

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 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.
6. The term of Mayor and of each Councilmember shall begin after being sworn in following their election. Their term shall end upon the newly qualified elected official(s) being sworn in. The incumbent shall remain in office until a successor has been duly qualified and accepts the office. (Ref. Ord. 1034, 1342)
7. 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 the Councilmember at large who shall act as Mayor in case of the Mayor's temporary disability or absence from the City. Should neither be available, the mayor pro tem shall be chosen from the remaining Councilmembers to serve at the pleasure of the Council. (Ref. Ord. 1034, 1342)
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. COUNCILMEMBER AT LARGE

1. The Councilmember at large shall serve as the mayor pro tem in the temporary absence of the Mayor.
2. If the Mayor's term shall be declared vacant, the Councilmember at large shall serve as the Mayor as required by Section 2.07.3. (Ref. Ord 1342)

Section 2.05. 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 redistricted from time to time by ordinances duly adopted by the Council, and based on the findings of the Council that the wards so redistricted 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 redistrict ward boundaries when appropriate. This redistricting 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, 1342)

Section 2.06. 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 2.07. 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;
 - by reason of the death, resignation, removal from office;
 - continuous absence from the City for three (3) months;
 - failure to attend any council meetings for three (3) consecutive months;
 - 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, 1342)

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 2.06.2. 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 2.08. SALARIES AND EXPENSES.

1. 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.
2. 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)