

## CHAPTER 2. ADMINISTRATION

### Part 1. The Council

#### 201.01. Meetings.

Subdivision 1. **Regular meetings.** Regular meetings of the council shall be held on the second Wednesday of each calendar month at 6:00 PM. Any regular meeting falling upon a holiday shall be rescheduled and be held at the same time and place. All meetings, including special and adjourned meetings, shall be held in the city hall unless the council decides otherwise at a prior meeting, or meeting in the city hall is impossible.

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 shall be left at the member's usual place of residence with some responsible person. Notice to the public shall be given in accordance with state law.

Subd.3. **Initial meeting.** At the first regular council meeting in January of each year the council shall:

- Designate the depositories of city funds;

- Designate the official newspaper;

- Choose one of the Council Members as acting Mayor, who shall perform the duties of the Mayor during the disability or absence of the Mayor from the City or, in case of a vacancy in the office of Mayor, until a successor has been appointed and qualifies;

- Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary;

- Establish and appoint Council Members to such council committees as are deemed appropriate for the efficient and orderly management of the City.

Subd. 4. **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.

#### 201.02. Presiding officer.

Subdivision 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 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.

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 or Order Revised

Subd. 3. **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.

### **201.03. Minutes.**

Subdivision 1. **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.

Subd. 2. **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 such 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. If there is no objection, the council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

### **201.04 Order of business.**

Subdivision 1. **Order established.** Each meeting of the council shall convene at the time and place appointed there for. Council business shall be conducted in the following order unless varied by the presiding officer:

- a. Call to order
- b. Roll call
- c. Approve Agenda
- d. Consent agenda
- d. Public Hearings/Planning Commission Meeting
- e. Petitions, Communications & Correspondence
- f. Ordinances, Resolutions and Policies
- g. Project Updates
- h. Unfinished Business
- i. New Business
- j. Staff and Committee Reports and Recommendations
- k. Recap Action Items
- l. Upcoming Meeting and Events
- m. Adjournment

Subd. 2. **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 72 hours before said new business is to be heard. The clerk may prepare an agenda of said new business for submission to the council on or before the time of the next regular meeting.

### **201.05 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 his name, shall be marked "Abstained."

**201.06. Ordinance, resolutions, motions, petitions, and communications.**

Subdivision 1. **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. 2. **Repeals and amendments.** Every ordinance or resolution repealing a previous ordinance or resolution or section or subdivision thereof shall give the number, if any, and the title or 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.

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

**201.08 Salaries of Mayor and Council Members.**

The City Council of the City of Carlton, Minnesota does ordain as follows:

Subd. 1. That after the next General City Election, and specifically on January 1<sup>st</sup>, 2019, the Salaries of the Mayor and City Council members of the City of Carlton shall be as follows:

Mayor - \$450.00 per month

Council Members - \$300.00 per month

No additional compensation will be added for special meetings.

Expense Reimbursement – The mayor and city council members shall be reimbursed by the city for reasonable travel expense incurred while attending meetings not held at Carlton City Hall. Mileage shall be reimbursed at the rate approve by the United States Internal Revenue Service.

Subd. 2. All prior inconsistent Ordinances are hereby amended or repealed.

Subd. 3. Pursuant to the provisions of Minnesota Statutes, this Ordinance shall not become effective until after the next Regular City Election and it's publication in the Official City Newspaper.

Dated Passed by the City Council – October 24, 2018 (Ord. No. 205)

Date Published – October 31, 2018

**201.09 Clerk-Treasurer**

The Village Council of the Village of Carlton does ordain as follows:

Subd. 1. That pursuant to the provisions of the Laws of Minnesota for 1965, Chapter 417, Section 12, Subdivision 2, M.S.A. 412.591, Subd. 2, effective August 1, 1972, the offices of Carlton City Treasurer and Carlton City Clerk shall be, and they thereby will, combined into one office to be held by one person who shall be then immediately appointed by the City Council to serve annual terms to be appointed at the first regular meeting of the City Council of the City of Carlton of each successive year.

