



**AGENDA  
CHARTER COMMISSION  
THE CITY OF WHITE BEAR LAKE, MINNESOTA  
WEDNESDAY, SEPTEMBER 13, 2023  
7 P.M. IN THE COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF MINUTES**

- A. Minutes of the Charter Commission Meeting on May 3, 2023

**3. ADOPT THE AGENDA**

**4. UNFINISHED BUSINESS**

- A. Report on recent City Charter amendment by ordinance – *Ordinance No. 23-06-2062 - An Ordinance Amending the City Charter of the City of White Bear Lake, MN as it Relates to Municipal Elections, Gender-Specific Terminology, City Attorney Appointment Term Length, and State Statute References* (Approved by City Council June 27, 2023, effective October 9, 2023)

**5. NEW BUSINESS**

- A. Election of Officers
  - i. Chair
  - ii. Vice Chair
  - iii. Secretary

**6. DISCUSSION**

- A. Review of Charter Commission By-Laws
- B. Other

**7. ADJOURNMENT**



**MINUTES  
CHARTER COMMISSION  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
WEDNESDAY, MAY 3, 2022  
7 P.M. IN THE COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ROLL CALL**

In accordance with published notice, a meeting of the Charter Commission of the City of White Bear Lake was called to order at 7 p.m. in the White Bear Lake City Hall Council Chamber. Vice Chair Marc Aune acted as Chair in place of Timothy Geck, who was excused for the evening. At roll call, the following members were present: Vice Chair Marc Aune, Secretary Mark Sather, Michael Amundsen, James Barone, James Berry, Victoria Biehn, Heidi Boyd, Scott Costello, Cynthia Jones, Dillon Lang and Darryl LeMire. Chair Timothy Geck and members Scott Bill, Jo Emerson, and Dale Grambush were excused. Staff present included Assistant City Manager Rick Juba and City Clerk Caley Longendyke.

**PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

A. Minutes of the Charter Commission Meeting on September 14, 2022

It was moved by Member **Barone**, seconded by Member **Boyd**, to approve the minutes. Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

It was moved by Member **Barone**, seconded by Member **LeMire**, to approve the agenda. Motion carried unanimously.

**4. UNFINISHED BUSINESS**

A. Amendment to Charter Commission Resolution 22-2, amending the City Charter's election- and gender-related terminology

Secretary Mark Sather presented a summarized timeline and history of the proposed amendment to the City Charter. The Commission began reviewing City Charter language regarding municipal elections in August 2021. During this review, Commission members also reviewed it for gender neutrality and other various inconsistencies. The resulting amendment was presented to the City Council in early 2022, but then reconsidered after additional changes regarding election terminology were recommended by the City Attorney. The final amendments were then approved by the Charter Commission on September 14, 2022 (Res. No. 22-2). The Charter Commission waited to present the proposed changes to the City Council in response to a pending proposal by staff to amend city attorney term lengths, which were presented later during this meeting. The superseding corrections address all the election- and gender-related terminology, and remove a specific State Statute reference in Section 5.16.

It was moved by Member **Amundsen**, seconded by Member **Berry**, to approve Res. No. 23-1, which supersedes Res. No. 22-2, proposing an amendment to several sections of the City Charter as it relates to election- and gender-related terminology, specifically the following sections: 2.02, 4.04, 4.12, 4.13, 4.14, 4.17, 4.26 and 5.16. Motion carried unanimously.

Secretary Sather provided general information to newer members of next steps. The Charter Commission's approval of the proposed changes will be presented to the City Council by ordinance with public notice and two readings. Changes to the City Charter require an affirmative vote of all members of the City Council. The Charter chair sends a letter to the mayor regarding the proposed amendment.

