

## 200 MUNICIPAL ADMINISTRATION

**201 ELECTIONS.** Municipal elections, when required, shall be held on the first Tuesday after the first Monday in November, of each year, for the election of the following officers for the term as indicated below.

**201.1 Mayor.** The Mayor's term shall be for two (2) years, with elections every two (2) years.

**201.2 City Council Member.** A City Council Member's terms shall be for four (4) years, with two (2) members elected every two (2) years.

**202 MEETINGS.** All Council meetings, including special and adjourned meetings of City Boards shall be conducted in accordance with the Minnesota Open Meeting Law and be open to the public, unless specifically closed by Council or Board action.

**202.1 Regular Meetings.** Regular meetings of the Council shall be held on the 2nd and 4<sup>th</sup> Tuesdays of each calendar month at 7:00 p.m. All meetings, including special and recessed meetings, shall be held in the Council Chamber unless otherwise designated by the Council.

**202.2 Special Meetings.** The Mayor or any two (2) members of the Council may call a special meeting of the Council upon at least 24 hours written notice to each member of the Council. Notice shall be delivered personally to each member or left at their usual place of residence. Attendance at a special meeting by a Council Member shall waive all requirements of notice. A public notice of a special meeting shall be posted at the City Hall, Public Library, and Post Office.

**202.3 Emergency Meetings.** Notice of emergency meetings shall be given as required by State Statutes.

**202.4 Initial Meeting.** At first regular Council meeting in January of each year, the Council shall: designate the depositories of City funds, designate the official newspaper, appoint such officers and employees and such members of boards and committees as may be necessary, and make any other designation or appointment as necessary.

**202.5 Agenda and Order of Business.** An agenda of business for each regular meeting shall be prepared not later than three (3) calendar days before the date of the meeting. The agenda shall be posted at the City Hall, Public Library, and Post Office. The agenda shall be prepared in the following order: Call to Order, Approval of Agenda, Approval of Consent Agenda, Public Hearing, Unfinished Business, New Business, Council Comment, and Adjournment. The order of business may be varied by the Council, but all public hearings shall be held at the time specified in the notice of hearing. No item of business shall be considered unless it appears on the agenda for the meeting, or is approved for addition to the agenda by the majority vote of the Council Members present.

**202.6 Quorum and Voting.** At least three (3) members of the City Council must be present to constitute a quorum. The votes of all members of the City Council shall be recorded in the minutes. If any member is present but does not vote, the minutes shall reflect them being present and not voting. A majority vote of all members of the Council shall be necessary for the approval of any Ordinance, unless a larger number is required by Statute. Except as otherwise provided by Statute or ordinance, a majority vote of a quorum shall prevail in all other cases.

**202.7 Adoption of Ordinances, Resolutions, Motions, Petitions and Communications.**

Every Ordinance and Resolution shall be presented in writing. Every Ordinance shall receive at least one reading before the Council, prior to final adoption, but shall not be adopted at the same meeting unless the rules are suspended for that purpose. An Ordinance or Resolution shall be considered to have been read by the furnishing of a written copy to each member of the City Council.

202.7.1 Signing and Publication Proof. Every Ordinance and Resolution passed by the Council shall be signed by the Mayor, attested by the Clerk and filed by the Clerk in the Ordinance or Resolution Book. Proof of Publication of every Ordinance shall be attached and filed.

202.7.2 Repeals and Amendments. Every Ordinance or Resolution repealing a previous Ordinance or Resolution or a section or subdivision thereof, shall give the number, if any, and the title of the Ordinance or code number of the Ordinance or Resolution to be repealed in whole or in part. Each Ordinance or Resolution amending an existing Ordinance or Resolution or part thereof, shall set forth in full each amended section or subdivision as it will read with the amendment.

202.7.3 Meetings, Petitions, Communications. Every motion shall be stated in full before it is submitted to a vote and shall be recorded in the minutes. Every petition or other communication addressed to the Council, shall be read in full upon presentation to the Council, unless the Council dispenses with the reading. Each petition or other communication shall be recorded in the minutes by title and filed with the minutes in the office of the Clerk.

