



TO: Charter Commission Members
FROM: Deb Skogen, City Clerk and Staff Liaison
Date: March 31, 2016
Re: Charter Commission Meeting of April 4, 2016

This is a reminder to you that the next Charter Commission meeting will be held next Monday, April 4th at 7:00 p.m. in Conference Room A on the Upper Level.

In order to ensure a quorum, please remember, the Charter Commission bylaws requires a member to call or e-mail me before 10:00 a.m. Monday, April 4th as to whether or not you plan on attending the meeting. You may call or e-mail me at (763)572-3523 or deb.skogen@fridleymn.gov whether or not you will be attending the meeting.

If there will not be a quorum, **an e-mail will be sent out by Noon** notifying everyone there will not be a quorum and the meeting will be cancelled. A notice will then be placed at the door of City Hall announcing the cancellation of the meeting for those commissioners who did not call, but came to the meeting.

Please let me know if you need any additional information prior to the meeting.



CITY OF FRIDLEY CHARTER COMMISSION

AGENDA

**MONDAY, APRIL 4, 2016
7:00 P.M.**

LOCATION: FRIDLEY MUNICIPAL CENTER
CONFERENCE ROOM A – UPPER LEVEL

CALL TO ORDER:

ROLL CALL:

- 1. APPROVAL OF AGENDA:**
Motion approving the April 4, 2016 agenda
- 2. APPROVAL OF MINUTES**
Motion approving the March 7, 2016 minutes
- 3. ADMINISTRATIVE MATTERS**
A. Commission Vacancy
- 4. OLD BUSINESS**
A. Discussion of Proposed Bylaw Amendment
- 5. NEW BUSINESS**
A. Review of Chapter 2
- 6. FUTURE MEETING TOPICS/COMMUNICATIONS**

A. Discussion of Chapter 10 (Tabled until after current franchise negotiations completed)
- 7. ADJOURNMENT**
Motion to adjourn the meeting

**Next Regular Commission Meeting
Date: MONDAY, MAY 2, 2016
Location: Fridley Municipal Center – Conference Room A**

CITY OF FRIDLEY
CHARTER COMMISSION MEETING
MARCH 7, 2016

1. CALL TO ORDER:

Chairperson Reynolds called the Charter Commission meeting to order at 7:00 p.m.

2. ROLL CALL:

Members Present: Commissioners Gary Braam, Don Findell, Manuel Granroos, Ted Kranz, Rick Nelson, David Ostwald, Barb Reiland, Pam Reynolds, Lois Scholzen, Cynthia Soule, Avonna Stark and Richard Walch

Members Absent: Commissioners Marion Flickinger and Novella Ollawore

Others Present: Deb Skogen, City Clerk/Staff Liaison

3. APPROVAL OF AGENDA

Commissioner Reiland MOVED and Commissioner Braam seconded a motion approving the meeting agenda.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON REYNOLDS DECLARED THE MOTION CARRIED.

4. APPROVAL OF MINUTES

Commissioner Braam MOVED and Commissioner Soule seconded a motion approving the Charter Commission meeting minutes of February 1, 2016.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON REYNOLDS DECLARED THE MOTION CARRIED.

5. ADMINISTRATIVE MATTERS

A. Election of Officers

Commissioner Walch MOVED and Commissioner Ostwald seconded a motion to move the nominating committee report recommending the nomination of Pam Reynolds for Chair, David Ostwald for Vice Chair and Don Findell for Secretary.

Chairperson Reynolds opened the nominations asked if there were any additional nominations. Hearing none, Chairperson Reynolds closed the nominations.

Commissioner Findell MOVED and Commissioner Granroos seconded a motion that the officers recommended by the nominating committee be approved by acclamation.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON REYNOLDS DECLARED THE MOTION CARRIED.

The Nominating Committee was thanked for their service.

B. Commission Vacancy

Ms. Skogen stated that the vacancy had not been advertised and will work to get it on the web and in the Focus again. She had not had any individuals provide an application for the vacancy.

C. Update on Charter Amendment

Ms. Skogen stated the Charter Amendment received a second reading at the end of February. It was published and becomes effective 90 days after publication, which would be the end of May. The City Manager will continue to appoint new employees under the same process that has been used, until the end of May. At that time he has the opportunity to change that process and he is trying to determine how he will notify the Council.

6. OLD BUSINESS

There was no old business on the agenda.

