

# CITY OF FEDERAL DAM BYLAWS

Ordinance No. 2007-2-12

## AN ORDINANCE ESTABLISHING RULES FOR THE ORGANIZATION AND PROCEDURE OF THE CITY COUNCIL OF FEDERAL DAM.

The city council of Federal Dam ordains:

### Section 1. Meetings

**Subdivision 1. Regular meetings.** Regular meetings of the city council shall be held on the second Monday of each calendar month at 6:30 p.m. Any regular meeting falling upon a holiday shall be held on the next following business day 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 clerk's office. All meetings, including special emergency meetings, shall be held in the city hall.

**Subd. 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 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.

**Subd. 4. Initial meeting.** At the first regular council meeting of January of each year, the council shall do the following:

- 1) Designate the depositories of city funds;
- 2) Designate the official newspaper;
- 3) 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;
- 4) Appoint necessary officers, employees, and members of boards, commissions, and committees.

**Subd. 5. 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 absence 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.

**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, Newly Revised, 10th Edition*.

**Subd. 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.

**Subd. 4. Rights of presiding officer.** The presiding officer may make motions, second motions, or speak on any question except that on demand of any councilmember the presiding officer shall pass the chair to another councilmember 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.

**Subd. 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 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 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 official proceedings.

### **Section 4. Order of business.**

**Subdivision 1. Order established.** Each 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
- 2) Roll call
- 3) Approval of minutes
- 4) Public hearings
- 5) Petitions, requests, and communications
- 6) Ordinances and resolutions
- 7) Reports of officers, boards, committees

- 8) Unfinished business
- 9) New business
- 10) Miscellaneous
- 11) Adjournment

**Subd. 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.

**Subd. 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 (3) 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 to others who request it 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 unanimous vote of the councilmembers present.

**Subd. 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 majority of the elected councilmembers shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. The council may punish non-attendance by a fine not exceeding the per-meeting payroll amount for each absence from any meeting unless a reasonable excuse is offered.

**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. 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.

**Subd. 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.

**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, 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. 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 committees shall be appointed by the council at the first regular council meeting in January of each year:

- 1) Auditing committee
- 2) Personnel committee
- 3) Purchasing committee
- 4) Public reporting committee

**Subd. 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. Minority reports may be submitted. Each committee shall act promptly and faithfully on any matter referred to it.

**Section 8. Suspension or amendment of rules.** These rules may be suspended or amended only by a two-thirds vote of the members present and voting.

**Adopted by the Federal Dam City Council on February 12, 2007.**

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William Adams, Mayor

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Attest: Patricia Ritter,  
Clerk-Treasurer