

TITLE III: ADMINISTRATION

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CHAPTER 30: GENERAL PROVISIONS

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- 30.01 Citation issuance in lieu of arrest
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Cross-reference:

Enforcement, see § 10.20

CITY LAW ENFORCEMENT

§ 30.01 CITATION ISSUANCE IN LIEU OF ARREST.

(A) The duly appointed City Clerk, Building Inspector, Code Enforcement Officer, and Animal Control Officer are authorized to issue citations in lieu of arrest or continued detention to persons who violate ordinances of the City of North Oaks.

(B) This section is adopted to comply with the requirement in Chapter 334, § 5, of Laws 1987 Regular Session.

(C) This section shall take effect and be in force after its passage and official publication.
(Ord. 74, passed 8-13-1987)

§ 30.02 SHERIFF OF RAMSEY COUNTY; POWERS.

In addition to any other peace officer now or hereafter designated by the City Council of the City of North Oaks, the Sheriff of Ramsey County and his or her lawfully designated deputies are hereby empowered to act as the law enforcement agency of the City of North Oaks.
(Ord. 32, passed 6-14-1962)

CITY ELECTIONS

§ 30.15 REGULAR CITY ELECTION.

(A) *Date of election.* The regular city election shall be held biennially on the first Tuesday after the first Monday in November in every even-numbered year beginning with the 1974 election.

(B) *Terms and transition.* Two Council members shall be elected for 4-year terms at each biennial election commencing in 1978. One Council member shall be elected for a 4-year term at the 1974 city election. Of the 3 Council members to be elected at the 1976 election, the 2 candidates receiving the highest number of votes shall serve for terms of 4 years and the 1 receiving the third highest number of votes shall serve for a term of 2 years. The Mayor shall be elected for a 2-year term at each election commencing in 1976.
(Ord. 61, passed 7-11-1974)

CHAPTER 31: CITY COUNCIL

Section

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- 31.01 Meetings of the Council
- 31.02 Presiding officer
- 31.03 Minutes
- 31.04 Order of business
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MEETINGS AND LEGISLATION

§ 31.01 MEETINGS OF THE COUNCIL.

(A) *Regular meetings.* Unless otherwise scheduled by the Council, regular meetings of the Council shall be held on the second Thursday of each calendar month at 7:30 p.m. All meetings, including special and adjourned meetings, shall be held in the Recreational Center, 5 Mink Lane, unless the Council decides otherwise at a prior meeting, or meeting in the Recreational Center is impossible.

(B) *Special meetings.*

(1) *Special meetings with notice.* The Mayor or any 2 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 shall be left at the member's usual place of residence with some responsible person. In lieu of the above notification procedure, it shall be acceptable to mail notification to each member if the mailed notification is received at least 24 hours prior to the meeting.

(2) *Special meetings without notice.* Special meetings may be held without notice when all members are present and take part in the meeting or, if a member cannot be present, when the absent member consents in writing to hold the special meeting without other notice. The written consent shall be filed with the Clerk prior to the commencement of the meeting. Any special meeting shall be a regular meeting for the transaction of any business that may come before it.

(C) *Initial meeting.*

(1) 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 1 of the Council members as Acting Mayor, who shall perform the duties of the Mayor during the disability or absence of the Mayor or, in case of a vacancy in the Office of Mayor, until a successor has been appointed and qualifies; and

(d) Establish and appoint Council members to the Council committees as are deemed appropriate for the efficient and orderly management of the city.

(2) The Mayor shall appoint the officers and employees and the members of boards, commissions, and committees as may be necessary unless expressly ordered by the Council.

(D) *Public meetings.* All Council meetings, including special and adjourned meetings and meetings of Council committees, shall be conducted in accordance with the Minnesota Open Meeting Law.

(Ord. 1-A, passed 10-11-1990)

§ 31.02 PRESIDING OFFICER.

(A) *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 Clerk shall call the meeting to order and shall preside until the Council members present at the meeting choose 1 of their number to act temporarily as presiding officer.