**202.8 Minutes.** Minutes of each Council meeting shall be kept by the City Clerk or his or her designee. Ordinances, Resolutions and correspondence need not be recorded in full in the minutes if they appear in other permanent records of the Clerk and can be accurately identified from the description given in the minutes. The minutes of each meeting shall be reduced to typewritten form and shall be signed by the City Clerk and the Mayor (or Presiding Officer if the Mayor was not present at the meeting). At the next meeting of the Council, approval of the minutes shall be considered. The minutes need not be read aloud, but the Mayor shall call for any additions or corrections. If there is an objection or a proposed change to the minutes, the Council shall vote upon the correction or addition. If there are no corrections or additions, the minutes shall stand approved.

**202.9 Presiding Officer.** The Mayor shall preside at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both, the City Clerk shall call the meeting to order and shall preside until the Council Members present at the meeting choose one of their number to act temporarily as presiding officer.

**203 AUTHORITY OF THE CITY COUNCIL, CITY COUNCIL MEMBERS, THE MAYOR, AND MAYOR PRO TEM**

**203.1 Authority of the City Council.** The City Council has complete authority over all administrative affairs of the City. It is responsible for adopting and enforcing ordinances, establishing policies, directing department heads, creating boards and commissions, overseeing the City's financial operations and transacting all other city business as required by law.

**203.2 Authority of City Council Members.** A Councilmember directs the City's conduct of daily affairs and plan for the future development of the city. A City Council Member has no authority outside of a City Council meeting.

**203.3 Authority of the Mayor.** The Mayor is the symbolic head of a city and is the presiding officer at City Council meetings. The Mayor has all the powers and duties as a City Council Member. The Mayor is a voting member of the City Council.

**203.4 Authority of the Mayor Pro Tem (Acting Mayor).** In the case of the absence or

disability of the Mayor, the Mayor Pro Tem shall perform the duty of the Mayor during the period of such absence or disability. The Mayor Pro Tem is appointed by the Mayor.

**203.5 City Council Compensation.** The salary of the Mayor shall be set at the amount of \$3,300 per annum, to be paid in a lump sum amount each December during term of office. The salary of each City Council Member shall be set at the sum of \$2,500 per annum to be payable in a lump sum amount each December during term of office.

## **204 CITY BOARDS, GENERAL ADMINISTRATION.**

**204.1 Authority.** Unless otherwise specified by State Statutes, all City Boards shall act only in an advisory capacity to the City Council. The City Council shall have final authority on all matters.

**204.2 Bylaws and the City Code.** If there is a conflict between the bylaws of the advisory board and the City Code, then the City Code shall take precedent. If there is a conflict between the City Code and State Statutes, then the State Statute shall take precedent.

**204.3 Board Seats.** The general public should be made aware of the availability of open seats on the advisory boards. A general notice of upcoming open seats for all advisory boards shall be posted at City Hall for at least 10 calendar days during the month of October or November each year. For the purposes of this section, an open seat shall be considered any advisory board member's term that is ending, regardless if the member wishes to serve another term or not.

**204.4 Removal of Office.** Members of all City Boards serve at the pleasure of the City Council. Any member of any board may be removed with or without cause by a majority vote of the City Council at a public meeting.

**204.5 Compensation.** All members of all boards shall serve without compensation.

**204.6 Sudden Vacancies.** Sudden vacancies during any board term shall be filled by the Council for the unexpired portion of the term.

**205 AMBULANCE ADVISORY BOARD.** A City Ambulance Advisory Board is hereby continued, consisting of five persons (voting Board members) appointed by the City Council, and three ex-officio, nonvoting members made up of the Medical Director, City Council Liaison(s), and the Ambulance Director.

**205.1 Term of Office.** Each voting member shall be appointed by the City Council and shall serve for three (3) years or until his/her successor is appointed and qualifies.

**205.2 Rules and Regulations.** The Ambulance Advisory Board shall adopt, from time to time, such rules and regulations as it deems necessary and may amend the same. No such rules and regulations shall take effect until approved by the City Council.

**205.3 Reports.** The Ambulance Advisory Board shall make such reports of its activities to the City Council as are requested by the Council from time to time.

