

CHAPTER 2: OPERATIONS AND ADMINISTRATION

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Part 1. The Council

201.01. Meetings.

Subd. 1. Regular meetings. Regular meeting of the council shall be held on the second Wednesday of each month at 7:00 p.m. Any regular meeting falling upon a holiday shall be held on the next Wednesday at the same time and place. All meetings, including special and adjourned meetings, shall be held in the city hall unless the council decides otherwise at a prior meeting, or meeting in the city hall is impossible.

A quorum shall consist of three of the five members of the council.

Subd. 2. Special meetings. The mayor or any two 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. This notice shall be delivered personally to each member or shall be left at the member's usual place of residence with some responsible person. Notice to the public shall be given in accordance with state law.

Subd. 3. Initial meeting. At the first regular council meeting in January of each year, the council shall:

- a. Designate the depositories of city funds;
- b. Designate the official newspaper;
- c. Choose one of the councilmembers as acting mayor, who shall perform the duties of the mayor during the disability or absence of the mayor from the city or, in case of a vacancy in the office of mayor, until a successor has been appointed and qualifies;
- d. Appoint such officers and employees and such members of boards, commissions, and committees as may be necessary;
- e. Establish and appoint council members to such council committees as are deemed appropriate for the efficient and orderly management of the city.

Subd. 4. Public meetings. All council meetings, including special and adjourned meetings and meetings of council committees, shall be conducted in accordance with Minnesota Open Meeting Law.

201.02. Presiding officer.

Subd. 1. Who presides. The mayor shall preside at all meetings of the council. In the absence of the mayor, the acting mayor shall preside. In the absence of both, the 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.

Subd. 2. Procedure. The presiding officer shall preserve order, enforce the rules of procedure herein prescribed, and determine without debate, subject to the final decision of the council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the proceedings of the council shall be conducted in accordance with Robert's Rules of Order, Revised.

Subd. 3. Appeal procedure. Any member may appeal to the council a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the

presiding officer may explain the ruling, but no other council member shall participate in the discussion. The appeal shall be sustained if it is approved by a majority of the members present including the presiding officer.

201.03. Minutes.

Subd. 1. Who keeps. Minutes of each council meeting shall be kept by the clerk or, in the clerk's absence, by the deputy clerk. In the absence of both, the presiding officer shall appoint a secretary pro tem. Ordinances, resolutions, and claims 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.

Subd. 2. Approval. The minutes of each meeting shall be reduced to typewritten form, shall be signed by the clerk, and copies thereof shall be delivered to each council member as soon as practicable after the meeting. At the next regular council meeting following such delivery, approval of the minutes shall be considered by the council. The minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction it may be made without a vote of the council. If there is an objection, the council shall vote upon the addition or correction. If there are not additions or corrections, the minutes shall stand approved.

201.04. Order of business.

Subd. 1. Order established. Each meeting of the council shall convene at the time and place appointed therefor. Council business shall be conducted in the following order unless varied by the presiding officer:

- a. Call to order
- b. Roll call
- c. Approval of minutes
- d. Consent agenda
- e. Public hearings
- f. Petitions, requests, and communications
- g. Ordinances and resolutions
- h. Report of officers, boards, and committees
- i. Unfinished business
- j. New business
- k. Miscellaneous
- l. Adjournment

Subd. 2. Petitions and agenda. Petitions and other papers addressed to the council shall be read by the clerk upon presentation of the same to the council. All persons desiring to present new business before the council shall inform the clerk thereof at least 72 hours before said new business is to be heard. The clerk may prepare an agenda of said new business for submission to the council on or before the time of the next regular meeting.

201.05. Voting. The votes of the members on any question may be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action taken shall be recorded in the minutes. The vote of each member shall be recorded on each appropriation of money, except for payment of judgments, claims, and amounts fixed by statute. If any member is present but does not vote, the minutes, as to his name, shall be marked "Present-Not Voting".

201.06. Ordinances, resolutions, motions, petitions, and communications.

Subd. 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 with ordinance.

Subd. 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.

201.07. Suspension or amendment of rules. These rules may be suspended only by a two-thirds vote of the members present and voting.

201.08. Salaries of mayor and council member. The salary of the mayor and councilmembers shall be set forth by the financial information not a part of fee schedule adopted each year and shall regulated by Minn. Statutes 415.11. (adopted 3/12/2014)

201.09. Additional special meeting compensation. The mayor and each councilmember shall receive an hourly wage per special meeting they attend recorded on the financial information not a part of fee schedule adopted each year and shall be regulated by Minn. Statutes 415.11. (adopted 3/12/2014)

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Part 2. Police Department

Askov does not employ a police force.