(B) *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*.

(C) *Appeal procedure.* Any member may appeal to the Council 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 the 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 including the presiding officer.
(Ord. 1-A, passed 10-11-1990)

§ 31.03 MINUTES.

(A) *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 other permanent records of the Clerk and can be accurately identified from the description given in the minutes.

(B) *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 practicable after the meeting. At the next regular Council meeting following the delivery, approval of the minutes shall be considered by the Council. The minutes need not be read aloud, but the presiding officer shall call for any additions or corrections, which may be made without a vote of 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.
(Ord. 1-A, passed 10-11-1990)

§ 31.04 ORDER OF BUSINESS.

(A) *Order established.* Each meeting of the Council shall convene at the time and place appointed therefor. Council business shall be conducted in the following order unless varied by the presiding officer:

- (1) Call to order;
- (2) Roll call;
- (3) Approval of minutes;
- (4) Consent agenda;
- (5) Public hearings;
- (6) Petitions, requests, and communications;

- (7) Ordinances and resolutions;
- (8) Reports of officers, boards, and committees;
- (9) Unfinished business;
- (10) New business;
- (11) Miscellaneous; and
- (12) Adjournment.

(B) *Petitions and agenda.* Petitions and other papers addressed to the Council shall be read by the Clerk upon presentation of the same to the Council. All persons desiring to present new business before the Council shall inform the Clerk thereof at least 2 hours before the new business is to be heard. The Clerk may prepare an agenda of the new business for submission to the Council on or before the time of the next regular meeting.
(Ord. 1-A, passed 10-11-1990)

§ 31.05 VOTING.

(A) The votes of the members on any questions 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.

(B) The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute.

(C) If any member is present but does not vote, the minutes, as to his or her name, shall be marked Present-Not Voting.
(Ord. 1-A, passed 10-11-1990)

§ 31.06 ORDINANCES, RESOLUTIONS, NOTIONS, PETITIONS, AND COMMUNICATIONS.

(A) *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.

(B) *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.
(Ord. 1-A, passed 10-11-1990)

§ 31.07 SUSPENSION OR AMENDMENT OF THIS SUBCHAPTER.

This subchapter may be suspended only by a 2/3 vote of the members present and voting.
(Ord. 1-A, passed 10-11-1990)

§ 31.08 EFFECTIVE DATE.

This subchapter shall take effect and be in force after its passage and official publication.
(Ord. 1-A, passed 10-11-1990)

CHAPTER 32: CITY OFFICIALS AND ORGANIZATIONS

Section

Board of Health; Health Officer

- 32.01 Generally
- 32.02 Duties of Board of Health
- 32.03 Duties of Health Officer

BOARD OF HEALTH; HEALTH OFFICER

§ 32.01 GENERALLY.

(A) A Board of Health is hereby established in and for the City of North Oaks consisting of a Health Officer, who shall be the chief executive officer of the Board, and 2 other members to be appointed by the Council.

(B) When first appointed, 1 member of the Board shall be appointed for 1 year, 1 for 2 years, and 1 for 3 years. Thereafter, all appointments shall be for a period of 3 years.

(C) Appointments shall be made at the first meeting of the Council year.
(Ord. 49, passed 2-10-1966)

§ 32.02 DUTIES OF BOARD OF HEALTH.

(A) The Board of Health shall make the investigations and reports and shall obey the directions concerning communicable diseases as the state department may require or give, and shall enforce all statutes, ordinances, and all lawful rules and regulations concerning public health.

(B) In suppressing communicable diseases, all medical and other assistance may be employed as is deemed necessary in the establishing, enforcing, quarantine, and the releasing thereof.

(C) All expenses thus properly incurred shall be paid and thereafter certified to the County Auditor for allowance and payment of 1/2 of the amount by the county as provided by law.
(Ord. 49, passed 2-10-1966)

§ 32.03 DUTIES OF HEALTH OFFICER.

