

TITLE III: ADMINISTRATION

Chapter

**31. DEPARTMENTS, DIVISIONS, BOARDS AND
COMMISSIONS**

CHAPTER 31: DEPARTMENTS, DIVISIONS, BOARDS AND COMMISSIONS

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*GENERAL PROVISIONS***§ 31.001 DEPARTMENTS GENERALLY.**

(A) *Control.* All Divisions of the City are under the overall control of the Council. Heads of all Divisions and Departments are responsible to the Council and subject to its supervision and direction, except as otherwise provided herein. The Council may supervise and direct the heads of all Divisions and Departments through the City Administrator.

(B) *Appointment.* All Division Heads, Department Heads and employees shall be appointed by the Council, except temporary employees. All appointments shall be for an indeterminate term, unless otherwise stated, and subject to any applicable civil service regulations and union contracts in effect in the City.

(C) *Compensation.* All wage and salary scales shall be fixed and determined by the Council, except for temporary employees.

(D) *Table of organization and lines of responsibility.* The Council may by resolution adopt, amend and from time to time revise a Table of Organization and define lines of responsibility and authority for the efficient governmental organization of the City.

(E) *Budgetary information.* The Heads of all Divisions shall, prior to May 1 in each year, provide necessary projected financial needs to the City Administrator and City Council to enable the head of each Division, the City Administrator, and the City Council to determine the projected financial needs of each Division for the ensuing year. The projected financial needs shall include information as to maintenance and operation of buildings, equipment, new equipment, personnel, and such other information as may be requested by the City Administrator.

§ 31.002 ADMINISTRATIVE SERVICES DIVISION.

The Administrative Services Division is established. The head of the Administrative Services Division shall be the City Administrator. The Administrative Services Division shall provide administrative services to the Council and all City Divisions, shall supervise and coordinate the daily operations of Divisions within the City and shall perform such other functions as directed by the Council or a Committee of the Council.

§ 31.003 COMMUNITY DEVELOPMENT DIVISION.

The Community Development Division is established. The head of the Community Development Division shall be the Community Development Director. The Community Development Division shall be responsible for the initiation and administration of community and economic development activities, shall develop, administer, and enforce codes, ordinances, regulations and statutes concerning City planning, land subdivision, zoning and buildings and shall perform such other functions as directed by the Council or a Committee of the Council, or the City Administrator. The Building Official Department, Community and Economic Development Department and Planning and Zoning Department shall be a part of the Community Development Division.

§ 31.004 FIRE DIVISION.

The Fire Division is established. The head of the Fire Division shall be the Fire Chief. The Fire Division shall provide fire control, rescue services, extractions, cover hazardous material incidents and shall perform such other functions as directed by the Council or a Committee of the Council, or the City Administrator. The Fire Division may have both employees and volunteers in such numbers as established from time to time by the Council.

§ 31.005 LIQUOR DIVISION.

The Liquor Division is established. The head of the Liquor Division shall be the Liquor Store Director. The Liquor Division shall operate a package store and shall perform such other functions as directed by the Council or a Committee of the Council, or the City Administrator.

§ 31.006 PARKS AND RECREATION DIVISION.

The Parks and Recreation Division is established. The head of the Parks and Recreation Division shall be the Parks and Recreation Director. The Parks and Recreation Division shall provide and maintain parks, shall provide recreational opportunities, shall attempt to coordinate activities with recreational groups, and shall perform such other functions as directed by the Council or a Committee of the Council, or the City Administrator. The Parks Maintenance Department, Recreation Department and Forestry Department shall be a part of the Parks and Recreation Division.

§ 31.007 POLICE DIVISION.

The Police Division is established. The head of the Police Division shall be the Chief of Police. The Police Division shall provide police protection within the City, shall provide investigative services, shall offer crime prevention programs where possible and shall perform such other functions as directed by the Council or a Committee of the Council, or the City Administrator. The Mayor shall have, without the approval of the Council, authority to appoint additional qualified members of the Police Division for temporary duty when in the Mayor's judgment an emergency exists for the preservation of life or property.

§ 31.008 PUBLIC UTILITIES DIVISION.

The Public Utilities Division is established. The head of the Public Utilities Division shall be the Public Utilities Director. The Public Utilities Division shall operate a billing office for utility services, shall construct, maintain, and distribute electric services to the City, shall construct and maintain wastewater services to the City, shall construct, maintain, and distribute a water plant and potable water to the City and shall perform such other functions as directed by the Council or Committee of the Council, or the City Administrator. The Billing Office Department, Electric Department, Wastewater Department, and Water Plant/Distribution Department shall be a part of the Public Utilities Division.