## 5. NEW BUSINESS

### A. Proposed amendment to City Charter – Attorney appointment term

Vice President Aune summarized the proposed change, initiated by City staff. He explained that there are annual business items for City Council vote, including approving an annual appointment of city attorneys. The request from staff is to allow the City Council to appoint the city's attorneys for multiple years. Assistant City Manager Juba explained that multi-year contracts have been used for city attorneys, but have recently been reduced to one-year contracts to align with the City Charter. Juba explained that multi-year contracts help keep prices down and reduces staff time reviewing new contracts year-to-year, so staff is proposing to increase the appointment terms of city attorneys from one year to multiple years. He noted that Charter President Timothy Geck works for the city's prosecuting attorney office, so Vice President Marc Aune has been handling this business for the Charter Commission.

Costello asked for clarification on "multiple years", and Juba said the standard practice would be three years. Barone was favorable to multiple years to allow flexibility for staff, especially if it is financially beneficial for longer-term contracts. He mentioned the contracts should include language for the ability to terminate a contract if needed. Referencing the *League of Minnesota Cities Handbook for Minnesota Cities* and the guidance on the specificity level of a City Charter, Berry was in favor broader language and was in support of multiple years, allowing the City Council to determine the specific number of years. Secretary Sather asked about the discrepancy in the city's practice and the City Charter. Juba explained that the practice was corrected when it was discovered that the City Charter only allowed for one-year appointments. Sather mentioned that the annual terms allow for new City Councils to decide on the appointments every year, which is easier than pursuing the termination of an undesired multi-year appointment. Sather questioned whether the cost savings would be guaranteed. There was discussion about professional services contracts typically being lower cost when entering into an agreement for multiple years.

Amundsen understood the need to update the City Charter for evolving practices. He was in favor of allowing for more flexibility when it involves a service, compared to if it was involving an elected position, which should be more defined. He agreed with Berry that it could be broader and the details can be determined by the City Council. As a previous City Councilmember, LeMire said that his 12-year-term began and ended with the same prosecuting attorney, but still required an annual appointment. He asked Sather about his experience as a

former City Manager about the staff time to negotiate new contracts each year. Sather provided information about his experience, including a new Council at one point seeking bids for a new city attorney. He believes the strongest argument is cost-savings, but was curious if this was guaranteed. He didn't think it was time-consuming to renew a yearly contract, but rather more time-consuming to seek a new attorney. Sather shared that the attorney is an appendage of the City Council and should reflect their values. Barone acknowledged the comment made about appointing a new Chair of the Council after each municipal election, but felt professional services are different. He recognized the advantage of being able to negotiate contracts and is in favor of providing that ability to the City Council and staff.

Vice President Aune reminded Commission members to keep in mind that the proposed change is a change of powers for the City Council and that it should also involve a philosophical decision, separate from logistics like cost savings. He also said there can be more specific language proposed, such as "up to" a specified number of years. Amundsen reiterated that the Charter should be broader to not only provide flexibility, but to prevent the need to amend the City Charter when details change. Lang is in favor of flexibility, but thinks the number of years should be clarified. He acknowledges that terms longer than one year would allow more options for representation who may desire longer contracts. He noted that he wasn't favorable in a contract term extending beyond the term of the City Council. LeMire was in favor of multiple years as long as the prosecutor continues their annual update to the City Council. Sather was not in favor of multiple years. He is worried about the City Council approving a 10-year contract and the burden of terminating a contract early. He also questioned the certainty of cost savings. Boyd supported providing flexibility. She felt the Charter provides the framework, and staff can make the decisions for the work and the budget, and the proposal to the Council. Biehn asked about the process of breaking a contract and any associated fines. Assistant City Manager Juba said it would be unlikely that there would be fines when breaking a contract, and said the professional relationship usually ends on mutual agreement, and services terminate after a grace period outlined in the contract. When asked who is initiating the proposal, Juba clarified that the amendment is being proposed by the city manager and mayor.