7. NEW BUSINESS

A. Discussion of Bylaws

Chairperson Reynolds asked if any of the Commissioners wanted to know if they had any additional questions or changes to the proposed bylaws.

Commissioner Reiland was curious about the name Home Rule Charter Commission. She said she had only seen Commission and wondered if the full title should be used or listed more often. After a brief discussion the Commissioners determined they could continue to identify as the Charter Commission.

Commissioner Reiland asked if the purpose should include something stating it meets the rules of the state. She wondered if the state were to change rules, if it would affect our Charter.

Ms. Skogen said if it pertained strictly to the Charter, that information would be brought to the Commissioners for their review. Otherwise, if it were not pertaining to the Charter, the City can be more restrictive than State Statute.

Commissioner Soule said she thought the Commission had adopted Rosenberg's Rules. Ms. Skogen said the bylaws had been amended in April of 2014, but had missed providing that to the Commissioners.

Ms. Skogen said the proposed amendments were provided as a separate sheet.

Chairperson Reynolds noticed that the Secretary should be keeping track of attendance as their duty is to notify individuals who have missed three consecutive meetings.

Chairperson Reynolds said under Committees there is nothing that spells out the process for the election of officers and wondered if it was covered under Rosenberg's Rules that the Commission take the recommendation of the Nominating Committee and then to the Commission for additional nominations?

Ms. Skogen says an annual meeting is held in March. Ms. Skogen suggested she could add some language to Section III.B.

Commissioner Findell wondered if the Committee meetings should be listed

Commissioner Soule said the Commissioners review the next calendar year at the end of the year and schedule meetings based on holidays or other events.

Ms. Skogen said the Commission is only required to meet annually, but depending on what the Commission was working on, they may want to meet eight times a year or less. It has been the practice over the past 18 years to meet eight times a year. Upon occasion there have been special meetings called to address some issues.

Commissioner Nelson wondered if the Chair could appoint a Nominating Committee outside of a meeting. What is the role of the Chair outside of the meeting? Does that mean you can only do it in January, if there isn't a meeting? Ms. Skogen stated it doesn't say you can't, but it doesn't talk about creating a committee. She said if they wanted to clarify the ability they should put it in the bylaws.

Ms. Skogen said this year there wasn't a quorum in January, so the appointment of the Nominating Committee did not occur until February. The Nominating Committee then held their meeting at the end of the Charter Commission's meeting to provide a report to the staff to mail to the Commissioners giving them at least 10 days notice prior to the annual meeting.

Ms. Skogen said that the Nominating Committee is a subcommittee of the Commission (or a committee of the whole). As a subcommittee, they would have a number of

members and if a quorum were present, the subcommittee would be subject to the open meeting law. For instance if you had three members, two members present would be a quorum and thereby subject to the Open Meeting Law. There should be a meeting notice posted for that subcommittee for when they are meeting.

Chairperson Reynolds disagreed with that interpretation. She felt the Nominating Committee would not have a quorum as they would not be making any decisions. Commissioner Nelson said they were making a recommendation to the Commission.

Commissioner Nelson looked up the question and found the “MN Supreme Court has held that the Open Meeting Law applies only to a quorum or more of members of a governing body or committee, subcommittee, board, department or commission of the governing body.” In addition, a serial meeting of the governing body has been found to be a violation of the open meeting law.

Commissioner Nelson wondered what it meant procedurally. He asked if when they decided to meet they should call the City to post the meeting 72 hours in advance. Ms. Skogen stated because it happened on the same date and it was on the agenda, there had been enough notice provided.

Commissioner Reiland asked if the meeting could no longer be done by telephone. Ms. Skogen stated they could not; they would have to post their meeting notice and be in an open forum. She said an individual could call another individual to see if they would be interested in being an officer, but they would have to meet as a committee in an open forum to establish their recommendation and report.

Ms. Skogen said she would provide the information to the Commissioners on what was provided to her in training.

Ms. Skogen said the Commissioners were discussing when the election of officers should take place and recommended they include language that it takes place at the annual meeting under Section III. B.

Chairperson Reynolds wondered if the Commission needed the Nominating Committee Report will be read. Ms. Skogen thought they would only need to say when it will take place.

Commissioner Nelson said the Committee has the report and they make a motion on behalf of the committee for a slate of officers. Since it came from at least two individuals it had already been voted on and would not have to be voted on again.