**205.4 Powers.** The ambulance advisory board shall recommend to the city council for approval: 1) compensation of ambulance crewmembers, 2) contracts for ambulance service with other cities, townships, and other service areas, 3) an ambulance director, training directors, and maintenance director to be appointed by the city council, 4) by-laws, and a policies and procedures manual for the

operation of the volunteer ambulance service, 5) rules and regulations necessary to carry on the business of the volunteer ambulance service, 6) an annual budget for operation of the ambulance service, and 7) such other acts as are necessary to carry on the business of the volunteer ambulance service.

**205.5 Funds.** For the purpose of carrying out the powers of the Ambulance Board, there shall be established in the City Treasury a special fund to be called the Ambulance Fund. The City Council may transfer to and from the fund such money as it shall consider necessary for the management and operation of said Ambulance Service. All monies obtained through the operation of said ambulance service shall be deposited in said fund. No withdrawal from said fund shall be made except by authority of the City Council.

**206 LIBRARY BOARD.** A City Library Board is hereby continued and shall be comprised of seven (7) members which shall be appointed by the Council, but not more than one (1) member of said Board shall be a Council Member.

**206.1 Term of Office.** Each member of the Board shall serve for three (3) years and all terms shall end with the annual year or until a successor is appointed and qualified. Any member may be removed by the Mayor with the consent of the Council after a hearing.

**206.2 Organization of Board.** Immediately after appointment, such Board shall meet and organize by electing one (1) of its members as President and one (1) as Secretary and from time to time it may appoint such other officers as it deems necessary.

**206.3 Library Rules.** The Board shall adopt such by-laws and regulations for the government of the library and for the conduct of its business as may be expedient and allowed by State Statutes.

**206.4 Accounting.** The Board shall in the same manner as the Council, audit claims to be paid from the Library Fund and shall submit to the Council its proposed budget for the forthcoming year.

**206.5 Annual Report.** The Board shall deliver to the Council its annual report for the operation of the library for the past annual year.

**207 PLANNING COMMISSION.** A City Planning Commission for the City of Plainview is hereby continued. The commission shall be a City Planning Agency authorized by Minnesota Statutes Section 462.354, and shall serve as the City's Board of Adjustment.

**207.1 Membership.** The City Planning Commission shall consist of seven (7) members. The City Council may select up to two (2) members of the Planning Commission from its own membership. The members shall be appointed and may be removed by the Council.

**207.2 Terms, Vacancies, Oath.** Each member of the Board shall serve for three (3) years. Appointees shall hold their offices until their successors are appointed and qualified. Every appointed member shall before entering upon the discharge of his duties, take an oath that he will faithfully discharge the duties of his office.

**207.3 Organization, Meetings, Etc.** The commission shall elect a chairperson and vice chairperson from among its appointed members for a term of one (1) year. The commission may create and fill such other offices as it may determine. The committee shall hold as many regular or special meetings as it deems necessary each year to complete its work. It shall adopt rules for the transaction and findings, which records shall be a public record. On or before the second regular City Council meeting in

January of each year, the commission shall submit a report to the Council of its work during the preceding calendar year. Expenditures shall be within the amount appropriated for the purpose by the City Council.

**207.4 Powers and Duties.** The Planning Commission shall have the powers and duties conferred upon it by Minn. Stat. 462.354, by Minn. Stat. 462.357, by Minn. Stat. 462.359, by this City Code and by order or resolution of the Council. After the commission has prepared and adopted a comprehensive plan, the commission shall periodically, but at least once every three (3) years review the plan, as well as any Ordinances and any capital improvement program the Council has adopted to implement the plan. After such review, it shall to the extent it deems necessary, revise the comprehensive plan, adopt the amendments or the new comprehensive plan and recommend it to the Council in accordance with law. Similarly, after such review, it shall recommend to the Council any amendments it deems desirable to the capital improvement program and any Ordinance implementing the plan.

**207.5 Zoning Ordinances, Public Hearings.** No Zoning Ordinance or amendment shall be adopted by the Council until a public hearing has been held thereon by the Planning Commission upon notice as provided in Minnesota Statutes Section 462.357 Subdivision 3.

**207.6 Approval.** Any subdivision plat, conditional use permit, or variance submitted to the Council for approval shall be referred to the Planning Commission for review and recommendation as required by State Statutes.