Vice President Aune asked for a general vote to determine the desire of Commission members. Sather and LeMire showed support for no change, Lang and Jones showed support for a specific number of years, and Costello, Amundsen, Berry, Barone and Boyd showed support for "multiple years." When Barone asked about an earlier comment referring to a typical three-year standard, Juba said he wouldn't be able to speak to the standard in the industry, but the current city attorneys expressed desire for three-year contracts. Barone proposed changing the clause to "up to five years." Costello shared concerned about not getting a unanimous vote among Councilmembers, based on the debate that was happening among Charter Commission members. It was moved by Member **Barone**, seconded by Member **Jones**, to approve the resolution, with the amended language replacing "multiple years" with "up to five years". Costello asked why not consider "up to four years," which would align with City Council terms. Amundsen said the language "up to five years" doesn't mean it has to be a full five-year contract. He acknowledged Sather's concerns about the possibility of a new majority Council who desires a different attorney, but said the Council would have the ability to vote to end a contract.

Procedures were discussed, as it relates to proposed amendments coming from the Charter Commission or from staff. When referring back to concerns about the certainty of cost savings, Sather requested to remove the whereas clause, “Multi-year contracts for legal representation is often financially beneficial to the City and its taxpayers and is a common practice in municipal government.” Amundsen countered the concern, saying multi-year contracts typically result in cost savings, though he was not in opposition of removing the language.

The motion by Member Barone, seconded by Member Jones, to approve the resolution, with amended language replacing “multiple years” with “up to five years” and removing the clause about financial benefit, was declared carried on the following vote:

Ayes: Amundsen, Aune, Barone, Berry, Biehn, Boyd, Costello, Jones, LeMire

Nays: Lang, Sather

Due to a conflict of interest with President Timothy Geck and his law firm, Vice President Aune will sign the resolution.

## 6. DISCUSSION

### A. Role of the Charter Commission and Home Rule Charters in Minnesota

Secretary Sather provided an overview of a resourceful document created by the League of Minnesota Cities (LMC). Printed for each Commission member was *Chapter 4: The Home Rule Charter City* from LMC’s *Handbook for Minnesota Cities*, which is a comprehensive resource for laws affecting Minnesota city governments. Sather recommended Commission members review the chapter and keep it accessible for reference. He provided general information about the Charter Commission, including it being subject to Open Meeting Law. Sather said the LMC Handbook *Chapter 4: The Home Rule Charter City* references Minnesota State Statutes, Chapter 410, but said the Handbook helps summarize the language in better context. Sather mentioned the by-laws and talked about attendance of Commission members. He said there should be discussion on the definition of an excused absence.

Amundsen requested there be better communication with all Charter Commission members, not just between the president/vice president and staff, when involving Charter business. He asked that if a decision needs to be made or a discussion needs to happen, the Commission should convene.

### B. Format of meeting packets for Charter Commission members

Commission members receive their Charter Commission meeting packets in paper format. Sather recognized that materials can be delivered electronically for those who prefer. He asked if there was stronger preference to receive materials in printed or electronic format, or it can be decided individually. He said it’s something to consider for the next meeting. Amundsen recommended taking into consideration the size of the packet, with larger packets being electronic. Large documents (e.g. 11 x 17) should be printed for Commission members. Assistant City Manager Juba said staff will send out the packet both electronically and by mail, and Commission members can notify staff if they do not want it printed.

Sather referred to the Charter Commission roster and asked Commission members to review their information. He reminded them that Charter Commission materials, including the roster, is public information. On the roster, “four-year” was removed from the term length, because Sather explained that Commission members may be appointed to a two-year term for their first appointment. The one-year gap between the term end-dates was questioned, because there should be a two-year gap between the term end-dates for every other Commission member. The City Clerk will look into this further.

## 7. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Boyd** seconded by Member **Biehn** to adjourn the regular meeting at 8:38 p.m. Motion carried unanimously.

