

**DRAFT BYLAWS
CHARTER COMMISSION
CITY OF MARSHALL**

Article 1. General.

The Marshall Charter Commission ("Commission") was established and exists under the provisions of Minnesota Statutes, Chapter 410. The name of the Commission is the "Home Rule Charter Commission of Marshall, Minnesota".

Article 2. Mission.

The mission of the Marshall Charter Commission is to oversee the City's Charter which defines the parameters within which City government can operate. As an independent body, the Charter Commission will represent citizen viewpoints and consider and recommend appropriate revisions to the Charter which balance the best interests of city government and the citizens.

Article 3. Duties.

The Commission must act upon voters' petitions and City Council recommendations for amendment to the City of Marshall Charter. The Commission may also periodically review the Charter and propose amendments on its own volition.

Article 4. Members.

Section 1. Term. Except for initial appointments, members will be appointed for four-year terms until their successors are appointed and qualify. Any vacancies are filled by appointment by the chief judge for the unexpired term.

Section 2. Oath of Office. Within 30 days of appointment, Commission appointees must file a written acceptance and oath of office with the Administrator of the Lyon County District Court.

Section 3. Termination for Absences. If a member is absent from four consecutive meetings without excuse, the Commission's Secretary must submit a certificate setting forth the facts to the Chief Judge who will issue an order for removal.

Section 4. Number of Members. The Commission will be composed of not less than seven and no more than 15 members, with the number set by the Court through appointment upon review of eligible names submitted by the City Council or the Charter Commission. Pursuant to Minnesota Statute §410.05, the Charter commission members shall hold office for the term of four years, and until their successors are appointed and qualify.

Section 5. Member Requirements. All members must reside and be registered to vote in the City of Marshall.

Section 6. The offices of the Commission are at the Marshall City Hall for purposes of official Commission business.

Article 5. Meetings.

Section 1. Annual Meetings. The annual meeting of the Commission will be held in November of each year on a date selected by the Commission at the preceding annual meeting. The principal items of business at the annual meeting will be the election of officers and preparation of the annual report.

Section 2. Other Meetings. Meetings other than the annual meeting will be held upon the call of the Chair or any three members or pursuant to a schedule adopted by the Commission. No meeting may be held without notice being sent to each member one week in advance and must be posted at least three days prior to the date of the special meeting. Notice of special meetings may be provided to Commission members by email if a member has provided an email address. No business may be considered at a special meeting other than as designated in the meeting notice. The Commission must meet whenever a Charter amendment is proposed by either valid voters' petition, Council recommendation or its own volition in the manner allowed by statute.

Section 3. Open Meetings. All meetings of the Commission must be open to the public except as otherwise provided by law.

Section 4. Quorum; Manner of Acting. A majority of qualified and acting members constitutes a quorum for purposes of conducting the Commission's business and exercising its powers. If the Commission lacks a quorum, a smaller number of members may convene as a subcommittee if desired and report their discussions to the full Commission.

Section 5. Agendas. An agenda for each meeting will be prepared by the City Clerk in cooperation with the Chair of the Commission. The agenda, along with supporting documentation, must be sent to each Commission member one week prior to the date of the meeting.

Section 6. Meetings will be held at the Marshall City Hall, or such other place as designated by the Chair.

Section 7. Order of Business.

The order of business will be:

1. Call to order by the chair.
2. Roll call.
3. Approval of minutes.
4. Report of officers.
5. Report from members or committees.
6. Unfinished business.
7. New business.
8. Adjournment.

The order of business may be changed at a meeting by a majority vote of the Commission members present.

Section 8. Manner of Voting. The vote on questions coming before the Commission must be entered upon the minutes of the meeting. When a quorum is present, action may be taken by the Commission by majority vote.

Section 9. Nomination. Nominations from the floor are in order at any election.

Article 6. Officers.

Section 1. Election. Officers of the Commission will consist of the Chair, the Vice Chair, and the Secretary. The officers will be elected for a one-year period commencing at the annual meeting. If there is no quorum at the annual meeting, the election will be held at the next meeting at which a quorum is present.

A. Chair. The Chair will preside over all meetings of the Commission. If the Chair and Vice Chair are absent from the same meeting, the Commission members present will designate one of themselves to serve as Chair. The Chair will also perform all duties usually performed by chairs of similar organizations including executing documents pertaining to the Commission's business, establishing, and appointing committees, representing the Commission before the City Council, and other duties that may be authorized by the Commission members.

B. Vice Chair. The Vice Chair will perform all the duties of the Chair in the absence of the Chair.

C. Secretary. The Secretary will undertake the duties conferred on the Secretary by law and by the Commission members.

Section 2. Compensation; Expenses. The members of the Commission receive no compensation, but the Commission may employ an attorney, or other personnel to assist in amending or revising the City Charter, and the reasonable compensation and the cost of printing the charter or any amendments, when so directed by the Commission, will be paid by the City. The amount of reasonable and necessary Commission expenses will be paid by the City in accordance with Minnesota Statutes, section 410.06, as amended.

Section 3. Vacancies in Officers. If the office of the Chair, Vice-Chair, or Secretary becomes vacant pursuant to Minnesota Statutes, section 410.05 or by other provisions of law, the Commission must elect a successor from its membership at the next regular meeting, or at a special meeting called for that purpose, for the unexpired term of the office.

Article 7. Administrative Support. The City Clerk or designee will assist the Secretary, send written notices and agendas of all meetings to the Commission members, and keep a file of the Commission's records.

Article 8. Reports to Council.

The Commission's Secretary will provide copies of all minutes and reports of the Commission to the City Council to keep them apprised of the Commission's actions.

Article 9. Annual Report.

By December 31 of each year, the Commission must submit an annual report of its activities to the Chief Judge of the Fifth Judicial District. A copy must also be filed with the City Clerk.

Article 10. Parliamentary Procedure.

The proceedings of the Commission will be conducted in general accordance with Roberts Rules of Order, as revised. Except as prohibited by law, the Commission may, by majority vote, waive any procedural or parliamentary rules.

Article 11. **Commission Bylaws.** The purpose of these bylaws is to guide and aid in the conducting of the Commission's business. These bylaws will be interpreted consistently with the requirements of Minnesota Statutes, chapter 410. The Commission will review the bylaws at least once every two years and may be amended by a majority vote of the Commission.

Adopted this _____ day of _____, 2023.

By _____
Chair

Attest:

Secretary