

**SPRING LAKE PARK
ORDINANCE 492**

**AN ORDINANCE AMENDING THE CITY CODE TO TEMPORARILY MOVE THE
REGULAR MEETINGS OF THE CITY COUNCIL AND ITS BOARDS &
COMMISSIONS FROM CITY HALL TO THE ABLE PARK BUILDING, 8200 ABLE
STREET NE**

WHEREAS, the City is undertaking a renovation of its City Hall during which will significantly hinder the building’s ability to host public events; and

WHEREAS, the City Council finds it in the best interest of the public to temporarily relocate its regular City Council meetings to the Able Park Building due to 1) safety concerns for the public from ongoing construction, 2) limited accessibility for the public, especially for those with mobility challenges, in navigating a construction zone; and 3) inadequate facilities for meetings due to construction-related disruptions and space limitations.

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **AMENDMENT** “3.04.010 City Council” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

3.04.010 City Council

- A. *Initial Meeting; Organization.* At the first regular Council meeting of January of each year, the Council shall:
1. Designate the depositories of city funds;
 2. Designate the official newspaper;
 3. Choose an Acting Mayor from the Councilmembers, 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;
 4. Appoint officers and employees and members of boards, commissions, and committees as may be necessary; and
 5. The following appointment procedure will be used when there are multiple positions available with more candidates than positions:
 - a. Nominations will be accepted by the Mayor from any Councilmember;
 - b. Nominations will optionally be presented by the Mayor;
 - c. Nominations from the floor will be accepted;
 - d. Any written nominations will be honored;

- e. Brief supporting statements will be allowed if desired;
- f. The Administrator, Clerk/Treasurer will prepare the following chart on the board:

Councilmember Voting	Candidate A	Candidate B	Candidate C	Candidate D	Candidate (as needed)
Mayor					
Councilmember A					
Councilmember B					
Councilmember C					
Councilmember D					

- g. Each Councilmember and the Mayor will be asked to rank, on paper, his or her choice for the appointment. If there are three positions open, the first choice would get five points; if there are two positions open, the first choice would get four points; and if there is only one position open, the first choice would get three points. Everyone would then give his or her second choice one less point, third choice one less point, fourth choice one less point, and fifth choice one less point. If, for example, there are five candidates and two openings, everyone must give one candidate a four, one a three, one a two, and one a one;
- h. The Administrator, Clerk/Treasurer will collect the ballots and record the totals on the board; and
- i. The accumulation of the five votes will determine the appointee. Ties, when they are significant, will be broken by lot.

B. Regular And Special Meetings.

1. *Regular meetings.* Regular meetings of the City Council shall be held on the first and third Monday of each calendar month at 7:00 p.m. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. All meetings, including special and adjourned Council meetings, shall be held in the [Able Park Building, 8200 Able Street NE, Community Center, 1301-81st Avenue NE](#), unless specially called for another location.
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 his or her usual place of residence with some responsible person. Pursuant to M.S. Ch. 13D, as it may be amended from

time to time, written notice of any special meeting shall be posted giving the date, time, place and purpose of the meeting at least three days before the meeting. Written notice shall be mailed at least three days before the meeting to anyone who has filed a written request for notice of special meetings. In calculating the three days, if the last day falls on a Saturday, Sunday or legal holiday, the next regular business day shall be counted as the third day.

3. Emergency meetings. Notice of emergency meetings shall be given as required by M.S. Ch. 13D, as it may be amended from time to time. An emergency meeting is a meeting defined by M.S. Ch. 13D, as it may be amended from time to time.
4. *Public meetings.* All Council meetings, including special and adjourned Council meetings and meetings of Council committees, shall be conducted in accordance with the Minnesota Open Meeting Law, M.S. Ch. 13D, as it may be amended from time to time

C. *Presiding Officer.*

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 Administrator, Clerk/Treasurer shall call the meeting to order and shall preside until the Councilmembers present at the meeting choose one of their number to act temporarily as presiding officer.
2. *Procedure.* The presiding officer shall preserve order, enforce the rules of procedure herein prescribed, and determine, subject to the final decision of the Council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the proceedings of the Council shall be conducted in accordance with Robert's Rules of Order, Newly Revised.
3. *Appeal.* Any member may appeal to the Council from a ruling of the presiding officer. The appeal shall be sustained if it is approved by a majority of the members present, including the presiding officer.
4. *Rights of presiding officer.* The presiding officer may make motions or speak on any question except that on demand of any Councilmember, he or she shall vacate the chair and designate a Councilmember to preside temporarily.
5. *Variations from Robert's Rules of Order, Newly Revised.*
 - a. Motions will not need a second.
 - b. Any motion may be debated; debate may be limited by a successful motion to limit.