Part. 2 Police Department

At the present time, the City of Askov does not employ a police force. All law enforcement rests with the Pine County Sheriff and his/her deputies and the Minnesota Highway Patrol. However, from time to time the City of Askov needs to employ special police. Divisions for future department ordinances are established below. Ordinance for special police is included.

202.01. Establishment.

202.02. Chief of police.

202.03. Duties of police.

202.04. Uniform and badge.

202.05. Special or extra police. For special community events, the mayor may appoint for a specified time as many special police officers (or constables) as may be necessary for the maintenance of law and order. During such term or appointment, the special police officer shall have only those powers and perform only those duties as shall be specifically assigned by the mayor and council.

202.06. Police reserve.

Subd. 1. Establishment.

Subd. 2. Duties.

Subd. 3. Oath, insignia.

Subd. 4. Personnel rules.

Subd. 5. Other restrictions.

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Part 3. Fire Department

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Part 3. Fire Department.

203.01. Fire Department continued. There is continued in the city a volunteer fire department, which department shall have the following officers: a chief, an assistant chief, a lieutenant, a captain, and a secretary-treasurer.

203.02. Selection. The chief of the fire department, the assistant chief, the lieutenant, the captain, and the secretary-treasurer shall be elected annually by the members of the department, subject to confirmation by the council. Each shall hold office for one year and until a successor has been duly elected, except that the council may remove the officer for cause after a public hearing. Firefighters and probationary firefighters shall be appointed by the members of the department, subject to confirmation by the council. Firefighters shall continue as members of the department during good behavior and may be removed by the council only for cause after a public hearing.

203.03. Duties of chief. The chief shall have control over all of the firefighting apparatus and shall be solely responsible for its care and condition. The chief shall make a report, semi-annually, to the council at its meeting in March and September, as to the condition of the equipment and needs of the fire department. The chief may submit additional reports and recommendations at any meeting of the council and shall report each suspension of a member of the fire department at the first meeting of the council following each suspension. The chief shall be responsible for the proper training and discipline of the members of the fire department, and may suspend any member for refusal or neglect to obey orders pending final action by the council on the discharge or retention. The chief shall be charged with the enforcement of all laws aimed at fire prevention. The chief shall have full authority to inspect all premises and to cause the removal or abatement of all fire hazards.

203.04. Records. The chief shall keep in convenient form a complete records of all fires. Such record shall include the time of the alarm, location of fire, cause of fire (if known), type of building, name of owners and tenant, purpose for which occupied, value of building and contents, members of the department responding to the alarm, and such other information as the chief may deem advisable or as may be required from time to time by the council or state department.

203.05. Practice drills. It is the duty of the chief when the weather permits to hold a monthly practice-drill of at least one hour's duration for the fire department and to give the firefighters instruction in approved methods of firefighting and fire prevention.

203.06. Assistant chief. In the absence or disability of the chief, the assistant chief shall perform all the functions and exercise all the authority of the chief.

203.07. Firefighters. The assistant chief, the lieutenant, the captain, the secretary-treasurer, all firefighters, and probationary firefighters shall not be less than 18 nor more than 55 years of age and able-bodied. The chief shall not be less than 18, but may serve beyond age 55. All shall become members of the fire department after a 12-month probationary period. The council may require that each candidate, before becoming a probationary firefighter, must satisfy certain minimum qualifications which may be specified by the council; and that the candidate must pass a satisfactory physical examination.

203.08. Loss of membership. Firefighters absent from three consecutive drills or calls, unless excused by the chief, shall forfeit membership in the department.

203.09. Compensation. Compensation shall be established by the council.

203.10. Present members. Persons who have been members of the fire department for at least one year at the time of the adoption of this code section shall not be required to serve a probationary period before receiving firefighter's rating.

203.11. Interference with departments. It is unlawful for any person to give or make, or cause to be given or made, an alarm of fire without probable cause, or to neglect or refuse to obey any reasonable order of the chief at a fire, or to interfere with the fire department in the discharge of its duties. Unlawful interference shall include the following of a fire truck when its siren and emergency lights are in operation, closer than 500 feet, by persons not on official city business.

Copies of the fire department constitution and by-laws, the bylaws of the Askov Firefighters' Relief Association and fire department personnel policy are filed separately in the Askov City Office.

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Part 4. Planning Commission

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Part 4. Planning Commission

204.01. Establishment of commission. A city planning commission for the City of Askov is established. The commission shall be the city planning agency authorized by Minn. Stat. Section 462.354, Subdivision 1.

204.02. Composition.

Subd. 1. Membership. The planning commission shall consist of seven members from the resident population of the city or property owners or business owners who do not reside within the city limits to be appointed by the mayor with the approval of the council. The appointees shall be appointed to serve staggered terms for three years, except as noted below, commencing on the first day of January in the year of appointment. Upon expiration of the term, the appointee shall continue until reappointed or a successor is appointed. In the event of any vacancy, the mayor, with the approval of the council, shall appoint a person to complete the unexpired term.