After some discussion the Commissioners agreed to include the following language to Section III.B. “The election of officers shall take place at the annual meeting.”

Chairperson Reynolds wondered (about Section III.F.) if there're were enough individuals that called or emailed providing for a quorum, but then did come to the meeting, that the Commissioners would wait ten minutes and then dismiss the members due to the lack of quorum.

Ms. Skogen said there were so many meetings that produced a lack of quorum the Commission amended the bylaws allowing for the dismissal and created a procedure to send a memo. The memo requests the members notify staff by 10 am the morning of the meeting of their intent to attend. If staff does not have enough members to provide for a quorum at the meeting, staff will call or email a notice to members cancelling the meeting due to the lack of quorum and post the notice on the door. If the individuals who create a quorum to not all come and there is a lack of quorum, the meeting would be dismissed ten minutes after 7 pm.

Chairperson Reynolds asked if this procedure should be placed in the Bylaws.

Commissioner Kranz did not think it should be and stated Ms. Skogen has done a good job of informing the Commissioners if there will not be a quorum. He said if an email went out stating there wasn't a quorum yet, individuals could respond. He said he did see enough responded to have a quorum and he did not need to respond but did come to the meeting.

Commissioner Soule said it was a procedure the Commission set up and was following and did not see the need to have it included in the Bylaws.

Chairperson Reynolds said she had asked about no individual shall serve two consecutive terms in the same office. The only reason she asked was that none of the other Commissions have term limits.

Ms. Skogen thought the language was meant to provide for a leadership role or training ground to become a leader so that you do not have one individual that serves more as a permanent chair.

Chairperson Reynolds thought it was more of an annual hassle to nominate individuals, or weather is bad, that maybe you could nominate an individual for two years rather than one.

Commissioner Reiland said you could nominate an individual for two years, but what would happen if their Commission term was up, you would then have to have an election at another time of the year rather than at the annual meeting.

Chairperson Reynolds asked if an individual could serve for two years as Secretary, two years as vice chair and two years as chair.

Commissioner Soule said that was correct. You could then not serve another office until there was a gap in service.

Commissioner Reiland asked if once the officers are election they take their office directing after the election.

Commissioner Findell said yes that is what happens. For this election the Chair did not change so Chairperson Reynolds is still leading the meeting.

The proposed changes to Section V.B. prepared by Commissioner Findell was then reviewed.

Chairperson Reynolds asked the staff liaison should be designated by the City Clerk.

Ms. Skogen stated that the responsibility of the Charter Commission was under her job description so it would be correct.

After reviewing the sections it was felt that there should be a semi-colon at the end of each section and the word and should be added prior to the end of each section.

Chairperson Reynolds stated the proposed changes clarifies and acknowledges what the staff liaison does for the Commission.

Commissioner Kranz says the only thing we don't do is have the Chair recognize us when we want to talk and felt it was very informal. The Commissioners agreed nothing needed to be added or changed for this purpose.

Commissioner Soule had a concern that there may be a time, as in the past, where there were two individuals running for an office.

Commissioner Nelson recommended the following amendment to Section V.A.6.: “Any contested race for an office will be done by a written ballot. The acting Chair will ask for a teller committee of two to count the ballots.”

There was a question about no secret votes. Commissioner Nelson said that would pertain to motions and resolutions, but not elections.

The Commissioners discussed the order of business in Section VIII to have it reflect how the agendas are currently structured. The order of business shall be amended as follows:

1. Call to Order by Chair.
2. Roll Call.
3. Approval of ~~Minutes~~ Agenda.
4. ~~Report of Officers~~ Approval of Minutes.
5. ~~Report of Committee~~ Administrative Matters.

6. ~~Consideration of Communications~~ Old Business.
7. ~~Old Business~~ New Business.
8. ~~New Business~~ Future Meeting Topics.
9. Adjournment.

Chairperson Reynolds wondered how you would put something on the agenda if there was a letter that was received for a group of individuals who came to the meeting and wanted to address some issue or topic.

Ms. Skogen stated that prior to the approval of the agenda; the Chair could place an item on the Agenda for approval. That item could be placed under Administrative Matters or under New Business depending on what the Commissioners wanted.

Commissioner Braam was concerned that the Bylaws could be amended at any regular meeting.

Ms. Soule said the bylaws have to be provided to the Commissioners in writing at least two weeks prior to the next meeting. She thought it might be a good idea to review the bylaws annually. Commissioner Braam suggested reviewing them at the annual meeting.

