Hagy, Mayor



Darla Frink, Deputy Clerk

Date adopted: May 10, 2011

Effective upon publication