D. *Minutes.*

1. *Who keeps.* Minutes of each Council meeting shall be kept by the City Administrator, Clerk/Treasurer or, in his or her absence, by the Deputy City 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 Administrator, Clerk/Treasurer and can be accurately identified from the description given in the minutes.
2. *Approval.* The minutes of each meeting shall be reduced to typewritten form,

shall be signed by the Administrator, Clerk/Treasurer, and copies thereof shall be delivered to each Councilmember as soon as practicable after the meeting. At the next regular Council meeting following that 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 to a proposed addition or correction, it may be made without a vote of the Council. If there is an objection, the Council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

3. *Official record.* The minutes of the City Council, once approved as provided in Paragraph D,2, shall constitute the official record of the city. Following official approval of the minutes, any audio or video recordings of the meeting may be disposed of per the General Records Retention Schedule as adopted by the City Council.

E. *Order Of Business; Agenda.*

1. *Order of business established.* Each meeting of the Council shall convene at the time and place appointed therefor. Council business shall be conducted in the following order:

- a. Call to order;
- b. Roll call;
- c. Pledge of Allegiance;
- d. Consent Agenda (includes routine, non-controversial items e.g. minutes, claims, disbursement/budget to date, licenses, and the like);
- e. Public hearings;
- f. Discussion from the floor;
- g. Presentations (proclamations and resolutions received from/given to the city, City Council, staff, and the like);
- h. Department reports (police, public works, code enforcement, recreation);
- i. Ordinances and resolutions;
- j. Unfinished business;
- k. New business;
- l. Engineering report;
- m. Attorney's report;
- n. Reports;
- o. Miscellaneous; and
- p. Adjournment.

2. *Varying order.* The order of business may be varied by the presiding officer, but all public hearings shall be held at the time specified in the notice of hearing.
3. *Agenda.* An agenda of business for each regular meeting shall be prepared and filed in the office of the Administrator, Clerk/Treasurer, not later than three days before the meeting. The agenda shall be prepared in accordance with the order of business, and copies thereof shall be delivered to each Councilmember and to the official newspaper and others who may request it

as far in advance of the meeting as time for preparation will permit. If any member of the Council who is present objects, an item of business shall not be added to the agenda for the meeting.

F. *Quorum And Voting.*

1. *Quorum.* At all Council meetings a majority of all the Councilmembers shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.
2. *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 or her name shall be marked "present -- not voting."
3. *Votes required.* A majority vote of all members of the Council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.
4. *Roll call vote.* When a roll call is requested by the presiding officer, it will be called in the following order:
 - a. Non-presiding Councilmembers in order of seniority (most senior first, newest last); and
 - b. Presiding officer.

G. *Ordinances, Resolutions, Motions, And Petitions.*

1. *Readings.* Every ordinance shall be presented in writing. An ordinance or resolution need not be read in full unless a member of the Council requests such a reading.
2. *Signing and affidavit of publication.* Every ordinance and resolution passed by the Council shall be signed by the Mayor, attested by the Administrator, Clerk/Treasurer, and filed by him or her in the ordinance or resolution book. Affidavits of publication of every ordinance shall be attached and filed with the ordinance.
3. *Motions and petitions.* Every motion shall be stated in full before it is submitted to a vote by the presiding officer and shall be recorded in the minutes. Every petition addressed to the Council shall be in writing and shall be read in full upon presentation to the Council unless the Council dispenses with the reading. Each petition shall be recorded in the minutes by title and filed with the minutes of the Administrator, Clerk/Treasurer.

Cross-reference:

Ordinances which amend or supplement code, see SLPC 1.04.160

Repeal or modification of ordinance, see SLPC 1.04.150

H. *Committees And Appointments.*

1. *Committees and appointments designated.* The following committees shall be appointed by the Council at the first regular Council meeting in January of

each year. (“*” indicates Mayoral appointment with Council approval.)

