

**ORDINANCE NO. 21-
CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING SECTION 2.06 OF THE WEST ST. PAUL CITY
CHARTER REGARDING THE MAYOR'S VOTE**

The City Council of West St. Paul does ordain:

SECTION 1. West St. Paul City Charter Section 2.06 relating to The Mayor is hereby amended as follows:

Sec. 2.06. The Mayor. The Mayor shall be the presiding officer of the Council, except that the Council shall choose from its members a president pro-tem who shall hold office at the pleasure of the Council and shall serve as president in the Mayor's absence and as the Mayor in the case of the Mayor's disability or absence from the City.

~~**Subd. 1.** The Mayor shall not have a vote as a member of the Council except in the following circumstances:~~

- ~~a. The case of a tie vote,~~
- ~~b. The hiring or removal of the City Manager,~~
- ~~c. The appointment of a person to fill a Council vacancy,~~
- ~~d. The sale of a public utility,~~
- ~~e. An amendment to the Charter, or~~
- ~~f. Otherwise as required by state law.~~

~~**Subd. 2.** The Mayor shall have veto power over all ordinances, resolutions and motions of the Council. The Mayor shall have five (5) days (excluding Sundays) to exercise the veto power or it shall have the same effect as if approved. If the Mayor exercises the veto power, the matter shall be presented to the Council at their next meeting. Upon the exercise of the veto power by the Mayor, the matter may be reconsidered, and if after such reconsideration the Council passes the matter by a vote of at least five (5) of the members-elect, it shall have the same effect as if approved by the Mayor; and in such case the votes shall be a roll call vote, which shall be entered by the City Clerk into the record.~~

~~The Mayor shall not have veto power on matters on which he or she has the right to vote. The Mayor may strike and eliminate any line item amount in the city budget or reduce the sum appropriated therefore within five (5) days after Council passage of the budget. Such elimination or reduction of any line item amount shall constitute a veto of the line item and may be reconsidered as provided for in the case of a veto.~~

Subd. 32. The Mayor shall exercise all other powers and perform all duties conferred and imposed upon the office by this Charter, the ordinances of the City, and the laws of the State. 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.

Subd. 43. 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. In time of public danger or emergency the Mayor may, with the consent of the Council, take command of the police, maintain order and enforce the law.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The amendment clarifies that the Mayor has veto power over all motions and actions taken by the Council, not just ordinances and resolutions. If the Mayor exercises the veto, then the Council must reconsider the motion at its next meeting.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____ 2021.

Attest:

David J. Napier, Mayor

Shirley R Buecksler, City Clerk