412.641 MANAGER; BASIS FOR CHOICE; RESIDENCY; TERM; PROBATION.

Subdivision 1. **Appointed by council.** The city manager shall be chosen by the council solely on the basis of training, experience, and administrative qualifications and need not be a resident of the city at the time of appointment.

Subd. 1a. **Probationary year, then due process.** The manager shall be appointed for an indefinite period and may be removed by the council at any time, but after having served as manager for one year the city manager may demand written charges and a public hearing on the charges before the council prior to the date when final removal takes effect.

Subd. 1b. **Hearing demand, procedure.** A demand for written charges and a hearing must be made within seven days of notification of the council's intent to remove the city manager. The council shall set a date and a reasonable time for a public hearing, which must be held within 30 days of the demand and may not be reconvened or recessed until a further date, absent approval of the council. The council shall notify the city manager within five days of the hearing, of the council's decision to retain or remove the city manager. The decision of the council is final.

Subd. 1c. **Suspension; temporary replacement.** Pending such hearing and removal, the council may suspend the manager, with or without pay, at the council's discretion, from office. The council may designate some properly qualified person to perform the duties of the manager during absence or disability.

Subd. 2. **When first manager appointed.** As soon as practicable after the adoption of Optional Plan B in any city, the council shall appoint the first manager under subdivisions 1 to 1c.

History: *1949 c 119 s 80; 1973 c 123 art 2 s 1 subd 2; 1986 c 444; 1993 c 315 s 14*