

## Chapter 2

### ADMINISTRATION\*

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\* **State Law References:** Municipalities generally, Minn. Stats. ch. 412.

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**ARTICLE I.**

**IN GENERAL**

Secs. 2-1--2-18. Reserved.

**ARTICLE II.**

**CITY COUNCIL\***

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\* **State Law References:** City council generally, Minn. Stats. § 412.191 et seq.

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**DIVISION 1.**

**GENERALLY**

**Sec. 2-19. Compensation.**

The compensation to be paid the elected officials of the city shall be as follows:

- (1) *Mayor.* The mayor shall receive the sum of \$250.00 a month and \$45.00 for each regular or special council meeting attended. Salaries are payable on a quarterly basis or as set by city council.
- (2) *Councilmembers.* Each council person shall receive the sum of \$125.00 a month and \$35.00 for each regular or special council meeting. Salaries are payable on a quarterly basis or as set by city council.

(Ord. No. 2.02, § 1, 7-16-2006)

**State Law References:** Authority of council to fix compensation, Minn. Stats. § 412.111.

**Sec. 2-20. Workers compensation coverage.**

Pursuant to Minn. Stats. § 176.01, subd. 9(6), the elected officials of the city are hereby included in the coverage of the Minnesota Workers Compensation Act (Minn. Stats. ch. 176).  
(Ord. No. 2.06, § 1, 11-20-1989)

**Secs. 2-21--2-43. Reserved.**

**DIVISION 2.**

**MEETINGS\***

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\* **State Law References:** Council meetings generally, Minn. Stats. § 412.191, subd. 2.

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**Sec. 2-44. Time and place.**

The city council shall hold its regular meetings on the first and third Mondays of each month ~~at 7:00 p.m.~~ **at such time of day as the city council shall establish by resolution** at the city hall. If a regular meeting falls on a holiday, the meeting will be held on the next day that is not a holiday.  
(Ord. No. 2.01, § 1)

**Sec. 2-45. Committee appointments.**

The mayor shall, at the first regular meeting of the council in each year, appoint the committees necessary to advise on the business of the coming year.  
(Ord. No. 2.01, § 4)

**Secs. 2-46--2-63. Reserved.**

**ARTICLE III.**

**OFFICERS AND EMPLOYEES**

**Sec. 2-64. Officers of clerk and treasurer combined.**

Pursuant to the authority granted by Minn. Stats. § 412.02, subd. 3, the offices of clerk and treasurer are hereby combined in the office of clerk-treasurer. All references in ordinances to a "city clerk" or a "city treasurer" shall be construed to mean the city clerk-treasurer.  
(Ord. No. 2.03, § 1, 12-21-1970)

**State Law References:** Treasurer and deputy treasurer, Minn. Stats. § 412.141; clerk and deputy clerk, Minn. Stats. § 412.151.

**Secs. 2-65--2-86. Reserved.**

**ARTICLE IV.**  
**DEPARTMENTS**  
**DIVISION 1.**  
**GENERALLY**

**Sec. 2-87. Public works department.**

There is hereby established a public works department, which shall be under the supervision of the superintendent of public works. The department shall be responsible for the management, maintenance, care and operation of the waterworks system of the city.  
(Ord. No. 3.01, § 1.01, 7-5-1978)

**Secs. 2-88--2-117. Reserved.**

**DIVISION 2.**  
**VOLUNTEER FIRE DEPARTMENT\***

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\* **State Law References:** Volunteer fire departments, Minn. Stats. § 424A.01.

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**Sec. 2-118. Establishment and staffing.**

A volunteer fire department is hereby established in the city and shall consist of a chief, an assistant chief, a secretary and a fire marshal, and such firefighters as set by the council.  
(Ord. of 4-19-2004, § 1)

**Sec. 2-119. Appointment of fire chief, assistant chief, secretary and fire marshal.**

(a) The fire chief shall be appointed by, be responsible to, and shall serve at the pleasure of the city council. The City Administrator will provide nominations for the position of fire chief for appointment by the city council. The City Administrator or designee will determine if a vacancy will be filled through an open recruitment or by promotion, transfer or some other method. This determination will be made on a case-by-case basis.