**208 ECONOMIC DEVELOPMENT AUTHORITY.** An Economic Development Authority for the City of Plainview is hereby established as allowed by State Statute 469.

**208.1 Membership.** The EDA shall consist of seven (7) members. The City Council must appoint two (2) members of the board from its own membership. The members shall be appointed and may be removed by the Council.

**208.2 Terms, Vacancies, Oath.** Each member of the board shall serve for three (3) years. Appointees shall hold their offices until their successors are appointed and qualified. Every appointed member shall before entering upon the discharge of his or her duties, take an oath that he will faithfully discharge the duties of his office.

**208.3 Organization, Meetings, Etc.** The board shall elect a chairperson, a vice chairperson, and a secretary from among its appointed members for a term of one (1) year. The commission may create and fill such other offices as it may determine. The committee shall hold at least four (4) regular meetings each year.

**208.4 Powers and Duties.** The EDA shall have the powers established by their charter, as approved by the City Council as well as authority granted by applicable State Statutes.

**209 CITY DEPARTMENTS, GENERAL ADMINISTRATION.** The City Council has final authority over the activities of City Departments. Department heads are appointed to assist in carrying out the will of the City Council. All department heads are responsible for the enforcement of the City Code and City Policies, as well as State and Federal laws.

**210 POLICE DEPARTMENT.** The Police Department is responsible for the protection and safety of the community through crime prevention, preserving peace, investigating crimes and providing emergency services.

**210.1 Duties of the Police Chief.** The Police Chief has responsibility for the organization, administration and operation of the Police Department and its members. The Chief of Police shall be responsible for the proper training and discipline of the members of the Police Department. Every member of the Police department is subordinate to the Chief of Police. The Police Chief is responsible for the day to day administration of the Police Department.

**210.2 Duties of the Assistant Police Chief.** The Assistant Police Chief has the authority to make command decisions in absence of the Chief of Police. When the Chief of Police is unavailable the Assistant Police Chief shall have the same authority as the Chief of Police on making command decisions.

**210.3 Uniform and Badge.** Each member of the department shall, while on duty, wear a suitable badge and uniform to be furnished by the City, except that the Chief may authorize the performance of specific duties while not in uniform. Police uniform shall comply with state requirements.

**210.4 Extra Police.** In case of riot or other law enforcement emergency, the Chief of Police may work with the Fire Chief to temporarily assign Volunteer Firefighters as Special Police Officers. During such term of appointment, the Special Police Officers shall have only those powers and perform only those duties as specifically assigned by the Chief of Police.

**210.5 Part Time Officers.** To provide for proper police protection and to serve as police officers at special functions requiring the same, the Chief of Police may appoint such additional part time officers as is deemed necessary.

**210.6 Authority to Perform Background Information.** Upon request of the City Clerk or designee, the Police Department is authorized to provide certain criminal history data contained in the Minnesota Criminal Justice Information System. The data to be provided must only be about finalists for City positions of employment and license applicants (where applicable). The City Clerk or designee must obtain the consent of the finalists, in writing, before requesting the data, but an applicant's failure to provide consent may disqualify the applicant from the prospective position.

**211 FIRE DEPARTMENT.** The Fire Department is responsible for the health and safety of the community through providing emergency fire response services.

**211.1 Duties of the Fire Chief.** The Fire Chief has sole responsibility for the organization, administration and operation of the Fire Department and its members. The Fire Chief shall be responsible for the proper training and discipline of the members of the Fire Department. Every member of the Fire Department is subordinate to the Fire Chief. The Fire Chief is responsible for the day to day administration of the Fire Department. The Fire Chief is also charged with the enforcement of all ordinances aimed at fire protection. The Fire Chief shall have full authority to inspect all premises and to cause the removal or abatement of all fire hazards. The Fire Chief shall have control over all fire fighting apparatus and shall be ultimately responsible for its care and condition.

**211.2 Membership.** The officers of the Fire Department shall consist of a Fire Chief, three (3) Assistant Fire Chiefs, and as many firefighters as the Council may from time to time deem necessary for the safety and protection of the City. The Chief and the Assistant Chiefs shall be appointed by the Council upon recommendation of the Fire Department. Firefighters will be appointed following the hiring processes outlined by the City of Plainview Personnel Policies. The hiring committee will consist of a majority of Fire Department representation to City Administration.

