

**MOUNDS VIEW CHARTER COMMISSION  
BYLAWS**

Adopted: April 27, 2021

**ARTICLE I - THE COMMISSION**

**Section 1. Name of Commission.** The name of the Commission is the “Charter Commission of Mounds View, Minnesota.”

**Section 2. Purpose.** The purpose of the Charter Commission is to serve as custodians of the Mounds View City Charter in accordance with state laws, these bylaws and rules of the Charter Commission.

**Section 3. Office of Commission.** The offices of the Commission are at Mounds View City Hall for purposes of official Commission business.

**Section 4. Members.** The Commission is composed of up to and including nine (9) members. Members shall serve during their term and until their successors are appointed and have qualified, pursuant to Minnesota Statutes, Section 410.05, as amended.

**Section 5. Records.** Each member shall receive a copy of the City Charter and the Commission Bylaws. The current City Charter shall be kept on file at the City offices and made available for public review.

**Section 6. Review of Bylaws.** The Bylaws shall be reviewed at least once every two years.

**ARTICLE II - OFFICERS**

**Section 1. Officers.** The officers of the Commission are the Chair, Vice-Chair, Second Vice-Chair and Secretary.

**Section 2. Chair.** The Chair shall call the regular meetings of the Commission, prepare the agenda, preside at all meetings, oversee the implementation of the decisions of the Commission, forward any documents to the city for action or archive, and act as the primary liaison with City staff. The Chair retains all the rights and responsibilities held as a member of the Commission including the right to vote. By the December meeting each year, the Chair shall submit to the Commission for its approval, an annual report summarizing the activities and accomplishments of the Commission for the calendar year. The annual report to the Commission may contain the Chair’s recommendation for Commission activities for the ensuing year.

**Section 3. Vice-Chair.** The Vice-Chair shall perform the duties of the Chair during the Chair’s temporary absence, and shall perform such duties during any vacancy of that office until the Commission elects a new Chair.

**Section 4. Second Vice-Chair.** The Second Vice-Chair shall perform the duties of the Vice-Chair during the Vice-Chair’s temporary absence, and shall perform such duties during any vacancy of that office until the Commission elects a new Vice-Chair.

**Section 5. Secretary.** The Secretary shall prepare the records, record the minutes and votes at each meeting stating what was done, not what was said, and submit them to the Chair before the next regularly scheduled meeting. On or before December 31st of each year, the Secretary shall submit to the Chief Judge of the District Court the Chair's approved annual report outlining the Commission's activities and accomplishments. The Secretary shall forward a copy of the report to the City Administrator. The Commission may designate by majority voice vote an Assistant Secretary from the Charter Commission membership whose duties shall be to assist the Secretary, and to perform the duties of Secretary in the event of the absence or vacation of office by the Secretary until such time as the Commission elects a new Secretary.

**Section 6. Additional Duties.** The officers of the Commission shall perform such other duties and functions as may from time to time be required by the Commission or its bylaws or rules.

**Section 7. Compensation; Expenses.** The members of the Commission shall receive no compensation, but the Commission may employ an attorney and other personnel to assist in amending or revising the City Charter, and the reasonable compensation and the cost of printing such charter, or any amendment or revision thereof, when so directed by the Commission shall be paid by the City. The amount of reasonable and necessary Commission expenses shall be so paid by the City in accordance with Minnesota Statutes Section 410.06, as amended.

**Section 8. Elections.** The Chair, Vice-Chair, Second Vice-Chair and Secretary shall be elected from among the members of the Commission within 90 days after November 1st of even-numbered years, and shall hold office for two years or until their successors are elected and qualified. The Chair shall conduct the election. Officers shall be declared elected and qualified by a simple majority vote of those present and voting. Nomination for the position of Chair requires one year of service on the commission to be eligible. No officer shall be eligible to hold more than six consecutive terms in the same office. In filling vacancies for unexpired terms, an officer who has served more than half of a term is considered to have served a full term in that office. Newly elected officers shall take office at the close of the meeting in which the election is held.

**Section 9. Vacancies.** Vacancy in an office is declared by a motion brought before the Commission by any Commissioner when a member resigns or a member is absent from four consecutive regular Commission meetings without being excused by the Commission. A vacancy in the office of Chair, Vice-Chair, Second Vice-Chair or Secretary shall be filled by a special election by the Commission within 90 days of the vacancy. The elected successor shall serve the unexpired term of office starting at the close of the meeting in which the election is held.

**Section 10. Appointments.** It is the responsibility of each individual member that is eligible for re-appointment to submit to the Judicial District Court Chief Judge the appropriate paper work for re-appointment consideration. A qualified and acting member shall be defined as a person who has been appointed by the Judicial District Court Chief Judge and has confirmed their acceptance of that appointment by signing and returning a notarized oath of acceptance.