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Tim Geck, Chair

ATTEST:

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Mark Sather, Secretary

**CHARTER COMMISSION  
RESOLUTION NO. 23-1**

**RESOLUTION OF THE WHITE BEAR LAKE CHARTER COMMISSION  
SUPERSEDING RESOLUTION 22-2 PROPOSING AN AMENDMENT OF SECTIONS  
2.02, 4.04, 4.12, 4.13, 4.14, 4.17, 4.26 AND 5.16 OF THE CITY CHARTER**

**WHEREAS**, in 1990, City Charter Section 2.02 Municipal Elections was amended to reflect a decision that municipal elections be held in odd years, opposed to annually; and

**WHEREAS**, during review of the City Charter document, it was discovered that several other Sections still refer to municipal elections as being conducted annually; and

**WHEREAS**, during said review certain dispensable gender-specific terms were found which may be deleted without a material change in meaning; and

**WHEREAS**, during said review certain specific references to state statutes were found and considered prone to cause confusion in the event of state statute amendments but for which a general reference may be made without change in context.

**NOW, THEREFORE, BE IT RESOLVED** by the Charter Commission of the City of White Bear Lake that the following amendments of the City Charter are hereby proposed to the City Council for enactment pursuant to Minnesota Statutes Section 410.12, Subd. 7.

**Sect. 2.02. Municipal Elections.** The Uniform Municipal Election Day Law, ~~205.07 (2010)~~, set forth in Chapter 205 of Minnesota Statutes, is hereby adopted by reference and made a part of the City Charter of the City of White Bear Lake. The Uniform Municipal Election Day shall be the first Tuesday after the first Monday in November in odd numbered years. Officials elected on that date shall take office on the first business Monday of January succeeding the election for the term which is provided by law. In the event that more than two individuals file for the position of Mayor or City Council for the same ward, a primary election shall be held on the second Tuesday of August of the year the election is scheduled. (Revised by Ord. 90-09-820, 9/25/90; 12-11-1082A, 2/25/13)

Pursuant to Ordinance No. 90-09-820, the Offices of Mayor and City Council members for Ward 2 and 4 shall be held in November, 1993 and every four (4) years thereafter and the individual elected to said offices shall assume office the following January, as provided by this Charter or State Law, for a term of four years. The election for the offices of City Council members for Wards 1, 3 and 5 shall be held in November, 1995 and every four years thereafter and the individuals elected shall assume office as provided above for a term of

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four (4) years.

**Sect. 4.04. Mayor -- Vacancy of Office.** When the office of Mayor becomes vacant, the Council shall appoint, by majority vote, a qualified person as Mayor if the remaining term of office is less than six (6) months. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment. The appointed Mayor shall exercise all the powers and perform all the duties of Mayor until a Mayor is elected at the next ~~annual~~ municipal general election. The office of Mayoral vacancy shall be filled by a special municipal election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy with dates for filing and the date(s) of the special municipal election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special municipal election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary municipal election with the general municipal election date occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general municipal election shall occur on the first election date. (Ref. Ord. 898, 8/24/93)

**Sect. 4.12. Council -- Meetings and Procedures.** The Council shall make its rules of procedure and shall be the judge of the qualifications and election of its members and of the grounds for forfeiture of their offices, and for this purpose shall have the power to subpoena witnesses, administer oaths, and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in the official newspaper at least one week in advance of the hearing. Decisions made by the Council under this section shall be subject to review by the courts.

Council vacancies shall be filled by appointment when the remaining term of office is less than six (6) months. The appointment shall be by majority vote of the Council. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment.

Council vacancies shall be filled by special municipal election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy, with dates for filing and the date(s) of the special municipal election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special municipal election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary municipal election with the general municipal election date



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RESOLUTION NO. 23-1**

occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general municipal election shall occur on the first election date.