Subd. 2. It is further ordained that the salary of the Clerk-Treasurer of the City of Carlton shall be established by Resolution of the City Council upon his initial appointment and thereafter

upon such annual appointment at the first regular meeting of the City Council of each successive year.

## **Part 2 Police Department**

## **Part 3 Fire Department**

### **203.01 Establish and Regulate a Volunteer Fire Department for the Village of Carlton**

The Village Council of the Village of Carlton do ordain as follows:

- Subd. 1. There is hereby established a Volunteer Fire Department for the City of Carlton, designated as Carlton Volunteer Fire Department.
- Subd. 2. The Fire Department shall consist of thirty-five (35) members, whom shall be at least eighteen (18) years of ages, from which members a fire chief, two (2) assistant fire chiefs and three (3) captains shall be elected, as hereinafter set forth. All of which shall be elected by department members, subject to the approval of the City Council. The fire chief and assistant chiefs will be elected for a term of three (3) years. The three (3) captains shall be elected for a term of two (2) years. The department shall appoint a secretary and treasurer for the Relief Association and the Fire Department from the members, to hold office for a term of (2) years.  
*Effective Publication date January 18, 2018.*
- Subd. 3. The Fire Board shall consist of The City of Carlton Council, Twin Lakes Township Board and a designated Representative for Sawyer. The Fire Board shall meet annually.
- Subd. 4. The names of persons elected to Officer Positions shall be presented to the Carlton City Council for approval.
- Subd. 5. Any member of the department who has reached the minimum retirement qualification may retire from service with the consent of the City Council and in like manner any member who shall become physically unfit for service.
- Subd. 6. The Fire Department Officers are authorized and empowered from time to time to adopt by-laws and rules for the control, management and government of the department and for the regulating of the proceedings and business of said board, which by-laws and rules after adoption by said board shall not be affective until approved by the City Council. Such by-laws and rules shall not conflict with this ordinance.
- Subd. 7. The Fire Department Officers shall devise forms and methods of keeping records and cause to be made a record of all fires and fire alarms, time spent on fires or alarms, cause of fires, if known, names of owners or tenants, type of buildings and occupancy, members responding to alarms and such other information as they deem advisable or as may be required by the City Council or the State Insurance Department. They shall cause to be kept a complete inventory of all fire equipment, including hose, hose appliances, all minor equipment, condition of hydrants and see that all equipment is kept in proper condition.
- Subd. 8. It shall be the duty of said department as often as any fire shall break out to go immediately, upon the alarm thereof, to the fire station and to take the fire equipment to the place of the

fire, unless otherwise directed by the chief or other officer who may be in charge and upon such direction, they shall return the equipment well washed and cleansed to the respective places of keeping.