(b) The fire chief will provide nominations for the positions of assistant chief, secretary and fire marshal for appointment by the city council.  
(Ord. of 4-19-2004, § 2) (Amended 7-20-15 Ord. 2015-02)

**Sec. 2-120. Duties of fire chief.**

The fire chief shall be the administrative head of the fire department and it shall be his duty to:

- (1) *Establish management organization.* Determine how the department shall be organized into companies and naming officers for the various companies with input from the assistant chief. Also make nominations to the city council for the positions of assistant chief, secretary and fire marshal.
- (2) *Control equipment.* Have control of all firefighting apparatus and equipment, and be solely responsible for its care and condition.
- (3) *Prepare budget.* Prepare and submit to the city clerk-treasurer by given date the annual preliminary budget for the fire department for the coming year.
- (4) *Prepare long-range plans.* Prepare projections describing what the fire department should accomplish during periods of one, five, ten and 20 years. These reports shall be adjusted as frequently as changing conditions dictate and shall include predicted annual budget requests for personal and equipment as well as capital expenditures.
- (5) *Reports.* Make reports to the city council or to the public as directed by the city council.
- (6) *Control assignments.* Control work assignments so as to properly utilize the working forces of the fire department.
- (7) *Training.* Ensure the proper training of the members of the fire department. Training shall include, but not be limited to, at least one meeting of the fire department members and at least one drill per month. Such meetings and drills may be held on the same night if sufficient time is allocated for each. Records shall be kept of the names and the number of firefighters who attend each meeting, drill, or other training activity, what each drill or training activity consists of and any other pertinent information deemed necessary by the city council or state fire marshal.
- (8) *Ancillary functions.* Perform such other functions as are necessary to properly administer the fire department.

(Ord. of 4-19-2004, § 3)

#### **Sec. 2-121. Duties of the assistant chief.**

It shall be the duty of the assistant chief to provide input to the fire chief in organizing the fire department. The assistant chief will perform all functions and exercise all authority of the chief in the absence or disability of the fire chief.

(Ord. of 4-19-2004, § 4)

#### **Sec. 2-122. Duties of the secretary.**

It shall be the duty of the secretary to maintain a complete and accurate list of all members of the fire department with driver's licenses, social security numbers and current addresses. The secretary will maintain complete and accurate records of attendance to meetings, drills and fires. The secretary will assemble a year-end report and present it to the city clerk-treasurer before the first city council meeting in January. The secretary

will write other reports as directed by the fire chief or the city council.  
(Ord. of 4-19-2004, § 5)

**Sec. 2-123. Duties of the fire marshal.**

It shall be the duty of the fire marshal to enforce ordinances relating to fire prevention, inspect premises and investigate fires. The fire marshal shall make such reports as required by the state fire marshal or the city council.  
(Ord. of 4-19-2004, § 6)

**Sec. 2-124. Personnel provisions for firefighters.**

(a) *Qualifications.* The firefighters shall be able-bodied.

(b) *Physical examinations.* Each candidate, before being accepted as a member of the fire department, may undergo a physical examination by a licensed doctor of medicine to determine if the candidate is fit to perform the functions of a firefighter. The cost of such examination will be paid from the fire department budget.

(c) *Compensation.* The members and officers of the fire department shall receive compensation for meetings, drills, and calls as negotiated on a yearly basis with the city council.

(d) *Membership.* Firefighters shall continue as members of the department during periods of good standing and may be removed only for just cause. To be in and remain in good standing in the fire department, each member shall abide by the standard operating guidelines and city employment policy handbook.  
(Ord. of 4-19-2004, § 7)

**Sec. 2-125. Relief association.**

The members and officers of the fire department may organize themselves into a relief association. In the administration of such association, all applicable laws of the state governing such association shall be followed.  
(Ord. of 4-19-2004, § 8)

**Sec. 2-126. Service area; mutual aid agreements.**

The city council shall determine the radius of service to the surrounding area, and shall establish contract rates for service outside the city limits. The city council may also enter into mutual aid agreements with other city councils for the purpose of providing more adequate fire protection for the residents of the service areas served.  
(Ord. of 4-19-2004, § 10)

**Secs. 2-127--2-150. Reserved.**

**ARTICLE V.**

## **FINANCE**

### **Sec. 2-151. Fees or charges.**

Whenever in this Code it is provided that a fee or charge is to be as established by the city or that a fee or charge is as established by city council, or other language of similar import is used, such language shall be interpreted as providing that the fee or charge may be established by ordinance, resolution or such other formality as is permissible under law. This section does not prevent the council from delegating authority to fix or establish a charge to a city officer or city employee.