The Health Officer shall execute the lawful order of the State and City Board of Health and perform the other duties as are or may be prescribed by statute, by ordinance or resolution of the City Council, or by regulations of the State Board of Health. He or she shall enforce the nuisance ordinances of the municipality in so far as they relate to matters in any way affecting the public health; and he or she is hereby given power, and it is made his or her duty, to enter and inspect any and all premises where food products are stored that are to be or are offered for sale or are sold or offered to the public, and to see that no unwholesome thing is offered for sale to the public. It is hereby made a condition of all licenses granted in the city that the Health Officer is given power to inspect any and all products sold and any licensed premises. He or she shall take all necessary steps to abate any nuisances or unwholesome conditions, and in his or her discretion shall recommend the revocation or refusal of any license for any premises operated or maintained in an unhealthful or unsanitary condition.

(Ord. 49, passed 2-10-1966)

CHAPTER 33: EMERGENCY MANAGEMENT

Section

- 33.01 Policy and purpose
- 33.02 Definitions
- 33.03 Establishment of emergency management organization
- 33.04 Powers and duties of Director
- 33.05 Local emergencies
- 33.06 Emergency regulations
- 33.07 Emergency management a government function
- 33.08 Participation in labor disputes or politics
- 33.99 Penalty

Cross-reference:

Board of Health; Health Officer, see §§ 32.01 et seq.

§ 33.01 POLICY AND PURPOSE.

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds, or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to ensure that preparations of this city will be adequate to deal with those disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this city, it is hereby found and declared to be necessary:

(A) To establish a city emergency management organization responsible for city planning and preparation for emergency government operations in time of disasters;

(B) To provide for the exercise of necessary powers during emergencies and disasters;

(C) To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of emergency-preparedness functions; and

(D) To comply with the provisions of M.S. § 12.25, as it may be amended from time to time, which requires that each political subdivision of the state shall establish a local organization for emergency management.

§ 33.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DISASTER. A situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted in or is likely to result in catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

EMERGENCY. An unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

EMERGENCY MANAGEMENT.

(1) The preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by fire, flood, tornado, and other acts of nature, or from sabotage, hostile action, or from industrial hazardous material mishaps.

(2) These functions include, without limitation, firefighting services, police services, emergency medical services, engineering, warning services, communications, radiological and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions.

(3) ***EMERGENCY MANAGEMENT*** includes those activities sometimes referred to as civil defense functions.

EMERGENCY MANAGEMENT FORCES.

(1) The total personnel resources engaged in city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder.

(2) This includes personnel from city departments, authorized volunteers, and private organizations and agencies.

EMERGENCY MANAGEMENT ORGANIZATION.

(1) The staff responsible for coordinating city-level planning and preparation for disaster response.

(2) This organization provides city liaison and coordination with federal, state, and local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state program requirements.

§ 33.03 ESTABLISHMENT OF EMERGENCY MANAGEMENT ORGANIZATION.

(A) There is hereby created within the city government an emergency management organization which shall be under the supervision and control of the City Emergency Management Director, called the Director.

(B) The Director shall be appointed by the City Council for an indefinite term and may be removed by the Council at any time.

(C) The Director shall serve with a salary as established by the City Council and shall be paid his or her or her necessary expenses.

(D) The Director shall have direct responsibility for the organization, administration, and operation of the emergency preparedness organization, subject to the direction and control of the Council.

§ 33.04 POWERS AND DUTIES OF DIRECTOR.

(A) (1) The Director shall represent the city on any regional or state conference for emergency management.

(2) The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present these agreements to the Council for its action.

(3) These arrangements shall be consistent with the State Emergency Plan.

(B) (1) The Director shall make studies and surveys of the human resources, industries, resources, and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster.

(2) The Director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions subject to the approval of the Mayor.

(C) (1) The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its approval.

(2) When the Council has approved the plan, it shall be the duty of all city agencies and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved.

(3) The plan may be modified in like manner from time to time.

(4) The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plans of the federal government and the state and correlated with emergency plans of the county and other political subdivisions within the state.

