

CHAPTER 2. ADMINISTRATION OF CITY GOVERNMENT

SECTION 200 CITY COUNCIL

200.01 The Council. The Council will consist of a Mayor and four additional Councilmembers. In order to conduct City business, any three members of the Council will constitute a quorum. The three members may, but need not, include the Mayor.

200.02 Regular Meetings. Regular meetings of the Council will be held on the first Monday of each month. Any regular meeting falling on a holiday will be held on the following day at the same time and place, unless otherwise specified by the Council at a regular meeting. All meetings will be held at an appointed place unless otherwise set by motion duly made and passed at a Council meeting.

200.03 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 Councilmember. The notice will be delivered personally to each Councilmember or will be left at the Councilmember's usual place of residence with some responsible person. The notice will specify the business to be transacted at the special meeting. Notice to the public will be given in accordance with State law. Only business specified in the notice will be transacted at the special meeting unless the Council unanimously consents to additional business being transacted. Any Councilmember present at any special meeting who fails to object and have the objection entered in the record will be conclusively presumed to have consented to the transaction of all business transacted at the meeting, and no later objections may be made that the notice of the special meeting was defective.

200.04 Public Meetings. All Council meetings, including special and adjourned meetings and meetings of Council committees, will be open to the public, except as otherwise provided by law.

200.05 Presiding Officer.

Subd.1. Who Presides. The Mayor will preside at all meetings of the Council. In the absence of the Mayor, the acting mayor will preside. In the absence of both, the Clerk will call the meeting to order and will preside until the Councilmembers present choose one of their number to act temporarily as presiding officer. The presiding officer may make motions, second motions, and speak on any question.

Subd.2. Procedure. The presiding officer will preserve order, enforce the Council's rules of procedure, and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order.

Subd.3. Appeals. Any Councilmember may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the objecting Councilmember may speak once solely on the procedural question involved and the presiding officer may explain the presiding officer's ruling. No other Councilmember may participate in the discussion. The appeal will be sustained if approved by a majority of the Councilmembers present.

200.06 Minutes.

Subd.1. Clerk. Minutes of all Council meetings will be prepared and kept by the Clerk or other person 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 will be reduced to typewritten form and will be signed by the Clerk. Copies of the minutes will be delivered to each Councilmember as soon as reasonably practicable after the meeting. At the next regular Council meeting following the delivery, approval of the minutes will be considered by the Council, with any proposed additions or corrections.

200.07 Order of Business. Each meeting of the Council will convene at the appointed time and place. Council business will be conducted in the following order: (1) Call to Order (2) Roll Call (3) Approval of minutes (4) Public hearings (5) Reports of officers, boards and committees (6) Old business (7) New business including but not limited to the introduction of ordinances and resolutions (8) Miscellaneous (9) Adjournment. The order of business may be varied in the discretion of the presiding officer, but all public hearings will be held no earlier than the time specified in the notice of hearing.

200.08 Voting. A majority vote of the total membership of the Council is necessary for approval of any ordinance unless a larger number is required by statute or by this Code. Except as otherwise provided by statute or ordinance, a majority vote of a quorum will prevail in all other cases.

200.09 Ordinances, Resolutions, and Petitions.

Subd.1. Readings. Every ordinance will be presented in writing, except in emergency situations. Every ordinance will receive two readings before the Council prior to final adoption. The second reading may be waived by a majority vote of the entire Council.

Subd.2. Signing and Proof of Publication. Every ordinance and resolution passed by the Council will be signed by the Mayor, attested by the Clerk, numbered, recorded and filed in an ordinance or resolution book. Proof of publication of every ordinance will be attached to and filed with the ordinance. No resolution will be published unless the laws of the State require it to be published or unless it is directed to be published by the Council.

Subd.3. Repeals and Amendments. Every ordinance or resolution repealing or amending all or a part of a previous ordinance or resolution will give the number of the ordinance, resolution or Code Section to be repealed or amended.

Subd.4. Petitions. Every petition or other communication addressed to the Council will be in writing and will be read in full upon presentation to the Council unless the Council dispenses with the reading. Each petition or other communication will be referenced in the minutes.

200.10 Salaries.

Subd.1. Mayor. The salary of the Mayor is \$80.00 per year.

Subd.2. Councilmembers. The salary of each Councilmember other than the Mayor is \$40.00 per year.

Subd.3. Duration. The salaries established in this Section will remain in effect until amended in accordance with Minnesota Statutes, Section 415.11.

SECTION 205 ELECTIONS

205.01 Election Date. The City will hold regular City elections biennially on the first Tuesday after the first Monday in November in every even numbered year.

205.02 Terms of Office. Two Councilmembers will be elected for four-year terms at each biennial election. The Mayor will be elected for a four-year term at alternating biennial elections. The terms of elected officers will commence on the first business day of January following the election at which the officer was elected.

205.03 Registration of Qualified Voters. The system for the permanent registration of voters provided for by Minnesota Statutes, Chapter 201, is incorporated by reference. No voter will be permitted to vote in any election held in the City unless the person is a resident and is registered as provided by Minnesota law.

SECTION 210 OFFICES OF CLERK AND TREASURER

210.01 The Clerk. There will be an office of Clerk, and the duties of the Clerk as provided by State law, this Code and directives of the Council will be performed by the Clerk.

210.02 The Treasurer. There will be an office of Treasurer, and the duties of the Treasurer as provided by State law, this Code and directives of the Council will be performed by the Treasurer.

210.03 Annual Audit. There will be an annual audit of the City's financial affairs by the State Auditor or a public accountant in accordance with minimum auditing procedures prescribed by the State Auditor.