### **Sec. 2-152. Escrow account.**

(a) Applicants may be required to escrow money with the city in order to pay for the fees charged to the city attorney, city engineer, or city planner for review of a license or application.

(b) In those cases where an escrow account is required, the applicant shall be required to replenish the escrow account when the balance in the escrow account contains only 25 percent of the original required escrow amount unless the city council by formal motion determines that the project is complete or this requirement is waived by formal action of the city council.

(c) Any project, application or request made to the city which has a negative escrow balance will not be further reviewed by the city until the escrow account is current or will be denied for failure to keep the escrow account current.

(Ord. No. 2.08, § 3, 5-21-2007)

### **Secs. 2-153--2-172. Reserved.**

## **ARTICLE VI.**

### **BOARDS AND COMMISSIONS**

#### **DIVISION 1.**

#### **GENERALLY**

### **Secs. 2-173--2-197. Reserved.**

#### **DIVISION 2.**

### **COMMUNITY ACTIVITIES BOARD**

### **Sec. 2-198. Establishment.**

There is hereby created and established an advisory board known as the community activities board.  
(Ord. No. 2.07, § 1, 10-4-1993)

**Sec. 2-199. Membership.**

Said board shall consist of seven members, including one member of the city council. Of the remaining six members, three shall be appointed by the city council and three appointed by the community activities board members.

(Ord. No. 2.07, § 2, 10-4-1993)

**Sec. 2-200. Terms.**

The terms of the six members appointed to the board shall be for a period of two years. An appointed member shall continue to serve until a successor is appointed. The term for the city councilmember serving on the board shall be determined by the city council and is not limited by this division.

(Ord. No. 2.07, § 3, 10-4-1993; Ord. of 12-18-2006, § 1)

**Sec. 2-201. Vacancies.**

Vacancies are filled by the appointing authority for the particular seat being vacated, and such appointee shall serve for the unexpired term so filled.

(Ord. No. 2.07, § 4, 10-4-1993; Ord. of 12-18-2006, § 2)

**Sec. 2-202. Board officers.**

Said board shall elect from its membership a chair, vice-chair and secretary, who shall serve for such terms and shall have such powers and perform such duties as may be prescribed in the rules of said board.

Copies of all minutes shall be presented to city council.

(Ord. No. 2.07, § 5, 10-4-1993)

**Sec. 2-203. Meetings.**

Meetings of the board shall be held at such times and places as may be prescribed in the rules of the board or as may be fixed by the chair, consistent with such rules; provided, however, that at least one meeting shall be held in each calendar month.

(Ord. No. 2.07, § 6, 10-4-1993)

**Sec. 2-204. Quorum.**

Four or more voting members of the board present at a meeting of said board shall constitute a quorum for the transaction of business.

(Ord. No. 2.07, § 7, 10-4-1993)

**Sec. 2-205. Duties.**

It shall be the duty of said board:

- (1) To study and determine the recreational needs of the city, and to make recommendations to the city council in respect thereof, including general and specific matters of policies and of

recreational programs in furtherance of said needs of the city.

- (2) To make recommendations to the city council with respect to activities which may be undertaken as fundraisers to support community activities and to suggest any fees to be charged for participation in such activities.
- (3) To provide and supervise volunteer efforts in implementing community programs and fundraising activities approved by the city council.
- (4) To submit to the city council annually a community recreational program for the ensuing fiscal year, together with an estimate of the cost thereof, with option to add programs and events.
- (5) To oversee park development throughout the city.

(Ord. No. 2.07, § 8, 10-4-1993; Ord. of 12-18-2006, §§ 3, 5)

#### **Sec. 2-206. Expenses.**

The members of the board shall be compensated at the same per-meeting rate as members of the planning commission, up to a maximum of 16 meetings per calendar year. All reasonable expenses of the board and disbursements of its members incurred in the performance of its or their official duties shall be paid by the city. Funds to be spent need to be approved first by the community activities board and then by the city council. (Ord. No. 2.07, § 9, 10-4-1993; Ord. of 12-18-2006, § 6)

#### **Secs. 2-207--2-235. Reserved.**

### **DIVISION 3.**

#### **POLICE ADVISORY COMMISSION**

#### **Sec. 2-236. Establishment.**

A police advisory commission is hereby established to advise the city council on police and public safety matters.