Commissioner Nelson MOVED and Commissioner Walch seconded a motion authorizing the city clerk to make the proposed changes to the bylaws to be presented at the next meeting as outlined in the current bylaws.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON REYNOLDS DECLARED THE MOTION CARRIED.

8. FUTURE MEETING TOPICS

Administrative Matters - Vacancy
Old Business – Discussion of Proposed Bylaw Amendments
New Business – Review of Chapter 2

9. ADJOURNMENT:

Commissioner Kranz MOVED and Commissioner Braam seconded a motion to adjourn the meeting.

UPON A VOICE VOTE, ALL VOTING AYE, CHAIRPERSON REYNOLDS DECLARED THE MOTION CARRIED AND THE MEETING WAS ADJOURNED AT 8:13 P.M.

Respectfully submitted,
Debra A. Skogen, City Clerk/Staff Liaison
Donald Findell, Commissioner and Secretary



6431 University Avenue N.E.
Fridley, MN 55432

Commission Application

Name Zachary A Crandall

Address 6200 6th Street NE Fridley, MN 55432

Home Phone 612 240-0427 **Number of Years (Months) Resident of Fridley** 7y 5mo

Employer Union Pacific Railroad **Work Phone** 612 849-8318

Address 206 Eaton Street **City** Saint Paul **Zip** 55107

Please rank in order, the commissions on which you wish to serve. (Leave blank any Commissions on which you do not wish to serve.)

- | | |
|----------|--|
| <u>1</u> | Charter Commission |
| <u>4</u> | Housing & Redevelopment Authority |
| <u>3</u> | Planning Commission |
| <u>5</u> | Appeals Commission |
| <u>2</u> | Environmental Quality & Energy Commission |
| <u>6</u> | Parks & Recreation Commission |

Prior Experience on City Commissions, City Boards, etc.: No municipal experience. I am currently serving my second term as Recording-Financial Secretary for Local Lodge 168, Brotherhood of Railroad Signalmen. I am also a member of the grievance committee. Prior to my current position, I served on the Board of Trustee, and was nominated and elected to serve as delegate at our National Convention.

Work Experience: I have worked for Union Pacific Railroad for nearly eleven years. My title is Signal Electronic Technician/Inspector. My primary responsibilities include the testing, maintenance, and upgrading of Railroad Wayside Signals, Highway Grade Crossing Warning Systems, and Train Defect Detectors in MN, & completing applicable documentation required by UPRR, MNDOT, and the Federal Railroad Administration.

Civic, Professional and Community Activities: Other than the work I do for my local union lodge, I have also taken on addition responsibilities at work, providing safety related presentations and training, as well as technical training.

Why do you want to be on a commission? At work, I have recently been assigned to a headquarterd position in Saint Paul, now that I am no longer required to travel full time for my job, I would like to be more involved in the local community.

What skills, strengths or abilities do you believe you will add to the commission?

I am very good at, and actually enjoy, doing research on a variety of topics. I am very persistent when it comes to doing things correctly, e.g. concisely written rules and instructions, well defined roles and responsibilities, limiting the possibility of multiple interpretations of a written statement or document. One example where I have applied these skills is when I rewrote my Local Union lodge's bylaws.

Doe

s your work require you to travel? Yes **How often?** 1-2 days, semi-weekly

Additional Comments: The majority of the travel required by my job is scheduled by me, therefore I do not foresee any scheduling conflicts for attending meetings, or other commission related duties.

References (Optional):

<u>Name</u>	<u>Address</u>	<u>Phone No.</u>
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_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature Zachary A Crandall

11 March 2016
Date

The information provided by you on this application will be used to determine your suitability for appointment to a City of Fridley commission. Participation as a commission member is strictly voluntary, and you are not required by law to provide this information. If you do not furnish this information, however, the City may have difficulty determining your suitability for appointment, contacting you regarding your information, and if selected, with your duties on the commission. Under Minnesota State statutes, only your name is considered public information upon appointment. Any other information on this application is private data and will be accessible only to you, City staff or as provided for by Minnesota statutes.

