CHAPTER II. ADMINISTRATION OF CITY GOVERNMENT

SECTION 200

CITY COUNCIL

200.01 THE COUNCIL

The City Council of the City of Tonka Bay shall be a five-member Council which consists of a Mayor and four Council members.

200.02 REGULAR COUNCIL MEETING

Regular meetings of the Council shall be held on the second and fourth Tuesday of each calendar month at 7:00 p.m. *(amended 6/1/07).* Any regular meeting falling upon a holiday shall be held at the time and place set by the Council. All meetings, including special and adjourned meetings shall be held at City Hall unless otherwise set by motion duly made and passed at a Council meeting.

200.03 SPECIAL COUNCIL MEETING

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. Except in cases where notice is waived the person or persons calling such special meeting shall cause a written notice thereof, specifying the business to be transacted at such special meeting, to be delivered personally to each Council member or shall be left at his usual place of residence with some responsible person. Similar notice shall be given to the official newspaper, and a copy shall be posted on the bulletin board at City Hall *(amended 2/26/13).* No business shall be transacted at such special meetings, unless the same shall have been specified in the notice thereof, without unanimous consent of the Council. Any Council member present at any special meeting who fails to object and have his objections entered in the record of such meeting will be conclusively presumed to have consented to the transaction of all business transacted at said meeting, and no objections may thereafter be raised by such Council member that the notice of such special meeting was defective.

200.04 PUBLIC HEARING

All Council meetings, including special and adjourned meetings and meetings of Council committees, shall be open to the public.

Subd. 1 "Open Meeting Law" Exceptions.

Meeting exempted from the requirements of the Open Meeting Law, Minnesota Statutes Section 471.705 shall not be open to the public.

Subd. 2 Other Exceptions.

The following meetings shall not be open to the public:

a. Litigation. Meetings between the City Council or any of its members and its attorney to discuss pending or threatened litigation. This exception is based on Minnesota Statutes Sections 595.02(2) and 481.06(5), Minnesota Supreme Court Code of Professional Responsibility, Cannon 4.

b. Government Data Practices Act. Meetings to discuss information required to be kept confidential or private by the Minnesota Government Data Practices Act, Minnesota Statutes Section 13 et seq., or the Federal Privacy Act, A.S.C. §§552, 552a as amended.

c. Disciplinary Proceedings. Meetings to consider possible disciplinary proceedings against an employee.

d. Collective Bargaining. Collective bargaining sessions with union representatives if provided for by the director of mediation services.

e. Other Exceptions. Any meeting exempted from compliance by operation of State Statute or by operation of law.

200.05 PRESIDING OFFICER

Subd. 1 Who Presides

The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Acting Mayor shall preside. In the absence of both, the City Administrator shall call the meeting or order and shall preside until the Council members present at the meeting choose one of their members 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 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 Robert's Rules of Order, Revised.

Subd. 3 Appeal Procedure.

Any Council member may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the ember may speak once solely on the procedure questions involved and the presiding officer may explain his ruling. No other member of the Council shall participate in the discussion. The appeal shall be sustained if approved by a majority of the members present.

200.06 MINUTES

Subd. 1 Who Keeps.

Minutes of all Council meetings shall be prepared and kept by the clerk or other person as designated by the Council. 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.

Subd. 2 Approval.

The minutes of each meeting shall be reduced to typewritten form, and shall be signed by the clerk, and copies thereof shall be delivered to each Council member as soon as reasonably practicable after the meeting. At the next regular Council meeting following such delivery, approval of the minutes shall be considered by the Council. If there are no objections to or any proposed additions or corrections, the minutes may be approved without a vote of the Council. If there is an objection, the Council shall vote upon the addition or correction.

200.07 ORDER OF BUSINESS

Each meeting of the Council shall convene at the time and place appointed therefore, Council business shall be conducted in the following order: (1) Call to

Order; (2) Roll Call; (3) Approval of Agenda; (4) Consent Agenda; (5) Matters from the Floor; (6) Special Business; Public Hearings; Old Business; New Business including but not limited to the introduction or ordinances and resolutions; Matters from the Floor; Reports of Officers, Board and Committees; Adjournment *(amended 1-24-98)(amended 10-14-97)(amended 2-26-13).*

Subd. 1 Varying Order of Business

The order of business may be varied by the presiding officer; however, all public hearings shall be held at the time specified in the notice of hearing.

200.08 AGENDA

An agenda of business for each regularly scheduled meeting shall be prepared and filed in the office of the clerk. *(Amended 2/26/13)* The agenda shall be prepared in accordance with the order of business and copies thereof shall be delivered to each Council member, the City attorney, and as far in advance of the meeting time as reasonably possible. 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.

200.09 VOTING

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 or ordinance. A majority vote of a quorum shall prevail in all other cases.

200.10 ORDINANCES, RESOLUTIONS AND PETITION

Subd. 1 Readings.

Every ordinance shall be presented in writing. Every ordinance shall receive two (2) readings before the Council prior to final adoption, but shall not be read twice at the same meeting. An ordinance may receive only one reading before the Council prior to final adoption if upon unanimous vote of the Council the second reading is waived. An ordinance or resolution shall be read in full upon the request of a member of the Council.

Subd. 2 Resolutions.

The enacting clause of all resolutions shall be as follows: "Be it resolved by the City Council of the City of Tonka Bay, Hennepin County, Minnesota..."

Subd. 3 Signing and Proof of Publication.

Every ordinance and resolution passed by the Council shall be signed by the Mayor, attested by the clerk-treasurer, numbered, recorded and filed by the clerk *(amended 2/26/13)* in an ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with the ordinance. No resolution shall be published unless the laws of the State of Minnesota require it to be published or unless it is directed to be published by the City Council.

Subd. 4 Repeals and Amendments.

Every ordinance or resolution repealing a previous ordinance 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 amendment.

Subd. 5 Petitions

Every petition 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. Every petition shall be recorded in the minutes by title and filed with the minutes in the office of the clerk-treasurer.

200.10 SALARIES **(Amended 11-10-94*)(Amended 1-14-97**)(Amended 2-26-13**)**

*Subd. 1 Mayor.

The salary of the Mayor shall be $100 per regular Council meeting attended.

*Subd. 2 Councilmembers

The salary of each Councilmember shall be $75 per regular Council meeting attended.

Subd. 3 Duration.

The salaries established in this section shall remain effective until amended in accordance with Minnesota Statutes Section 415.11.

**Subd. 4 The Mayor and Councilmembers shall not be compensated for absences from City Council meetings *(amended 2-26-13)*