- a. Agent of Record;
- b. Attorney;

- c. Auditor;
- d. Engineer;
- e. Weed Inspector;
- f. *Assistant Weed Inspector;
- g. Animal Control;
- h. Park and Playground Commission;
- i. Anoka County Joint Law Enforcement;
- j. Anoka County Fire Protection Council;
- k. Negotiations -- Police Patrol;
 - l. Negotiations — Police Sergeants;
- m. Negotiations - Public Works;
- n. Administrator, Clerk/Treasurer;
- o. Police Chief;
- p. Parks and Recreation Director;
- q. Public Works Director;
- r. Assessor;
- s. Building Official;
- t. Plumbing Inspector;
- u. Fire Marshal;
- v. Planning Commission;
- w. *Emergency Management Director
- x. North Metro Mayor's Association Board;
- y. North Metro Cable Communications Commission; and
- z. North Metro Cable Commission Operating Commission.

2. *Referral and reports.* Any matter brought before the Council for consideration may be referred by the presiding officer to the appropriate committee or to a special committee appointed by him or her for a written report and recommendation before it is considered by the Council as a whole.

I. *Suspension Of Rules.*

1. These rules, except as they relate to quorum and voting, may be suspended by a three-fourths vote of the Council.
2. By unanimous consent, the Council may in an individual circumstance waive Robert’s Rules of Order.

SECTION 2: **AMENDMENT** “3.08.020 Parks And Recreation Commission” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

3.08.020 Parks And Recreation Commission

- A. *Establishment.* There is hereby established a Parks and Recreation Commission for the purpose of advising the Council on the operation of public recreation, parks, and playgrounds. The Parks and Recreation Commission is referred to herein as the “Commission.”
- B. *Composition.* There is hereby established a Parks and Recreation Commission for the purpose of advising the Council on the operation of public recreation, parks, and playgrounds. The Parks and Recreation Commission is referred to herein as the “Commission.”
- C. *Terms.* Appointment shall be made at the first regular January meeting of the City Council. Members shall be appointed for three-year terms, beginning January 1 and ending December 31 of the third year following. Initial appointment shall be as follows: three members appointed for terms of one year; three members appointed for terms of two years; and three members appointed for terms of three years. Members may serve for more than one term by reappointment by the Council.
- D. *Vacancies.* Commission members may resign voluntarily. Three consecutive, unexcused absences from duly called Commission meetings shall constitute automatic resignation from office. Replacements for vacancies shall be appointed by the City Council.
- E. *Organization*
 - 1. *Officers.* The Commission shall annually, at its first quarterly meeting, elect one member to serve as chairperson, one member to serve as vice chairperson, and one member to serve as secretary.
 - 2. *Responsibilities.*
 - a. The chairperson is responsible for the agenda, presiding at meetings, and making all reports and recommendations of the Commission to the City Council.
 - b. The vice chairperson is responsible for the chairperson’s responsibilities when the chairperson is absent.
 - c. The secretary is responsible for the minutes of all meetings.
 - d. The Parks and Recreation Director and Council Commissioner are non-voting members.
- F. *Procedures.* The proceedings of the Commission shall be conducted in accordance with Robert’s Rules of Order, Newly Revised.
- G. *Presiding Chairperson.*
 - 1. *Who presides.* The chairperson shall preside at all meetings of the Commission. In the absence of the chairperson, the vice chairperson shall preside. In the absence of both, the secretary shall call the meeting to order and shall preside until the Commission members present at the meeting have chosen one of their number to act temporarily as presiding chairperson.
 - 2. *Rights of the presiding chairperson.* The presiding chairperson may make motions, or speak on any question, except that on demand of any Commission member, he or she shall vacate the chair and designate a Commission member to preside temporarily.

H. *Meetings.*

1. *Regular meetings.* The Commission shall hold a meeting at least quarterly, which shall be on the first Tuesday of January, April, July and October at 6:00 p.m. All meetings, including special meetings, shall be held at Able Park Building, 8200 Able Street NE, City Hall, 1301 81st Avenue NE, unless specially called for at another location.
2. *Special meetings.* The chairperson, Parks and Recreation Director, or Council Commissioner may call a special meeting upon at least three days notice to each member of the Commission. Notice of a special meeting shall be posted at City Hall and shall be made in accordance with M.S. Ch. 13D.
3. *Public meetings.* All Commission meetings, including special meetings and meetings of Commission committees, shall be open to the public.

I. *Minutes And Reports.* The Commission shall keep a public record of all motions, resolutions, findings, minutes, and reports which shall be reduced in writing and a copy forwarded to the City Council. The Parks and Recreation Department shall maintain all records and minutes of the Commission.