*Please return the application to Roberta Collins,
City of Fridley, 6431 University Avenue N.E., Fridley, MN 55432.*

FRIDLEY HOME RULE CHARTER COMMISSION
BY-LAWS
Proposed 03/07/16

- I. NAME -- the name of the organization shall be the Fridley Home Rule Charter Commission.
- II. PURPOSE -- the purpose of this organization shall be to frame and amend the Charter to meet the needs of the residents of Fridley.
- III. MEETINGS
- A. Commission meetings will be held in the Fridley Municipal Center; or a designated public location upon proper notice. *The dates will be set for the next calendar year annually at the last meeting of the year. (This section adopted 04/07/14)*
- B. The annual meeting shall be held in March of each year. The election of officers shall take place at the annual meeting.
- C. Special meetings may be called by the Chair; or, the Chair, upon receipt of a written request signed by five (5) members, shall, within ten (10) days, call a special meeting upon proper notice.
- D. A quorum to conduct business shall be determined according to the following schedule:
- | Number of Appointed Charter Commission Members | Quorum |
|--|--------|
| 15, 14, 13 | 7 |
| 12 or 11 | 6 |
| 10 or fewer | 5 |
- E. Except as provided in these by-laws, all meetings shall be governed in accordance with *Rosenberg's Rules of Order. (This section adopted 04/07/14)*
- F. The time of the meeting shall be called by the chair. If there is not a quorum within ten minutes after the meeting time is to commence, the members shall be dismissed. However, if the chair felt there was important business to be addressed, the chair would have the discretion to ask members to stay longer, but may not exceed an additional 10 minutes past the specified time.
- IV. MEMBERSHIP -- The membership of this organization shall be 15 members.
- A. All members shall be expected to attend all meetings. If unable to attend, the member shall inform either the Chair or the Secretary as to the reason.

- B. Any member missing four (4) consecutive meetings without an adequate excuse, or failing to perform the duties of the office shall be subject to a discharge from the Commission upon a written request to the Court, supporting by two-thirds (2/3) of the Commission members present and voting.

V. OFFICERS

A. Election of Officers.

1. The officers of this organization shall be a Chair, Vice Chair and a Secretary.
2. The Chair, Vice Chair and Secretary shall be elected from the membership of the Commission.
3. The Chair, Vice Chair and Secretary shall be elected at the annual meeting. No officer shall serve more than two consecutive terms in the same office.
4. All officers shall begin their terms of office upon election to that office.
5. Election to vacant offices shall be made from the floor at the next meeting following the meeting at which the vacancy is declared.
6. Officers of this organization shall be declared duly elected by a simple majority vote of those present and voting. Any contested race for an office shall be done by a written ballot. The Acting Chair will ask for a teller committee of two (2) to count the ballots.

B. Duties of Officers and City Staff Liaison.

1. The Chair shall have the following responsibilities:
 - a. to call all regular and special meetings;;
 - b. preside at all meetings;;
 - c. set the agenda;;
 - d. implement the decisions of this Commission; and
 - e. participate in all Commission decisions as a voting member.
2. The Vice Chair shall assist the Chair in the performance of these duties. In the event the Chair is unable to perform these duties, the Vice Chair shall discharge such duties.
3. The Secretary shall be responsible for:
 - a. keeping an accurate record of attendance;;
 - b. recording of minutes at all meetings;;
 - c. distributing minutes to members within a reasonable time;;

- d. giving notice to members who have missed three (3) consecutive meetings pursuant to Article IV, Section B, of the By-Laws;
 - e. transmitting all correspondence and related resource material concerning this Commission to the City Clerk for retention; and
 - f. presiding at meetings in the absence of the Chair and Vice Chair.
4. The City Staff Liaison shall be designated by the City Clerk and serve as a recording secretary at all meetings of the Charter Commission. The Liaison, with the direction of the Secretary, will have the following responsibilities.
- a. serve in an advisory capacity at all meetings as a non-voting member;
 - b. assist the commission by providing research information as requested by Officers;
 - c. accurately record attendance and minutes of all meetings;
 - d. distribute minutes and notices of upcoming meetings with proposed agenda in a timely manner;
 - e. prepare proposed Charter changes for submission to the City Council; and
 - f. submit records of proceedings to the City Clerk for retention.

VI. COMMITTEES

- A. The Chair shall have the power to create committees, appoint members and designate chairs of those committees.
- B. In January of each year the Chair shall appoint a nominating committee of three (3) or more members who shall report the nomination of one (1) or more candidates for each office. A written report of such nominations shall be mailed to each member at least ten (10) days before the annual meeting.