**211.3 Records.** The Fire Chief shall keep in convenient form a complete record of all fires. Such records shall include the time of the alarm, location of the fire, cause of the fire, if known, type of building, name of owner and tenant, purpose for which occupied, value of building and contents, members of the department responding to the alarm and such other information as he may deem advisable or as may be required from time to time.

**211.4 Assistant Chief.** In the absence or disability of the Chief, the Assistant Chiefs shall perform all the functions and exercise all of the authority of the Chief. The Assistant Chiefs shall be responsible for training, safety, and maintenance.

**211.5 Firefighters.** All firefighters shall be able-bodied and not less than eighteen (18) years of age. The Council may require that each candidate must satisfy certain minimum requirements and any other qualifications which may be specified by the Council.

**211.6 Compensation.** The members and officers of the Fire Department shall receive compensation as the Council may, from time to time, provide by Resolution.

**211.7 Relief Association.** The members and officers of the Fire Department may organize themselves into a Firefighter's Relief Association in accordance with law. All members must abide by the relief association bylaws.

**211.8 Interference with Department.** It shall be unlawful for any person to give or make, or cause to be given or made, a fire alarm without probable cause, or neglect or refuse to obey any reasonable order of the Fire Chief at a fire or interfere with the Fire Department in the discharge of its duties.

**212 EMERGENCY MANAGEMENT DEPARTMENT.** The Emergency Management Department is responsible for the health and safety of the community through emergency planning preparation and disaster preparedness.

**212.1 Duties of the Emergency Management Director.** The Emergency Management Director has sole responsibility for the organization, administration and operation of the Emergency Management Department and its members. The Emergency Management Director shall be responsible for the proper training and discipline of the members of the Emergency Management Department. Every member of the Emergency Management Department is subordinate to the Emergency Management Director. The Emergency Management Director is responsible for the day to day administration of the Emergency Management Department. The Director shall have direct responsibility for the organization, administration and operation of the Civil Defense Agency, subject to the direction and control of the City Council.

**213 AMBULANCE DEPARTMENT.** The Ambulance Department is responsible for the health and safety of the community through providing emergency response medical services.

**213.1 Duties of the Ambulance Director.** The Ambulance Director has sole responsibility for the organization, administration and operation of the Ambulance Department and its members. The Ambulance Director shall be responsible for the proper training and discipline of the members of the Ambulance Department. Every member of the Ambulance Department is subordinate to the Ambulance Director. The Ambulance Director is responsible for the day to day administration of the Ambulance Department.

**214 MUNICIPAL LIQUOR DEPARTMENT.** The Liquor Department is responsible for regulating off sale intoxicating beverages sold in Plainview, as allowed by State law.

**214.1 Duties of the Liquor Store Manager.** The Liquor Store Manager has sole responsibility for the organization, administration and operation of the Liquor Department and its members. The Liquor Store Manager shall be responsible for the proper training and discipline of the members of the Liquor Department. Every member of the Liquor Department is subordinate to the Liquor Store Manager. The Liquor Store Manager is responsible for the day to day administration of the Liquor Department.

**215 LIBRARY DEPARTMENT.** The Library Department is responsible for providing information for public use.

**215.1 Duties of the Library Director.** The Library Director has sole responsibility for the organization, administration and operation of the Library Department and its members. The Library Director shall be responsible for the proper training and discipline of the members of the Library Department. Every member of the Library Department is subordinate to the Library Director. The Library Director is responsible for the day to day administration of the Library Department.

**216 ADMINISTRATION DEPARTMENT.** The Administration Department is responsible for the financial management and record keeping of the City, and issuing licenses and permits.

**216.1 Duties of the Finance Director/City Clerk.** The Finance Director/City Clerk has direct responsibility for the organization, administration and operation of the Administration Department and its members. The Finance Director/City Clerk shall be responsible for the proper training and discipline of the members of the Administration Department. With the exception of the City Administrator, every member of the Administration department is subordinate to the Finance Director/City Clerk. The Finance Director/City Clerk is responsible for the day to day administration of the Administration Department. The Finance Director/City Clerk reports to the City Administrator.