(D) In accordance with the State and City Emergency Plan, the Director shall institute training programs and public information programs, and conduct practice warning alerts and emergency exercises as may be necessary, to assure prompt and effective operation of the City Emergency Plan when a disaster occurs.

(E) (1) The Director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable.

(2) The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's emergency management organization and to the Governor upon request.

(3) The head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of those emergency activities as will involve the utilization of the facilities of the department or agency.

(F) (1) The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis to carry out the emergency plans of the city and state.

(2) To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.

(G) Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational capability in the several services as provided by M.S. § 12.25, as it may be amended from time to time.

(H) The Director shall carry out all orders, rules, and regulations issued by the Governor with reference to emergency management.

(I) The Director shall prepare and submit reports on emergency preparedness activities when requested by the Mayor.

§ 33.05 LOCAL EMERGENCIES.

(A) (1) A local emergency may be declared only by the Mayor or his or her legal successor.

(2) It shall not be continued for a period in excess of 3 days except by or with the consent of the Council.

(3) Any order or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Clerk.

(B) A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans, and may authorize aid and assistance thereunder.

(C) (1) No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions.

(2) However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions.
Penalty, see § 33.99

§ 33.06 EMERGENCY REGULATIONS.

(A) Whenever necessary, to meet a declared emergency or to prepare for an emergency for which adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution promulgate regulations, consistent with applicable federal or state law or regulation, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulations, drills or practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.

(B) (1) Every resolution of emergency regulations shall be in writing; shall be dated; shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the office of the City Clerk.

(2) A copy shall be kept posted and available for public inspection during business hours.

(3) Notice of the existence of these regulations and their availability for inspection at the City Clerk's office shall be conspicuously posted at the front of the city hall or other headquarters of the city or at other places in the affected area as the Council shall designate in the resolution.

(4) By resolution, the Council may modify or rescind a regulation.

(C) (1) The Council may rescind any regulation by resolution at any time.

(2) If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first.

(3) Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.

(D) (1) During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time, and notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of a disaster.

(2) The city may exercise these powers in the light of the exigencies of the disaster without compliance with the time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids.
Penalty, see § 33.99

§ 33.07 EMERGENCY MANAGEMENT A GOVERNMENT FUNCTION.

(A) All functions and activities relating to emergency management are hereby declared to be governmental functions.

(B) The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this resolution or under the worker's compensation law, or under any pension law, nor the right of any person to receive any benefits or compensation under any act of Congress.

§ 33.08 PARTICIPATION IN LABOR DISPUTES OR POLITICS.

The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

§ 33.99 PENALTY.

Any person who violates any provision of this chapter, or any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city employees or officers, is guilty of a misdemeanor.

Cross-reference:

General penalty, see § 10.99

ORDINANCE NO. 130
AMENDING CITY CODE 150 RELATING TO PLANNING COMMISSION
COMPOSITION AND ORGANIZATION

CHAPTER 34: PLANNING COMMISSION

§ 34.01. ESTABLISHMENT. A Planning Commission is hereby established. The Planning Commission shall be and is the planning agency for the City of North Oaks, as authorized by M.S. 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in the City of North Oaks ordinances, the Planning Commission shall be advisory directly to the City Council of the City of North Oaks.

§ 34.02. COMPOSITION. The Planning Commission shall consist of seven (7) voting members, who must be residents of the City of North Oaks. All members shall be appointed by the City Council. One (1) of the members may be a member of the City Council. Such City Council liaison member shall be a non-voting member of the Planning Commission and shall not be counted in determining quorum.