(Ord. No. 2.09, § 1, 7-2-2007)

#### **Sec. 2-237. Membership.**

(a) *Composition.* The commission shall consist of four general members and one member of the city council.

(b) *General members.* All general members shall be appointed by the council. Any vacancy in a general membership shall be filled for the unexpired term by the council. A general member of the police commission shall be any adult resident or business owner of the city or township.

(c) *Council representative.* The council representative shall be appointed by the mayor with ratification by the city council.

(d) *Ex officio representatives.* Staff members of the police advisory commission may include the city administrator, assistant administrator, public works director, or other city personnel as requested by the commission. The county sheriff or department representative may also be requested to participate in commission meetings as necessary. Ex officio representatives shall not be eligible to vote on commission activities.

(e) *Appointments and terms of office.* Appointment to the commission shall be made at the first regular January meeting of the city council or more often if required. General members shall be appointed for three-year terms beginning January 1 and ending December 31 of the third year following (and until a successor is appointed and qualified), except that of the general members initially appointed by the council, one shall serve for a term of one year, one for a term of two years, and two for terms of three years. General members appointed after the initial commission shall be appointed for a three year term.

(f) *Filling of vacancies.* In the case of a vacancy during the term of office of any general member of the commission, the council shall appoint a new member to serve the remainder of the term. A vacancy shall exist if any one of the following occurs: death, disability, residence outside of the city, resignation, or removal by a majority vote of the council.  
(Ord. No. 2.09, §§ 2--4, 7-2-2007)

#### **Sec. 2-238. Legal advisory.**

The city attorney shall serve as legal advisor to the commission.  
(Ord. No. 2.09, § 5, 7-2-2007)

#### **Sec. 2-239. Compensation.**

Members of the commission shall serve without compensation.  
(Ord. No. 2.09, § 10, 7-2-2007)

#### **Sec. 2-240. Officers.**

The commission shall elect from among its members a chairman, vice-chairman, and a secretary.

- (1) *Duties of chair.* The chair shall preside at all meetings of the police commission and shall have the duties normally conferred and parliamentary usage of such officers.
- (2) *Duties of vice-chair.* The vice-chair shall act for the chair in his absence.
- (3) *Duties of secretary.* A secretary may be appointed who is not a member of the police commission but can be employed as a member of city staff. The secretary shall keep the minutes and records of the commission; and with the assistance of staff as is available shall prepare the agenda of the regular and special meetings for commission members, arrange proper and legal notice of hearings when necessary, attend to correspondence of the commission, and other duties as are normally carried out by a secretary.

(Ord. No. 2.09, § 7, 7-2-2007)

**Sec. 2-241. Rules.**

The commission may adopt rules and regulations for its own proceedings and shall meet at regular intervals, the time and place to be established by rule adopted from time to time. All meetings of the commission shall be open to the public except for those of disciplinary matters.  
(Ord. No. 2.09, § 6, 7-2-2007)

**Sec. 2-242. Meetings.**

The police advisory commission shall hold quarterly meetings. Special meetings may be scheduled by the chairman as needed. All meetings shall be open to the general public.  
(Ord. No. 2.09, § 9, 7-2-2007)

**Sec. 2-243. Duties and functions.**

The duties and functions of the commission shall be as follows:

- (1) To assist the council in planning and research in the area of police matters, including budget, hours of coverage, intergovernmental cooperation, and public information programs;
- (2) To develop a citizen complaint procedure on matters of public safety and general police work;
- (3) To promote public interest in and an understanding of the police department and police work;
- (4) To cooperate with all community groups and civic organizations within the city and furnish them such aid and advice in matters of public safety as deemed appropriate within the means provided by appropriations made by the council;
- (5) To confer with and advise the council on all matters concerning public safety within the city;
- (6) To take under advisement, study, hold hearings, and make their written recommendations to the council on all matters of public safety referred to them or initiated by majority vote of the commission;
- (7) To serve as a forum for the citizens to voice their opinions regarding community safety activities and functions;
- (8) To encourage coordination with other communities and agencies to the extent appropriate in matters pertinent to the community safety function.

(Ord. No. 2.09, § 8, 7-2-2007)