SECTION 215 IMPOUNDED AND FOUND PROPERTY

215.01 Impounding. The following property may be impounded when impoundment is necessary and in the public interest or in the interest of preservation of the private right in the property:

- (a) Any vehicle parked in violation of the ordinances and regulations of the City.

(b) Any watercraft docked or moored in violation of the ordinances and regulations of the City.

(c) Any property which unlawfully interferes with, obstructs or tends to obstruct or render dangerous for passage or unsafe any public street, lands or waters.

(d) Any property lawfully coming into possession of the City and remaining unclaimed by the owners.

215.02 Abandoned Motor Vehicles. All abandoned motor vehicles as defined by Minnesota Statutes, Section 168B.02, which are impounded by the City will be dealt with as provided in Minnesota Statutes, Chapter 168B, and this Section 215 will not apply to such vehicles.

215.03 Care. Impounded property will be stored and cared for to reasonably insure its preservation and will be returned to the owner at the earliest opportunity. Any cost of storage or care will be paid by the owner before return of the property. If the cost of care and storage exceeds the value of the property, or the property is of no value, it may be disposed of after reasonable efforts have been made to locate the owner. City staff handling the property will record the efforts made to locate and notify the owner.

215.04 Found Property. When found property or money is delivered to the City, a receipt will be issued to the finder. The found property or money will be held by the City for a period of six months unless claimed by the true owner. The City of Woodland contracts with another City for police services, and during the six-month period the Chief of Police of that City will attempt to locate the owner. The Chief of Police may deliver the property or money to the true owner upon proof of ownership satisfactory to the Chief, but only after 10 days notice by mail to any other person who has submitted to the City a written claim of ownership. If the true owner does not claim the property or money during the six-month period, the Chief may deliver it to the person (other than a police officer or City employee) who delivered it to the City if within 30 days after delivery to the City such person indicated in writing that he wished to assert a claim to the property or money as a finder. If found money is not claimed by the true owner or the finder within the six-month period, the money will be deposited in the City's general fund. If found property is not claimed by the true owner or finder within the six-month period, it may be sold by the City in the same manner as impounded property.

215.05 Public Sale. Impounded property may be sold at public auction to the highest bidder for cash after 10 days posted notice of the sale and after mailing a copy of the sale notice to the owner of the property by certified mail no less than five days before the sale, at the owner's last known address if this address can reasonably be ascertained.

215.06 Private Sale. Impounded property may be sold at a private sale after it has been in the possession of the City for at least three months, after publication of a notice of sale in the official newspaper once not less than 10 days before the date of the sale and after mailing a copy of the sale notice to the owner of the property by certified mail no less than five days before the sale, at the owner's last known address if this address can reasonably be ascertained.

215.07 Notice. The required notice will state the time and place of sale, a description of the property, the cost of removal and storage for which the sale will be held and that the sale is pursuant to this Section.

215.08 Conduct of Sale. The Chief of Police will conduct the sale and execute and deliver to the purchaser a certificate of sale.

215.09 Proceeds of Sale. The proceeds of the sale will be applied to expenses of sale, then to the costs of impounding, including removal, storage and care. Any balance remaining will be placed in the general fund of the City subject to the right of the owner to claim it upon application and satisfactory proof of ownership within six months after the sale.

SECTION 220 MORATORIUM ON BUILDING PERMITS

220.01. Purpose. Pursuant to applicable Minnesota Statutes and pursuant to authority and direction from the Council, the City will be conducting studies for the purpose of considering amendment of its official controls, as defined in Minnesota Statutes, Section 462.352, Subd. 15 relating to shoreland and floodplain management. The studies will consider what amendments of the City's Code of Ordinances may be appropriate in relation to structures and alterations of topography and vegetation within a specified distance of the lakes and wetlands within the City. The amendments and official controls being studied will consider, among other things, the need and desirability of regulating, controlling and restricting development within shoreland and floodplain areas, and the terms and conditions of such restrictions, regulations and controls. While the amendments and new official controls are being considered, the City may be asked to consider proposals for construction of buildings or other alterations and applications for permits. Therefore, in order to protect the planning process and the health, safety and welfare of the citizens of Woodland and without in any way restricting the City's power to amend its official controls in a matter consistent with Woodland's community interests, customs and values, it is necessary and desirable to impose the following moratorium pursuant to the authority granted by Minnesota Statutes, Section 462.355, Subd. 4.

220.02. Moratorium. From the effective date of this Ordinance to and including February 28, 1993, subject to earlier termination or extension by the City Council, the City Council, the Building Official, and the City staff of the City of Woodland shall not grant any permits, or accept any applications or requests for any permits, for the construction of any building, or addition to or alteration of any building, or for any grading, filling or other topographical alteration, which would be contrary to the shoreland management provisions of Minnesota Statutes, Section 103F.201 through 103F.221 and Minnesota Rules 6120.2500 through 6120.3900, and the floodplain management provisions of Minnesota Statutes, Section 103F.101 through 103F.155 or Minnesota Rules 6120.5000 through 6120.6200. Notwithstanding the fact that such State provisions are not a part of the City Code, and without limiting the City's power to enact only those shoreland and floodplain management provisions deemed suitable for Woodland, the City Council may during the time this Moratorium is in effect refuse to grant any such permits, applications, or requests unless the City Council has granted a variance from such State shoreland or floodplain management provisions using the same procedures and

requirements as set forth in Section 900.14 of the City Code. If during the time this moratorium is in effect any such State provision is inconsistent with any provision of the City Code, the more restrictive provision will apply.