J. *Order Of Business.*

1. *Order established.* Each meeting of the Commission shall convene at the time and place appointed therefor. Commission business shall be conducted in the following order:
 - a. Call to order;
 - b. Roll call;
 - c. Approval of minutes;
 - d. Discussion from the floor;
 - e. Commission member reports;
 - f. Unfinished business;
 - g. New business;
 - h. Director's report;
 - i. Council Commissioner's report;
 - j. Other; and
 - k. Adjournment.
2. *Varying order.* The order of business may be varied by the presiding chairperson.
3. *Agenda.* The agenda shall be prepared in accordance with the order of business. Copies thereof shall be given to each Commission member and posted in the Community Center as far in advance of the meeting as time for preparation will permit.

K. *Budget And Finance.* The Director shall furnish written budget-to-date reports to the Commission at quarterly intervals for the purpose of budgeting, accounting, and reporting. The fiscal year of the Commission and the fund shall be from January 1 to December 31 of each year. The Commission must present, no later than August 1 of each year, an estimate in such detail as the Council shall require for its financial needs for the Parks and Recreation Department for the ensuing year.

L. *Duties And Functions.* The duties and functions of the Commission shall be as follows:

1. Serve in an advisory capacity to the City Council;
2. Maintain an interest in and an understanding of the functions and operations of the Parks and Recreation Department;
3. Endeavor to secure a full understanding of the city's needs and desires for parks and recreation facilities and be sensitive to the acceptance within the community of the current programs;
4. Convey to the Council its understanding of the community's sentiment regarding recreation and parks and submit recommendations to the Council on parks and recreation programs and policies;
5. Review conditions and adequacy of park property;
6. Provide hearings for groups or individuals regarding parks and recreation matters;
7. Keep informed and consider all financial aspects pertaining to parks and recreation;
8. Consider proper names for city park property;
9. Propose regulations for control of city park property to the Council;
10. Advise and assist architectural engineers on preparation of specific plans prior to their presentation to the Council for formal approval;
11. Represent the city at community functions where appropriate and approved by the Council;
12. Represent the city at meetings with other communities, county, or state boards of similar nature where appropriate and approved by the Council; and
13. Perform other duties and functions or conduct studies and investigations as specifically directed or delegated by the Council.

SECTION 3: AMENDMENT “16.60.010 Planning Commission” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

16.60.010 Planning Commission

A. A Planning Commission is hereby created which shall carry out duties as specified in this title and as authorized by M.S. § 462.354, Subd. 1, as it may be amended from time to time. The Planning Commission shall consist of not less than five and not more than seven members. A chairperson and a vice chairperson shall be elected by the Commissioners at the first meeting of the year or at the first meeting following the resignation of the chairperson or vice chairperson. The term or office of each Commissioner shall be for a period of three years, but members shall serve at the pleasure of the Council. The City Council shall have the authority and power to fill vacancies that may from time to time exist and shall have the authority to fill vacancies resulting from the expiration of members' terms. The terms of office of the Planning Commissioners now holding office, pursuant to a prior ordinance, are hereby

confirmed.

B. Regular meetings. Regular meetings of the Planning Commission shall be held on the fourth Monday of each calendar month at 7:00 p.m. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. All meetings, including special and adjourned Commission meetings, shall be held in the Able Park Building, 8200 Able Street NE, unless specially called for another location.

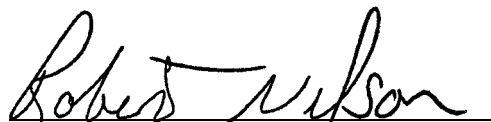
SECTION 4: REPEALER CLAUSE AUTOMATIC REPEAL OF ORDINANCE. The changes to the City Code made by this ordinance are intended to be temporary. Correspondingly, this ordinance shall take effect on March 1, 2024 and will be automatically repealed without further action by the City Council on June 27, 2025. Upon the repeal of this ordinance, the location of the City Council and Commission meetings shall revert to City Hall, 1301 81st Avenue NE, unless or until further action is taken by the City Council.

SECTION 5: EFFECTIVE DATE This Ordinance shall be in full force and effect on March 1, 2024 upon its passage and publication according to law.


PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL
February 20, 2024 _____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	X	_____	_____	_____
Councilmember Goodboe-Bisschoff	X	_____	_____	_____
Councilmember Dircks	X	_____	_____	_____
Councilmember Moran	_____	_____	X	_____
Mayor Nelson	_____	_____	X	_____

Presiding Officer


Robert Nelson, Mayor, Spring Lake Park

Attest


Daniel R. Buchholtz, Administrator,
Clerk/Treasurer, Spring Lake Park