§ 31.009 PUBLIC WORKS DIVISION.

The Public Works Division is established. The head of the Public Works Division shall be the Public Works Director. The Public Works Division shall provide street construction, maintenance, and repair, shall provide sanitation services, shall manage and maintain the City airport, shall manage and maintain City buildings, shall provide and arrange for engineering services and shall perform such other functions as directed by the Council or a Committee of the Council, or the City Administrator. The Airport Department, Engineering Services Department, Government Buildings Department, Sanitation Department, and Street Department shall be a part of the Public Works Division.

§ 31.010 MANAGEMENT INFORMATION SYSTEM (MIS) DIVISION.

The Management Information System (MIS) Division is established. The head of the MIS Division is the MIS Director. The MIS Division shall provide direction and coordinate all MIS activities related to purchases of computer software and equipment, shall establish policies and guidelines, shall establish policies for employee use of MIS equipment and software, and shall perform such other functions as directed by the Council or Committee of the Council, or the City Administrator.

§ 31.011 BOARDS AND COMMISSIONS GENERALLY.

All Board and Commission appointments authorized by ordinance or resolution shall be made by the Mayor, and such appointments shall be confirmed by the Council at the first regular meeting in January of each year. The term of each appointee shall be established and stated at the time of the appointment and terms of present Board and Commission members may be re-established and changed so as to give effect to this Section. New appointees shall assume office on February 1, January 31 being the date of expiration of terms. All appointees to Boards and Commissions shall hold office until their successor is appointed and qualified. All vacancies shall be filled in the same manner as for an expired term, but the appointment shall be only for the unexpired term. No appointed Board or Commission member shall be an employee of the City except those who are members by virtue of their office. Except as herein otherwise provided, all appointed Board and Commission members shall serve without remuneration but may be reimbursed for out-of-pocket expenses incurred in the performance of their duties when the expenses have been authorized by the Council before they were incurred. A Chairperson and Secretary shall be chosen from and by each Board or Commission membership annually to serve for one year. Any Board or Commission member may be removed by the Council for misfeasance, malfeasance or nonfeasance in office and the position filled as any other vacancy. Each Board and Commission shall hold its regular meetings at a time established by each Board and Commission. Except as otherwise provided herein, one of the members may be a member of the Council appointed for a term established on an annual basis at the time of appointment, but not to extend beyond the end of the then current term being served by such Council member or the Mayor. Except as otherwise provided by statute or another Section of this City Code, the provisions of this Section shall apply to all Boards and Commissions.

BOARD OF ADJUSTMENTS AND APPEALS

§ 31.025 ESTABLISHMENT.

A Board of Adjustments and Appeals is established. The Planning Commission shall act as the Board of Adjustments and Appeals. The Board of Adjustments and Appeals shall have such authority as is provided by the City Code and Statutes.

§ 31.026 POWERS AND DUTIES.

It is the duty of the Board of Adjustments and Appeals to hear and decide appeals from any decision of the Zoning Administrator, to interpret the Zoning Chapter of the City Code in cases of ambiguity and to make final rulings with respect to the application thereof and to review applications for variances from the provisions of the Zoning Chapter. The Board of Adjustments and Appeals shall have all of the powers and duties set forth in International Property Maintenance Code. The decisions of the Board of Adjustments and Appeals shall be final subject to appeal to the Council.

Amended Ordinance 23, 3rd Series

Cross reference:

Zoning Code, see Ch. 152

*CEMETERY COMMISSION***§ 31.040 ESTABLISHMENT AND COMPOSITION.**

A Cemetery Commission is established for the management and operation of the cemetery. The Cemetery Commission shall be composed of five members, one of whom, by virtue of the position, shall be the City Administrator or the City Administrator's nominee. No more than one member of the Commission shall be a funeral director or other person engaged in the manufacture or sale of caskets, monuments, or other similar equipment or supplies. The Cemetery Commission members, except the City Administrator and Secretary, shall serve without remuneration. Cemetery Commission members, except the City Administrator, shall serve staggered three-year terms. A Chairperson and such other offices as determined by the Cemetery Commission shall be selected by the Cemetery Commission from the appointed members.

§ 31.041 POWERS AND DUTIES.

The Cemetery Commission shall have the following powers and duties:

(A) To recommend the employment of a Superintendent and other assistants.

(B) To prepare and recommend to the Council rules and regulations for the care, maintenance, management, and operation of the City Cemetery. When duly adopted by the Council, the rules and regulations shall be enforced by the Superintendent.

(C) To recommend management, control, and administer the business affairs of the cemetery.