**216.2 Duties of the City Administrator.** The City Administrator is the Chief Executive Officer of the City and is responsible for advising the City Council, including needed legislation for the welfare of the citizens of Plainview and for the smooth operation of the City government.

**217 PUBLIC WORKS.** The Public Works Department is responsible for the management of streets, sidewalks, ice and snow removal, storm-water, water system, wastewater collection system, parks, recreation, pool, skating rinks, and cemetery, as well as maintenance of City buildings as required/requested (City Hall, Liquor Store, Library, Fire Hall, and Ambulance Building).

**217.1 Duties of the Public Works Director.** The Public Works Director has sole responsibility for the organization, administration and operation of the Public Works Department and its members. The Public Works Director shall be responsible for the proper training and discipline of the members of the Public Works Department. Every member of the Public Works department is subordinate to the Public Works Director. The Public Works Director is responsible for the day to day administration of the Public Works Department.

**218 CITY POLICIES.** City Council may create city polices in order to provide guidelines necessary to keep the City functioning smoothly.

**218.1 Personnel Policy.** All employees, whether full time, part time, or volunteer, shall be subject to the regulations and guidelines established by the City Personnel Policy. A copy of the

personnel policy shall be available for employees to review. The Personnel Policy shall outline the City's process for recruitment, termination, and other human resource issues necessary for the operation of the City. The contents of the Personnel Policy do not constitute a contract and are not binding.

**219 COMPENSATION.** Officials and employees of the City shall be compensated at a rate as established from time to time by the City Council.

**220 ELECTED OFFICIAL TRAVEL.** The City of Plainview recognizes that its elected officials may at times receive value from traveling for workshops, conferences, events and other assignments. This section sets forth the conditions under which travel will be reimbursed by the City.

**220.1 Advanced Approval by the City Council.** The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of the travel. In evaluating the travel request, the Council will consider the following:

- A Whether the elected official will be receiving training on issues relevant to the city or to his or her role as the Mayor or as a council member.
- B Whether the elected official will be meeting and networking with other elected officials from around the country to exchange ideas on topics of relevance to the City or on the official roles of local elected officials.
- C Whether the elected official will be viewing a city facility or function that is similar in nature to one that is currently operating at, or under consideration by the City where the purpose for the trip is to study the facility or function to bring back ideas for the consideration of the full council.
- D Whether the elected official has been specifically assigned by the Council to visit another city for the purpose of establishing a goodwill relationship such as a "sister-city" relationship.
- E Whether the elected official has been specifically assigned by the Council to testify on behalf of the city at the United States Congress or to otherwise meet with federal officials on behalf of the city.
- F Whether the city has sufficient funding available in the budget to pay the cost of the trip.
- G No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.

**220.2 Payment.** The city may make payments in advance for airfare, lodging and registration if specifically approved by the council. Otherwise all payments will be made as reimbursements to the elected official. The City will reimburse for transportation, lodging, meals, registration, and incidental costs using the same procedures, limitations and guidelines outlined below:

- A Airfare will be reimbursed at the coach rate.
- B Mileage will be reimbursed at the IRS rate. If two or more council members travel together by car, only the driver will receive reimbursement. The city will reimburse for the cost of renting an automobile if necessary to conduct city business.
- C Lodging and meal costs are limited to those which are reasonable and necessary.
- D Receipts are required for lodging, airfare, and meals and should accompany an expense report form. It is not necessary to have receipts for cabs and tips. The expense report form shall be submitted to the City Clerk for payment.
- E The city will not reimburse for alcoholic beverages, personal telephone calls, costs associated with the attendance of a family member, rental of luxury vehicles, meal expenses included in the cost of registration, or recreational expenses such as golf or tennis.

**221 FEES AND CHARGES.** The City Council may enact an ordinance establishing those fees and charges that are authorized by this code. Until that ordinance becomes effective, all fees and charges established by ordinance or resolution prior to the adoption of this code shall remain in effect. All fees and charges established by the ordinance establishing fees and charges may be amended from time to time by amendment of that ordinance.