## ARTICLE III – MEETINGS

**Section 1. Regular Meetings.** The Commission shall meet at least once during each calendar year. The Commission shall also meet upon presentation of a petition with signatures numbering at least ten percent of the total City of Mounds View ballots cast for President in the most recent Presidential election, or upon resolution approved by a majority of the City Council, requesting the Commission to convene, the commission shall meet to consider the proposals set forth in such petition or resolution. All meetings shall be held in the Mounds View City Hall unless meeting notices state otherwise. All meetings shall comply with the Minnesota Open Meeting Law (Minnesota Statutes, Section 13D, as amended). The meetings will be conducted in accordance with *Robert’s Rules of Order Newly Revised*.

**Section 2. Special Meetings.** The Chair or any two members of the Commission may call a special meeting to transact any business stated in the meeting notice in accordance with state law. Notice of the special meeting shall state the time, date, place and business to be conducted at the special meeting. Notices may be delivered by email or any method of contact that provides an acknowledgment of receipt of the notice. Any member that does not acknowledge receipt must have the notice delivered in person or mailed to the member’s designated mailing address at least three days prior to the special meeting. The business to be considered at special meetings shall be limited to that stated in the meeting notice unless all members of the Commission are present and vote unanimously to conduct additional business.

**Section 3. Quorum.** In accordance with Minnesota Statutes Section 410.05, as amended, a quorum shall be defined as follows: If there are nine (9) qualified and acting members, then five (5) members shall constitute a quorum. If there are less than nine (9) qualified and acting members, then four (4) members shall constitute a quorum for the purpose of conducting the commission’s business and exercising its powers and for all other purposes. If the commission lacks a quorum, a smaller number of members may set a time to reconvene the commission, continue to meet as a subcommittee if desired, and report their discussions to the commission.

**Section 4. Order of Business.**

The Commission shall use the following order of business at its meetings:

1. Call to Order
2. Roll Call.
3. Approval of Minutes.
4. Citizens Comments from the floor.
5. Reports of the Chair.
6. Reports from members or committees.
7. Unfinished Business.
8. New Business.
9. Adjournment.

Order of Business may be changed at a meeting by a majority vote of the commission members present.

**Section 5. Committees.**

The Commission may establish and appoint committees. Each committee must designate a Chair.

**Section 6. Discharge of Members.** Any member who has failed to attend four consecutive meetings, regular or special, without being excused by the Commission, may be discharged according to the provisions of Minnesota Statutes, Section 410.05, Subdivision 2, as amended.

#### **ARTICLE IV - AMENDMENTS AND REVISIONS**

**Section 1. Bylaws Amendment Procedure.** The Commission Bylaws may be amended by a resolution, made in writing, and adopted by a majority vote of qualified and acting members at a properly noticed meeting of the Commission.

**Section 2. Charter Amendment Procedures.**

The Charter may be amended as provided in Minnesota Statute 410.12, as amended, and summarized here by any one of the four following methods:

**Method 1.** The Charter Commission may by a majority vote of its members approve a resolution recommending an amendment to the Charter by Ordinance under Minnesota Statute 410.12 subd 7. Such an Ordinance must be published in the official newspaper two weeks prior to a public hearing on the matter and then requires an affirmative vote of all five members of the City Council. The ordinance will be come effective 90 days after passage if not petitioned for referendum.

**Method 2.** The Charter Commission may by a majority vote of its members approve a resolution recommending an amendment to the Charter by requesting it be placed before the voters under Minnesota Statute 410.12 subd 1 - 4. If there is a general election scheduled to occur within six months, the City Council shall have such an amendment prepared and placed on the ballot at the municipal general election. Proposed charter amendments must be submitted at least 17 weeks before the municipal general election. If no municipal general election is scheduled to occur within six months, the City Council shall prepare the amendment and call a special election within 99 days after the delivery of such amendment to the City Administrator.

**Method 3.** A number of voters equal to or greater than five percent of the total City of Mounds View ballots cast at the last State general election may, by petition, require the Charter Commission to review and request an amendment to the Charter which may then be submitted by the Charter Commission under the same guidelines set forth under method 1 or 2 above.

**Method 4.** The City Council may propose an amendment by ordinance without the initial request of the Charter Commission under Minnesota Statute 410.12 subd 5. Such an Ordinance shall be submitted to the Charter Commission for review and the Charter Commission can by request be granted an additional 90 days for review. After reviewing such proposed amendment, the Charter Commission shall approve or reject the proposed amendment or suggest a substitute amendment. The Council may submit to the people the amendment originally proposed by it or the substitute proposed by the Charter Commission. The amendment only becomes effective when approved by the voters.

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