- Subd. 9. The chief shall have the general supervision of the department when it is not in actual duty at a fire, which supervision shall be subject to and not in conflict with such rules and by-laws as may from time to time be adopted by the Fire Department.
- Subd. 10. In all cases of fire, the chief, or in his/her absence, an assistant fire chief shall have full power, control and command and cause all equipment and apparatus to be used in the most advantageous manner. Should the chief and the assistant chiefs be absent from a fire, the highest-ranking member first arriving shall have charge of the apparatus and equipment and shall assume the duties of the chief until the arrival of the chief or his assistant.
- Subd. 11. It shall be the duty of the chief to report semi-annually and oftener if required, to the City Council the condition of the various pieces of apparatus and equipment, the number of fires, their location and cause, the date and loss occasioned by same, the number of members in the department and the resignations and expulsions passed upon by the Department Officers. The Officers are responsible for reporting to the Minnesota Fire Incident Reporting System (MFIRS).
- Subd. 12. The Incident Commander is hereby given full authority at any fire and the authority to require and secure the removal of any and all obstructions from in front of and around hydrants and for such purpose are authorized to call upon the head of any of the City departments for aid and assistance in the removal of such obstructions.
- Subd. 13. It shall be the responsibility of the Fire Department members to see that all hose is thoroughly washed and dried after use at fires and drills and to see that no wet or dirty hose is placed on the apparatus.
- Subd. 14. It shall be the duty of the Officers of the Fire Department to keep a record of the fire and drill service of each member of the department.
- Subd. 15. No member of the department, except on alarm of fire, shall drive any motor vehicle or remove from the fire hall any fire apparatus unless directed to do so by the fire officers, which direction may be given in case of emergency. Nor shall any member be permitted to tamper with or fix or repair any of the apparatus unless he has been directed so to do by the fire officers.
- Subd. 16. All request for repairs, equipment or supplies for the department shall be presented to the council when they exceed \$2,500.00, but in case any apparatus or equipment shall be so disabled that immediate repairs are necessary the chief is hereby authorized to have the same repaired at once.
- Subd.17. The City Council shall compensate the members of the City fire department for each fire run or ambulance run that the members of the department are called upon to make according to the current pay scale and the current incentive pay formula.
- Subd. 18. That all ordinances and parts of ordinances in conflict here with are hereby repealed.
- Subd. 19. This ordinance shall take effect and be in force from and after its passage and publication.

Passed this 13<sup>th</sup> day of March, 1939 - Published March 17, 1939

Attest: Charles Bellingham  
Village Clerk

J.H. Johnson  
President of Village Council

#### **Part 4 Planning Commission**

#### **Part 5 Miscellaneous**

##### **205.01 Age of Majority**

The Village Council of the Village of Carlton does ordain as follows:

- Subd 1. That all of the Ordinances of the City of Carlton which provide applicability in reference to the age of majority of persons to be 21 years be, and they hereby are, amended and modified pursuant to the provisions of recent Minnesota State Statutes, to provide that the age of majority be 18 years.
- Subd 2. This ordinance shall take effect and be enforced from and after the passage of State Legislation pertaining thereto.

##### **205.02 Abandoned Property**

Subd.1. **Procedure.** All other property lawfully coming into the possession of the city shall be disposed of as provided in this section.

Subd. 2. **Storage.** The department of the city acquiring possession of the property shall arrange for its storage. If city facilities for storage are unavailable or inadequate, the department may arrange for storage at privately owned facilities.

Subd. 3. **Claim by owner.** The owner may claim the property by exhibiting satisfactory proof of ownership and paying the city any storage or maintenance costs incurred by it. A receipt for the property shall be obtained upon release to the owner.

Subd. 4. **Sale.** If the property remains unclaimed in the possession of the city for 60 days, the property shall be sold to the highest bidder at a public auction conducted by the sheriff's department after two weeks' published notice setting for the time and place of the sale and property to be sold.

Subd.5. **Disposition of proceeds.** The proceeds of the sale shall be placed in the general fund of the city. If the former owner makes application and furnishes satisfactory proof of ownership within six months of the sale, the former owner shall be paid the proceeds of the sale of the property less the costs of storage and the proportionate part of the cost of published notice and other costs of the sale.

## **Part 6 Fee Schedule**

### **206.01 Establishment and Review of the City of Carlton Fee Schedule**

**Subd. 1.** There is hereby established a Fee Schedule for the City of Carlton (attached hereto), to be attached as an addendum to the Carlton City Code, to include all fees referenced therein as appearing on the Fee Schedule.

**Subd. 2.** The Fee Schedule is to be reviewed on an annual basis with any increases therein made to be approved by ordinance at the first regular City Council meeting of each new year, or as soon thereafter as is reasonably possible.

**Subd. 3.** Notwithstanding the preceding subdivision, the Fee Schedule may be reviewed for amendment at any Special Meeting called for that purpose when necessary to protect the public interest in the receipt of public funds necessary to pay for public services.

**Effective Date:** This Ordinance shall take effect and be in force from and after its passage and publication