VII. VOTING

- A. A majority vote of members present shall be sufficient to pass motions and resolutions except as provided elsewhere.
- B. There shall be no secret votes, other than contested election(s) of officers.

VIII. ORDER OF BUSINESS

- 1. Call to Order by the Chair.
- 2. Roll Call.
- 3. Approval of Agenda
- ~~3~~ 4. Approval of Minutes.
- ~~4~~ 5. Report of Officers-Administrative Matters.

- ~~5~~ . ~~Report of Committee.~~
- ~~6~~ . Considerations of communications.
- ~~7~~6. Old Business.
- ~~8~~7. New Business.
8. Future Meeting Topics
9. Adjournment.

IX. AMENDMENT

- A. These by-laws can be amended at any regular meeting of the Commission by a two-thirds (2/3) vote of those presents, provided that the amendment has been submitted in writing to the members at least two (2) weeks before the vote on the amendment.

FRIDLEY CITY CHARTER
CHAPTER 2. CITY COUNCIL ORGANIZATION

Section 2.01. COUNCIL-MANAGER PLAN IMPLEMENTATION.

1. The form of government established by this Charter shall be known as the "Council-Manager Plan" pursuant to Minnesota Statutes. (Ref. Ord. 1034)
2. All discretionary powers of the City, both legislative and executive, shall vest in and be exercised by the City Council. It shall have complete control over the City administration, but shall exercise this control exclusively through the City Manager and shall not itself attempt to perform any administrative duties. (Ref. Ord. 1034)
3. The Council shall perform the duties and exercise the powers of all City boards and commissions except as otherwise provided by statute or by this Charter. It may by ordinance create commissions with advisory powers to investigate any subject of interest to the municipality. (Ref. Ord. 1034)
4. The Council shall have power to make investigations into the City's affairs, to subpoena witnesses, administer oaths, and compel the production of books, papers and other evidence. The Council may at any time provide for an examination or audit of the accounts of any office or department of the City government, or it may cause to be made any survey or research study of any problem affecting the City or its inhabitants. Each such investigation shall be authorized by resolution of the Council. (Ref. Ord. 1034)
5. Any member of the Council may request in writing any specific information relating to any department via the City Manager. The City Manager shall respond in writing within a reasonable period of time. (Ref. Ord. 592, Ord. 1034)
6. Except for the purpose of inquiry, the Council and its members shall deal with and control the administrative services solely through the City Manager, and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager, either publicly or privately. (Ref. Ord. 1034)

Section 2.02. ELECTIVE OFFICERS.

1. The Council shall be composed of a Mayor and four (4) Councilmembers who shall be eligible voters as defined by Section 1.04.1 of this Charter. (Ref. Ord. 1252)
2. The Mayor shall be elected at large in each United States presidential election year to a term of four (4) years. (Ref. Ord. 1034)

3. One (1) Councilmember shall be elected at large in each United States presidential election year to a term of four (4) years. (Ref. Ord. 1034)
4. Three (3) Councilmembers shall be elected in each Minnesota gubernatorial election year from three (3) separate Wards of the City to terms of four (4) years each. (Ref. Ord. 1034)
5. The term of Mayor and of each Councilmember shall begin on the first day of January following their election to office and shall end on December 31 of the last year of the term. The incumbent may remain in office until a successor has been duly qualified and accepts the office. The first order of business at the first official Council meeting in each January that follows an election year shall be the swearing in of the newly elected members of the Council. (Ref. Ord. 1034)
6. The Council shall serve as the canvassing board for city elections. (Ref. Ord. 1252)

Section 2.03. THE MAYOR.

1. The Mayor shall be the presiding officer of the Council, except that a mayor pro tem shall be chosen from the remaining Councilmembers to serve at the pleasure of the Council, who shall act as Mayor in case of the Mayor's temporary disability or absence from the City. (Ref. Ord. 1034)
2. The Mayor shall vote as a member of the Council. (Ref. Ord. 1034)
3. The Mayor shall exercise all powers and perform all duties conferred and imposed by this Charter, the ordinances of the City and the laws of the State. (Ref. Ord. 1034)
4. The Mayor shall be recognized as the official head of the City for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the Governor for the purposes of martial law. (Ref. Ord. 1034)
5. At the direction of the Council the Mayor shall study the operations of the City government and shall report to the Council any neglect, dereliction of duty, or waste on the part of any officer or department of the City. (Ref. Ord. 1034)
6. In time of public danger or emergency the Mayor may take command of the police, maintain order and enforce the law. Council consent shall be obtained when practicable. (Ref. Ord. 1034)

Section 2.04. WARD COUNCILMEMBERS.

