



CITY OF LE SUEUR
REQUEST FOR COUNCIL ACTION

TO: Mayor and City Council

FROM: Joe Roby, City Administrator

SUBJECT: Ordinance 595: Amending City Charter Sections 2.05 & 6.04 – Second/Final Reading

DATE: For the City Council Meeting of October 10, 2022

PURPOSE

Consider conducting the Second & Final Reading of Ordinance 595: Amending the City of Le Sueur Charter Sections 2.05 and 6.04.

SUMMARY

In March 2022, the Le Sueur Charter Commission met to discuss two areas of the City's Charter; Section 2.05 and 6.04, specifically. The Commission voted to recommend the attached language be adopted by City Council.

The Charter Commission looked at the following areas of the City's Charter:

- **Section 2.05 Vacancies in the Council**
 - Charter Commission recommends modifying the language to specify a percentage of Council meetings/duties (modified language highlighted).
 - Current language:
 - *A vacancy in the council shall be deemed to exist for any reason stated in State Statutes, and for continuous absence from the city for more than three months, or by reason of the failure of any council member without good cause to perform any of the duties of membership in the council for a period of three months. These provisions do not pertain to the provisions for recall as outlined in chapter 5 of this Charter. In each such case the council shall by resolution declare such vacancy to exist and shall forthwith appoint an eligible person to fill the same until the next regular municipal election, when the office shall be filled for the unexpired term.*
 - Recommended language:
 - *A vacancy in the council shall be deemed to exist for any reason stated in state statutes, and for absence from >25% of the City Council meetings and assigned duties without good cause, as determined by the Mayor and City Council. These provisions do not pertain to the provisions for recall as outlined in chapter 5 of this Charter. In each such case the council shall by resolution declare such vacancy to exist and shall forthwith appoint an eligible person to fill the same until the next regular municipal election, when the office shall be filled for the unexpired term.*

- **Section 6.04 Purchases and Contracts**

- Charter Commission recommends adding “, following state statute” to the end of this section (modified language highlighted).
- Current language:
 - *The council shall be the chief purchasing agent of the city. All city purchases and contracts shall be made in accordance with state statute by the council or another official so designated by the council on behalf of the city, when the dollar amount is not large enough to require competitive bidding.*
- Recommended language:
 - *The council shall be the chief purchasing agent of the city. All city purchases and contracts shall be made in accordance with state statute by the council or another official so designated by the council on behalf of the city, when the dollar amount is not large enough to require competitive bidding, following state statute.*

City Council waived the First Reading at its September 26, 2022 meeting. Following a Second & Final Reading, the ordinance would be published and recorded.

ACTION REQUESTED

The City of Le Sueur Charter Commission, along with the City Administrator, is recommending the City Council conduct or waive the Second & Final Reading of Ordinance 595: Amending the City of Le Sueur Charter Sections 2.05 and 6.04.

ORDINANCE NO. 595

AMENDING THE CITY OF LE SUEUR CHARTER SECTIONS 2.05 AND 6.04

THE LE SUEUR CITY COUNCIL DOES ORDAIN

City of Le Sueur Charter Section 2.05 is adopted as follows:

CHAPTER 2. FORM OF GOVERNMENT

SEC. 2.05 VACANCIES IN THE COUNCIL.

A vacancy in the council shall be deemed to exist for any reason stated in state statutes, and for absence from >25% of the City Council meetings and assigned duties without good cause, as determined by the Mayor and City Council. These provisions do not pertain to the provisions for recall as outlined in chapter 5 of this Charter. In each such case the council shall by resolution declare such vacancy to exist and shall forthwith appoint an eligible person to fill the same until the next regular municipal election, when the office shall be filled for the unexpired term.

City of Le Sueur Charter Section 6.04 is adopted as follows:

CHAPTER 6. ADMINISTRATION OF CITY AFFAIRS

SEC. 6.04 PURCHASES AND CONTRACTS.

The council shall be the chief purchasing agent of the city. All city purchases and contracts shall be made in accordance with state statute by the council or another official so designated by the council on behalf of the city, when the dollar amount is not large enough to require competitive bidding, following state statute.

	<u>Yes</u>	<u>No</u>
Mayor Kirby	_____	_____
Councilmember Huntington	_____	_____
Councilmember Krogmann	_____	_____
Councilmember Schlueter	_____	_____
Councilmember Sullivan	_____	_____
Councilmember Swanberg	_____	_____
Councilmember Williams	_____	_____

This Ordinance becomes effective from and after its passage and seven (7) days after its publication. This Ordinance was passed by the Common Council on October 10, 2022.

ATTEST:

Shawn Kirby
Mayor

Stacy Lawrence
Communications & HR Director/City Clerk