The Council at its first regular meeting in January, ~~following the annual municipal election~~ shall set the day dates of its regular ~~monthly~~ meetings for the year. Special meetings may be called by the Mayor or by the Chair of the Council at any time. Reasonable public notice shall be given for all special Council meetings through the media. (Ref. Ord. 898, 8/24/93)

Three (3) members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time. The Council shall have the power to compel the attendance of its members at regular and special meetings. The absence of a member from three (3) consecutive regular meetings shall be deemed as sufficient cause for removal from office.

**Sect. 4.13. Chair of the Council -- Acting Mayor.** At the first regular meeting of the Council in January following the ~~annual~~ municipal general election, the Council shall elect one of its members as Chair of the Council. The Chair of the Council shall appoint all committees of the Council. The Chair shall preside over the meetings of the Council only in the absence of the Mayor and shall maintain the right and authority to vote on all motions, resolutions and ordinances considered by City Council. (Rev. by Ord. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

The Chair shall, under the title of Acting Mayor, assume, exercise, and perform all the powers and duties of the Mayor during the Mayor's temporary absence or disability, and the acts of such Chair, as Acting Mayor, shall have the same force and validity as though performed by the Mayor except the Acting Mayor shall not have veto authority on any action on which the Acting Mayor has voted which continues to be the prerogative of the Mayor. (Rev. by Ord. No. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

**Sect. 4.14. Ordinances and Resolutions.** All legislation shall be by ordinance, except as otherwise provided in this Charter. Every proposed ordinance shall be submitted in writing and a full reading or summary thereof shall be made at the meeting at which it is introduced. A copy of every proposed ordinance shall be made available to each Councilmember and there shall be on file a reasonable number of copies in the office of the City Clerk, City Hall, and the local Public Library, for public inspections. Notice that such ordinance is to be considered shall be published in the official newspaper prior to its adoption. Such notice need only include the title of the ordinance. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced.

All other Council action shall be by resolution or motion. Every proposed resolution shall be submitted in writing and a full reading or a summary thereof shall be made at the

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meeting at which it is introduced. A copy of every resolution shall be made available to each Councilmember and a copy shall be posted at the City Hall.

An affirmative vote of a majority of all members of the Council shall be required for the passage of all ordinances, motions and resolutions, except as otherwise provided in this Charter. Every vote thereon shall be by ayes and nays, which shall be duly recorded.

Any ordinance or resolution passed by the Council shall within five (5) days be presented to the Mayor for approval. The Mayor shall approve and sign such measure or veto and return it with objections to the City Clerk within ten (10) days after receiving the same. Should the Mayor fail to return said measure to the City Clerk within ten (10) days of the date of receiving same, it shall become effective as though signed by the Mayor.

Any ordinance or resolution vetoed by the Mayor may be reconsidered by the Council, but only at its next regular meeting that takes place more than seven (7) days after the measure is vetoed and returned. If after such reconsideration it shall be passed by a four-fifths vote of all the members, it shall become as effective as though signed by the Mayor. (Rev. Ord. 16-08-2016, 8/26/16)

Every ordinance or resolution passed by the Council shall, before taking effect (except as herein provided), be signed by the Mayor and attested to by the City Clerk, who shall endorse thereon the date of its passage.

Except for emergency ordinances as hereinafter defined, no ordinance shall become effective until after one publication in the official city newspaper. An affidavit of such publication shall be made by the ~~foreman~~ or publisher of the newspaper, which affidavit shall be filed in the office of the City Clerk.

Every ordinance or resolution shall after enactment be fully recorded by the City Clerk in a book kept for that purpose, which book shall constitute a public record.

**Sect. 4.17. Ordinances -- Codification.** Notwithstanding the provisions of Sections 4.14 and 4.16, the Council may codify the ordinances of the City, and enact such code of Ordinances as a single comprehensive ordinance, repealing and replacing all prior ordinances (except as may be specifically retained by particular reference in the Code). Such Code, when duly enacted by the Council in accordance with the provisions of this Charter, need not be published in the official newspaper of the City, but shall be effective at whatever date the Code may prescribe, provided that: (1) notice of adoption of said Code shall have been published for at least one week in the official newspaper of the City, which publication shall be proved by the affidavit of the ~~foreman~~ or publisher of such paper, and (2) copies of said Code shall have been available at the City offices for distribution to the public at a reasonable price

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for at least one week prior to said effective date, which fact shall be proved by affidavit of the City Clerk on file with the Code in the office of the City Clerk.