1. The City is divided into three (3) separate election Wards designated as Ward 1, Ward 2, and Ward 3. (Ref. Ord. 1034)

2. A Ward Councilmember must be a resident of such ward. If the Ward Councilmember ceases to be a resident of the ward, then that office shall be declared vacant. However, a change in ward boundaries during the term of office shall not disqualify the Councilmember from completing the term. (Ref. Ord. 1034)
3. The boundaries of the three (3) wards shall be redetermined from time to time by ordinances duly adopted by the Council, and based on the findings of the Council that the wards so redetermined are such that the population of any ward shall not deviate by more than three percent (3%) from the average of the three (3) wards. (Ref. Ord. 1034)
4. After each decennial census of the United States, the Council shall redetermine ward boundaries. This redetermination of ward boundaries shall be accomplished within the deadlines established by Minnesota law. If no deadlines are established by law, then redistricting must be completed no less than one hundred (100) days prior to the legally determined date of the municipal primary of the year ending in the digit two (2). If further redistricting is necessary, as determined by the Council, the adoption of the new boundaries shall be prohibited during the time period from ninety (90) days before a primary election up to and including the day of the general election in the same year. Any prohibitions stated in the Minnesota state statutes pertaining to the adoption of the new boundaries shall also apply. (Ref. Ord. 1034)

Section 2.05. DISQUALIFICATION FOR APPOINTIVE OFFICE.

No incumbent member of the Council shall be appointed acting or permanent City Manager, nor shall any member hold any other paid municipal office or employment under the City; and no former member shall be appointed to any paid office or employment under the City until one (1) year after leaving office. (Ref. Ord. 1034)

Section 2.06. VACANCIES IN THE COUNCIL.

1. A vacancy in the council shall be deemed to exist in case of the failure of any elected person elected thereto to qualify on or before the date of the second regular meeting of the new council, or by reason of the death, resignation, removal from office, continuous absence from the City for more than three (3) months, failure to attend any council meetings for three (3) consecutive months, or conviction of a felony of any such person whether before or after their qualification; or by ceasing to be a resident of the city or the ward from which elected. In each such case, within thirty (30) days the council shall by resolution declare a vacancy to exist. (Ref. Ord. 1289)
2. If a vacancy is declared to exist, the Council shall, within 30 days, appoint by majority vote a qualified person to assume the office until the next general election. If the Council cannot agree on an appointment within the required timeframe, the Mayor shall appoint a qualified person to fill the position. The term of office to be filled at the next general election shall be for the unexpired portion of the term or for a full term depending on the timeframe when the vacancy has been declared to exist.

3. If the Mayor's position is declared vacant, the Councilmember-at-Large shall serve as Mayor until the end of the Mayor's term. The Councilmember at Large shall then be declared vacant and it shall be filled as defined in Section 206.2. of the City Charter. (Ref. Ord. 1289)
4. If at any time the membership of the Council is reduced to less than three (3) members, the City Manager shall order a special election to be held not less than thirty (30) days nor more than sixty-five (65) days from the time the multiple vacancies occurred. A period of eight (8) to twelve (12) consecutive working days shall be designated for the purpose of filing nomination petitions in accordance with Section 4.06. The winner(s) of the special election shall be by a plurality of votes cast for each office, regardless of the number of candidates and shall take office immediately upon certification by the board of canvass and shall fill the unexpired terms of said offices. (Ref. Ord 1989)
5. If the position of City Manager is vacant, the City Clerk shall order such an election. If the position of City Clerk is also vacant, the Chief Judge of District Court of the State of Minnesota within whose jurisdiction the corporate offices of the City of Fridley lie shall order such an election. (Ref. Ord. 1034)

Section 2.07. SALARIES AND EXPENSES.

The Mayor and each Councilmember shall receive reasonable remuneration or salary, the annual amount and payment of which shall be prescribed by ordinance duly adopted on or before November 1st of the year preceding payment of the same. When authorized by the Council, its members shall be remunerated for their reasonable expenses incurred in connection with the City's business. The City Manager and all subordinate officers and employees of the City shall receive such reasonable compensation as may be fixed by the Council. (Ref. Ord. 1034)