*COMMUNITY DEVELOPMENT ADVISORY BOARD***§ 31.055 ESTABLISHMENT AND COMPOSITION.**

A Community Development Advisory Board is established. The Community Development Advisory Board shall be composed of seven members. One member shall be the City Administrator or, in the City Administrator's absence, the City Administrator's nominee. One member shall be a Council member appointed by the Council on an annual basis. The remaining five members shall be selected from: accounting profession, financial background, Housing and Redevelopment Authority member, Jobs, Incorporated Board member, and manufacturing and industry background. These five members shall serve staggered three-year terms. The Community Development Director and Zoning Administrator shall serve as an ex-officio member. A Chairperson and such other offices as determined by the Community Development Advisory Board shall be selected by the Community Development Advisory Board from the appointed members.

§ 31.056 POWERS AND DUTIES.

The Community Development Advisory Board shall have the following powers and duties:

(A) Manage economic development programs and grant and loan programs with approval of the Council;

(B) Prepare and recommend to the Council rules and regulations for the management of the economic development programs and loan programs;

(C) Apply for and administer additional economic development programs and loan programs with the approval of the Council; and

(D) To otherwise manage, control, and administer the business affairs of the Community Development Advisory Board.

HOUSING AND DEVELOPMENT AUTHORITY**§ 31.070 ESTABLISHMENT AND COMPOSITION.**

A Housing and Redevelopment Authority (HRA) is established. The HRA shall be composed of five members. Members shall serve staggered five-year terms. A Chairperson and such other offices as determined by the HRA shall be selected by the HRA from the appointed members.

§ 31.071 POWERS AND DUTIES.

The powers and duties of the HRA shall be those set forth in Minnesota Statutes and the City Code.

LIBRARY BOARD**§ 31.085 ESTABLISHMENT AND COMPOSITION.**

A Library Board is established. The Library Board shall be composed of nine members. Library Board members shall serve staggered three-year terms. A Chairperson and such other offices as determined by the Library Board shall be selected by the Library Board from the appointed members.

§ 31.086 POWERS AND DUTIES.

The powers and duties of the Library Board shall be those set forth in Minnesota Statutes.

PLANNING COMMISSION**§ 31.100 ESTABLISHMENT AND COMPOSITION.**

A Planning Commission is established. The Planning Commission shall be composed of nine members, eight of whom shall be selected as with other Boards and Commissions. One member shall be a Council member, appointed by the Council on an annual basis. The Community Development Director, Public Works Director, and City Administrator, by reason of their positions, shall serve as ex officio members of the Planning Commission, not to be included in the number herein stated. Planning Commission members, except the Council members, shall serve staggered three-year terms. A Chairperson and such other offices as determined by the Planning Commission shall be selected by the Planning Commission from the appointed members.

§ 31.101 POWERS AND DUTIES.

(A) The Planning Commission shall have power and shall be required to:

- (1) Prepare and keep up to date a master plan for the physical development of the City;
- (2) Review proposed subdivisions of land within the City;
- (3) Draft for the Council an official map of the City and recommend or disapprove proposed changes in such map;
- (4) Prepare zoning regulations and recommend proposed changes in such regulations;
- (5) Prepare plans for the clearance and rebuilding of slum districts and blighted areas within the City;
- (6) Submit to the Mayor a list of recommended capital improvements which, in the opinion of the Planning Commission, are necessary or desirable to be constructed during the forthcoming five-year period. The list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year; and
- (7) Promote public interest in and understanding of the comprehensive plan and of planning, zoning, and slum clearance.

(B) The Planning Commission shall have the power to:

(1) Require information which shall be furnished within a reasonable time from the other Divisions of the City government in relation to its work;

(2) Within its budget appropriation, recommend that the City contract with City Planners and other consultants for such services as it may require;

(3) In the performance of its functions, enter upon any land, make examinations and surveys, and place and maintain necessary monuments and marks thereon;

(4) Prepare plans for the replanning, improvement, and redevelopment of neighborhoods; and

(5) Prepare a plan for the replanning, reconstruction, or redevelopment of any area or district which may be destroyed in whole or in part or seriously damaged by fire, earthquake, flood, or other disaster.

(C) The duties of the Planning Commission in zoning administration shall be:

(1) To hold public hearings on applications for amendments to the Zoning Chapter of the City Code. The Planning Commission shall not have the authority to make changes or amendments to this Chapter; it shall act in a purely advisory manner to the Council transmitting recommendations to the Council for final action.

(2) To hold public hearings on applications for Conditional Use Permits provided for in the Zoning Chapter of the City Code and to transmit its recommended action to the Council for final action.