After the adoption of a Code of Ordinances, subsequent ordinances may be incorporated into the Code from time to time at the direction of the Council without any further publication of said ordinances. In so doing the form of said ordinances may be changed to conform to the form of the Code, but no change in the substantive meaning of any ordinance shall be made upon its incorporation into the Code.

**Sect. 4.26. Official Publications.** The Council shall at its first regular meeting in ~~the~~ January ~~following the annual municipal election~~, or as soon thereafter as practicable, designate, in accordance with Minnesota Statutes, the official newspaper of the City for publication of all notices required by this Charter. In all other cases, the City Council may designate the manner of publication of notices. (Ref. Ord. 898, 8/24/93)

**Sect. 5.16. Equipment -- Certificates.** The City Council may by four-fifths vote finance the purchase of the fire, police, ambulance, street construction and street maintenance equipment, through the use of certificates of indebtedness as provided for in Minnesota Statutes Section ~~412.301~~.

The foregoing resolution, offered by Commission Member Amundsen and supported by Commission Member Berry, was declared carried on the following vote:

Ayes: Amundsen, Aune, Barone, Berry, Biehn, Boyd, Costello, Jones, Lang,  
LeMire, Sather  
Nays: None  
Absent: Bill, Emerson, Geck, Grambush  
Passed: May 3, 2023



\_\_\_\_\_  
Marc Aune, Vice President

ATTEST:



\_\_\_\_\_  
Mark Sather, Secretary

**CHARTER COMMISSION  
RESOLUTION NO. 23-2**

**A RESOLUTION OF THE WHITE BEAR LAKE CHARTER COMMISSION PROPOSING AN  
AMENDMENT OF SECTION 4.20 OF THE CITY CHARTER**

**WHEREAS**, City Charter Section 4.20 City Attorney authorizes the City Council to appoint city attorneys for one-year terms; and

**WHEREAS**, City administration is requesting to amend the City Charter to allow the City Council the ability to appoint city attorneys for terms up to five years.

**NOW, THEREFORE, BE IT RESOLVED** by the Charter Commission of the City of White Bear Lake that the following amendments of the City Charter are hereby proposed to the City Council for enactment pursuant to Minnesota Statutes Section 410.12, Subd. 7:

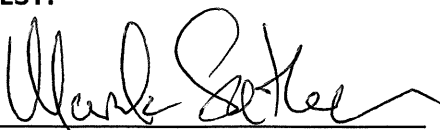
**Sect. 4.20. City Attorney.** The City Council shall have the power to appoint a City Attorney or Attorneys and fix the compensation to be paid said City Attorney or Attorneys, who shall be a member or members of the bar of the State of Minnesota. Such attorney or attorneys may be appointed for ~~one-year~~ terms up to five years, but shall be removable at the pleasure of the Council.

The foregoing resolution, offered by Commission Member Barone and supported by Commission Member Jones, was declared carried on the following vote:

Ayes: Amundsen, Aune, Barone, Berry, Biehn, Boyd, Costello, Jones, LeMire  
Nays: Lang, Sather  
Absent: Bill, Emerson, Geck, Grambush  
Passed: May 3, 2023

  
\_\_\_\_\_  
Marc Aune, Vice President

**ATTEST:**

  
\_\_\_\_\_  
Mark Sather, Secretary

# **BY-LAWS OF THE CHARTER COMMISSION OF WHITE BEAR LAKE, MINNESOTA**

As accepted June 18, 1943,  
and incorporating changes of October 10, 1962  
and September 21, 2005

## **I. NAME**

This organization is to be known as the Charter Commission of the City of White Bear Lake.