§ 34.03. TERMS, OATH, AND VACANCIES. Subject to the removal provisions in this chapter, the term of each member shall be three (3) years, which shall commence on January 1 of the applicable first year, and end on December 31 of the third year. At the start of the applicable term and before exercising any authority or duties, each member shall take an oath that he or she will faithfully discharge the duties of the office. Members shall be and are automatically removed without vote of the City Council when they no longer meet the residential eligibility requirement; fail to meet the attendance requirement in § 34.07; or die. Members may also be removed during a term for cause by a supermajority vote of the City Council. Each member shall hold office until a successor is appointed and qualified. If a member of the Planning Commission subsequently becomes a member of the City Council, such individual shall automatically cease to be a member of the Planning Commission as the date he or she is sworn into the City Council. In the event of a vacancy, the term of an appointed successor shall be for the remainder of the departing member's term.

§ 34.04 COMPENSATION. Members serve without compensation; except that the City Council may, in its discretion and by a majority vote establish compensation for the Planning Commission members.

§ 34.05. ORGANIZATION, STAFF, AND ADVISORS.

(A) Organization. The City Council shall appoint the chairperson of the Planning Commission from among the members. The chairperson may hold office for a term of one (1) year. The chairperson shall not be the City Council liaison. The City Council may create and fill other offices as it determines necessary.

(B) Staff. The staff of the City of North Oaks shall provide reasonable support and information as requested by the Planning Commission. The City Administrator for the City shall

attend official Planning Commission meetings. City staff shall be responsible for attending the meetings and keeping the minutes and records of the Planning Commission.

(C) **Advisors.** The City Attorney, City Planner, City Engineer, Building Inspector and/or any other representatives that are engaged by the City of North Oaks, are available as advisors and resources to the Planning Commission. They shall attend Planning Commission meetings upon request, and may be compensated for such attendance in accordance with their contracts with the City of North Oaks.

§ 34.06 MEETINGS, MINUTES AND EXPENDITURES.

(A) **Meetings.** The Planning Commission shall hold regular meetings, at least once each month, at the time and place as they may fix by resolution filed with the City Clerk, and upon at least seven (7) days' written notice, unless notice is waived by all Planning Commission members. Regular meetings shall be held at least once per month, unless circumstances such as lack of agenda, severe, inclement weather or absences, prevent them. Special meetings may be called at any time by the chairperson, or in the chairperson's absence, the acting chairperson, or as directed by the City Council or Mayor, upon three (3) days' written notice, unless notice is waived by all Planning Commission members. Meetings may proceed when a quorum is present. Attendance by four (4) voting members is necessary for a quorum. The City Council liaison member is not a voting member and does not count in determining a quorum.

(B) **Rules of Order.** Subject to approval by the City Council, the Planning Commission shall adopt rules of order for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

(C) **Minutes, Records and Reports.** The Planning Commission shall keep written minutes of its regular and special meetings, and shall keep a record of its motions, resolutions, transactions, and findings. The minutes of each meeting (official or unofficial) shall be promptly filed with the city clerk prior to the next regularly scheduled City Council meeting. If the minutes are unofficial, they remain subject to approval at the next Planning Commission meeting. On or before January 1 of each year, the Planning Commission shall submit a written report of its work during the preceding calendar year, to the City Council.

(E) **Expenditures.** The Planning Commission may make expenditures subject to and only within the amounts appropriated by the City Council. The Planning Commission shall submit a written report of its expenditures for a calendar year, to the City Council, on or before January 1 of the following calendar year.

§ 34.07 ATTENDANCE. Planning Commission members are required to attend at least half of the Planning Commission's official regular and special meetings in each calendar year, unless specifically excused by the Planning Commission chairperson because of unforeseeable circumstances. Excused absences shall be so noted in the minutes of the applicable meeting. Failure to meet this attendance requirement in a given calendar year, shall result in automatic removal from the Planning Commission as of December 31 of that calendar year.

§ 34.08. POWERS AND DUTIES. The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall perform its duties as set forth in these City ordinances, including as set forth in Chapter 150.

§ 34.09. EFFECTIVE DATE. This ordinance, Chapter 34, is effective on the date it is published (or a summary of the ordinance is published pursuant to M.S. § 412.191, subd. 4) in a manner that meets the requirements of Minnesota Statutes § 331A.01, subd. 10.
(Ord. 34, passed 6-13-2019)