Subd. 2. Council appointee. One member may be a council member or the clerk to be appointed by the mayor with council approval, for a one-year term to expire on December 31 of each year.

Subd. 3. Ex-officio members. Other persons may service in an ex-officio capacity as the council may in its discretion deem appropriate. They may share a voice on matters coming before the Commission and may serve any capacity on committees; however, they shall have no voting power and are not eligible to hold office.

Subd. 4. Voting privileges. Each of the seven regular planning commission members shall have equal voting privileges.

Subd. 5. Loss of Membership. Any member may be removed for cause by majority vote of the city council upon written charge and after public hearing.

204.03. Organization, meetings, etc. At the first regular meeting in January, the commission shall elect a chairman, a vice chairman, and a secretary from among its appointed members, each for a term of one year; and the commission may create and fill such other offices as it may determine. The commission shall hold regular meetings the first Monday of each month at 7:00 p.m. in the community center. Special meetings may be called by the chairman, or by any two members, on three days' written or verbal notice to each member. Written minutes of meetings shall be kept by the secretary and filed with clerk prior to the next regularly scheduled council meeting, but shall be subject to approval at the next planning commission meeting.

A quorum shall consist of at least four regular members for the transaction of business at any regular or special meeting. All members, except ex-officio members, shall have equal voting rights.

No expenditures by the commission shall be made unless and until authorized for the purpose by the council.

The following shall be the order of business of meeting of the Commission:

1. Roll call
2. Reading of minutes of previous meeting
3. Communications
4. Reports of committees
5. Unfinished business
6. New business
7. Adjournment

Except where these rules and regulations otherwise provide, Robert's Rules of Order, Revised, shall govern parliamentary procedure.

On or before January 1 of each year the commission shall submit to the city council a report of its work done during the preceding year.

These Rules and By-laws may be amended by majority vote at any regular or special meeting, provided that at least three days' written notice has been given to the members, which notice shall contain the proposed amendments to be voted upon. Any such amendments become effective at the time they are adopted.

204.04. Duties and powers of the commission, comprehensive plan.

Subd. 1. Plan. The planning commission shall have the powers and duties given city planning agencies generally by law. The commission shall also exercise the duties conferred upon it by this code. It shall be the purpose of the planning commissions to prepare an adopt a comprehensive plan for the physical development of the city, including proposed public buildings, street arrangements, and improvements, efficient design of major thoroughfares for moving of traffic, parking facilities, public utilities, services, parks, and playgrounds, a general land use plan, and other matters relating to the physical development of the city. Such plan may be prepared in sections, each of which shall relate to the comprehensive plan program. After the commission has prepared and adopted the comprehensive plan, it shall periodically, but at least every three years review the comprehensive plan and any ordinances or program implementing the plan.

Subd. 2. Means of executing plan. Upon the adoption of a comprehensive plan or any section thereof, it shall be the concern of the planning commission to recommend to the council reasonable and practical means for putting into effect such plan or section thereof in order that the same will service as a pattern and guide for the orderly physical development of the city and as basis for judging the timely disbursements of funds to implement the objective. Means of effectuating the plan shall, among other things, consist of a zoning ordinance, subdivision regulations, capital improvements, programming and technical review, and recommendations of matters referred to the planning commission by the council.

Subd. 3. Zoning Ordinance. The planning commission shall review all proposed amendments to the zoning ordinance, take part in public hearings, and make recommendations to the council as may be prescribed by the zoning ordinance.

Subd. 4. Special permits. The planning commission may make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance. The commission shall report its recommendations to the council for action.

Subd. 5. Subdivisions. The planning commission may make recommendations in relation to the subdividing of land as prescribed by the ordinance; the commission shall report its recommendations to the council for action.

Subd. 6. Capital improvement program. The planning commission and city officers shall endeavor to create a descriptive list of proposed improvements for ensuing five-year period. The planning commission shall also request from the local school district a similar list of its proposed public works.

The planning commission shall list and classify all such proposed public works and shall prepare a coordinated program of proposed public works for the ensuing year and for a projected five-year period. Such program shall be recommended by the planning commission to the council and to such other officers, departments, boards, or public bodies as have jurisdiction over the recommended planning or construction of such public works.

204.05. Variances. All applications for variance shall be referred to the planning commission and forwarded with or without recommendations directly to the council for its decision.

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Part 5. Personnel Policy

See Askov City policy manual. (The City Council of Askov ordains Resolution 2014-3. Repealing Ordinance chapter 2 part 5 205.01 to 205.23 inclusive. Dated 1/8/2014. Resolution passed 5 – 0)