## **II. MEETING PLACE**

The place of meetings shall be at the City Hall in White Bear Lake or at such other place in White Bear Lake as the Commission may select.

## **III. MEETINGS**

Meetings of the Commission shall be held on the second Wednesday of the month at the call of the Chair.

The annual meeting shall be held on the second Wednesday in September of each year.

Special meetings may be called at any time by the Chair of the Commission, or in the absence of the Chair, by the Vice-Chair.

## **IV. OBJECTIVE**

The object of the organization shall be to prepare, draft, propose and submit a form of municipal charter or amendments to the present City Charter of White Bear Lake to be submitted to the voters for their adoption or appropriate ordinance enacted by the City Council pursuant to Minnesota Statutes Section 410.12.

## **V. MEMBERSHIP**

The members of said Commission shall be those named by the District Court of Ramsey County, Minnesota.

## **VI. QUORUM**

Eight members shall constitute a quorum for the transaction of business.

## **By-Laws**

### **VII. OFFICERS**

The officers of the Commission shall be a Chair, Vice-Chair and Secretary.

Officers shall be elected at the Commission's annual meeting by, a majority vote of all members present.

The Chair shall preside at all meetings; decide all questions of order, subject to appeal to the body of the Commission; appoint all standing committees, unless otherwise ordered.

The Vice-Chair shall preside in the absence of the Chair from the meetings, and in the event of the absence from the City or inability of said Chair to act, the Vice-Chair shall exercise the rights of the Chair so long as such disability continues, or until the next annual meeting of the Commission.

The Secretary shall keep minutes of all proceedings, give notice of meetings by mail, conduct the necessary correspondence, keep a roll call with record of all absentees, and perform such other duties as may be required by the Chair of the Commission. If approved by the Commission, the duties of the Secretary may be performed by a member of City staff under the direction of the Secretary.

### **VIII. ORDER OF BUSINESS**

1. Call to Order/Roll call
2. Approval of minutes of previous meeting
3. Approval of Agenda
4. Old Business
5. New Business
6. Open Discussion
7. Adjournment

### **IX. ATTENDANCE**

Any member of the Commission who is unable to attend the regular meetings shall communicate to the Chair or Secretary, not less than 24 hours prior to of such meeting, a request to be excused, stating the reasons for such request.

Any member absent from four (4) consecutive meetings, and failing to perform the duties of such member's office, without having been excused by the Commission, may by a majority vote of the members be subject to such action as may be required to effect removal from the Commission.

## By-Laws

Any and all vacancies on the Commission, shall be at once reported to the District Court of Ramsey County, Minnesota, and the name or names eligible individuals approved by two-thirds (2/3) vote of the members present at the regular meeting may be submitted by the Chair of the Commission to said District Court for appointment to fill such vacancy or vacancies. Prior to recommending individuals for appointment, the Commission shall see that notice of said vacancy is published in the City's official newspaper and a reasonable response time has passed.

### X. VOTING

Decisions of the Commission shall be by voice vote unless any member requests a roll call vote.

No debatable motion shall be put to vote until all members present, who desire to debate the same, shall have the opportunity to do so.

### XI. RECONSIDERATION OF VOTE

When a question has been taken, it shall be in order for any member to move a reconsideration thereof at the same or the succeeding meeting, but no questions shall be a second time reconsidered without the consent of two-thirds (2/3) of the members present.


### XII. RULES OF ORDER

The rules of parliamentary practice embraced in the most recent edition of Roberts' Rules of Order shall govern the Commission in all cases in which they do not conflict with the By-laws or other standing rules and order of the Commission.

### XIII. AMENDMENTS

All motions to amend these By-laws shall lie over for at least one meeting before a vote is taken. Amendments shall require a two-thirds vote of the members present.

Approved by the White Bear Lake Charter Commission on September 21, 2005.

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Secretary