

City of Nerstrand  
Rice County, Minnesota

**ORDINANCE NO. 2026-02**  
**AN ORDINANCE AMENDING**  
**Sections 200, 205, 210**  
**OF THE NERSTRAND CITY CODE REGARDING**  
**CHAPTER 2 CITY COUNCIL**

Section 1: Ordinance sections 200, 205, 210 are hereby amended by the addition of the underlined language and the deletion of the stricken language, as follows:

Section 2: This ordinance becomes effective from and after it's passage and publication.

**FINDINGS**

The Council of the City of Nerstrand (the "Council") hereby finds:

1. City councils are authorized to adopt rules of procedure and provide for order at their meetings pursuant to Minn. Stat. § 412.191.

**ORDINANCE**

The City ordains as follows:

~~SECTION 200 – COUNCIL RULES AND PROCEDURES~~

~~200.00. City of Nerstrand Council Meetings.~~

~~Subd 1. Meetings will be run according to the City of Nerstrand Council Meeting By-Laws, which may be amended from time to time by resolution or motion.~~

~~200.01. Regular and Special Meetings. Regular meetings of the city council are held on the second Tuesday of each month in the council chambers of the city hall at 7:00 p.m. unless otherwise specified by council resolution. Meetings may be adjourned from time to time to a specified date or subject to the call of the mayor. Meetings of the council must be open to the public. A scheduled meeting falling on a legal holiday is held on the next following business day.~~

~~200.03. Quorum. A majority of councilmembers elected constitutes a quorum, but a smaller number may adjourn from time to time.~~

~~200.05. Presiding Officer and Secretary. The mayor presides at meetings of the council. The council must choose from its members an acting mayor. The clerk treasurer is the secretary of the council.~~

200.07. First Meeting. At the first regular meeting of the council in each year, the council must designate an official newspaper and depositories for official funds. The council may appoint such committees as it deems necessary.

200.09. Council Rules; Presiding Officer. The presiding officer must preserve order and decorum, decide questions of order, and conduct meetings in accordance with Robert's Rules of Order. The council may make and change its own rules from time to time by resolution duly adopted and any such changes supersede Robert's Rules. The presiding officer may speak on any question being considered, and has the rights, privileges, and duties of any other member of the council.

200.11. Motions Reduced to Writing. A motion must be reduced to writing at the request of any member present. Ordinances and resolutions must be presented in writing. The roll call vote of each councilmember on the passage of an ordinance must be recorded in the minutes.

200.13. Signing and Publishing of Ordinances. Ordinances must be signed by the mayor, attested by the clerk treasurer, published after their passage by the council, and recorded by the clerk treasurer in a properly indexed book kept for that purpose. Ordinances may be published in summary form as authorized by law.

200.15. Special Meetings. Special meetings of the council may be called in the manner provided by law.

200.17. Decorum. A person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the council may be barred from further audience before the council meeting by the presiding officer unless permission to continue be granted by a majority vote of the council. Meetings must be conducted in an orderly manner and proper decorum must be maintained by the mayor throughout the meetings.

200.19. Council Procedure at Regular Meetings.

——— Subdivision 1. Agenda. The clerk treasurer must prepare the following items:

(i) an agenda for the forthcoming meeting;

(ii) a compiled list of all claimants who have filed verified accounts claiming payment for goods or services rendered the city during the preceding month, such list to be called the "claim report" and bearing headings "claimant," "purpose" and "amount;"

(iii) a copy of all minutes to be considered; and

(iv) copies of such other proposals, communications or other documents as the clerk treasurer deems necessary or proper for advance consideration by the council.

The administrator must mail or deliver to each member of the council copies of these documents.

~~Subd. 2. Rules. Robert's Rules of Order (newly revised) Rules of Order shall govern all council meetings as to procedural matters not set forth in this code or by law.~~

~~Subd. 3. Matters inappropriate for consideration at a meeting may not be considered except (i) with the unanimous consent of the members of the council, or (ii) scheduled public hearings or bid lettings at the time stated in the notice. Claims for payment from the city must be filed at or before 9:00 a.m. on the Monday preceding the regular council meeting at which it is to be considered.~~

#### 200.21 Administrative Appeals.

Subd 1. Procedure. A person aggrieved by a decision of the clerk-treasurer or any other city official, or any board or commission not having within its structure an appellate procedure, may request a hearing before the council upon serving a written request therefor upon the clerk-treasurer at least five days prior to any regular council meeting. A request must contain a general statement setting forth the administrative decision to be challenged by the appellant. At the hearing the appellant may present evidence but the city is not required to keep a verbatim record of the proceedings. The official presiding at the hearing may adjourn the hearing to a more convenient time or place.

Subd. 2. Rules of Procedure for Appeals and Other Hearings. The council may adopt by resolution written rules of procedure to be followed in all administrative appeals and other hearings to be held before the council or a board or commission authorized to hold hearings.

#### SECTION 205 – SALARIES OF ELECTED OFFICIALS

#### 205.01. Council Salaries.

Subd 1. Mayor. The mayor shall be paid \$55 for each regular council meeting and annual budget meeting attended.

Subd. 2. Councilmembers: Each member of the council shall be paid \$40 for each regular council meeting and annual budget meeting attended.

Subd. 3. Payments. The salaries of the mayor and council members are payable annually on or before December 31. Mayor or councilmembers may refuse salary by indicating to the city clerk in writing at the beginning of the year that they are serving without pay.

Subd. 4. Special Meetings. Each council member is to be paid \$50 for each special council meeting attended. The mayor is to be paid \$65 for each special meeting attended. Special meetings are defined as any meetings outside of the standard monthly meetings and the annual budget meeting.

Subd. 5. Other Meetings. The mayor and each councilmember are to be paid \$55 per day and \$25 per half day attendance at city-related business meetings outside the city limits. Mileage will be reimbursed at rate established by the Internal Revenue Service.

#### 205.03. Workers' compensation.

Subd 1. The mayor and council members, elected or appointed to an unexpired term, are

covered by the city's workers' compensation insurance policy. An unexpired term means they have not reached the end of their elected or appointed term.

## SECTION 210 – CITY ELECTIONS

210.01. City Elections General. Elections in the city are conducted in accordance with the general election laws of the state of Minnesota.

210.03. Election Dates. General elections are held on the first Tuesday after the first Monday in November in even numbered years. The council may set the date for a special or primary election by resolution.

210.05. Filing for Office. The council must by resolution fix the dates within which candidates for municipal office must file in any municipal election, except that in the case of primary elections, the filing dates are those provided by law.

### 210.06. City Council Vacancies.

Subd 1. Declaration. When a vacancy occurs, the council will declare the vacancy by resolution.

Subd 2. Appointment. The council will make every effort to fill a vacancy by appointment as soon as possible. Council members serving by appointment may serve until the next special election. If the council has a tie vote in filling a vacancy, the mayor may appoint any qualified person to fill the position, even if the person wasn't part of the original appointment vote of the council. The resigning council member may not vote on appointment of their position.

Subd 3. Special Election. Upon agreement of council, a special election may be scheduled to fill a vacancy on the council.

Subd 4. Mayor vacancy. The acting mayor will assume the role. The council may decide to schedule a special election to fill the vacancy.