

## CHAPTER 2. ADMINISTRATION

### Section 200 – In General

**200.01 Authority.** The City of Norwood Young America, located in Carver County, Minnesota is a municipal corporation incorporated by the laws of the State of Minnesota on January 1, 1997 and incorporates the former independent municipalities of Norwood and Young America. By virtue of its incorporation under the laws of the State, the City operates under the Minnesota Statutes Chapter 412, and any other applicable State Statutes conferring powers and duties upon municipalities.

**200.02 Optional Plan “A.”** Having held an election on the subject, the City shall operate under the Optional Plan “A” form of government as authorized in Minnesota Statutes, Chapter 412.

#### **200.03 Meetings of the Council.**

**Subd. 1 Regular Meetings.** The City Council shall meet on the second and fourth Monday of every month at 6:30 p.m. in the City Hall. *(Amended by Ord. 164, 2/14/2005)*

**Subd. 2 Special Meetings.** A special meeting may be called by the Mayor or by any two councilmembers pursuant to the notice requirements of Minnesota Statutes § 471.705 at such time and place and for such purposes as stated in the notice of the meeting.

**Subd. 3 Emergency Meetings.** When the health, safety, or welfare of the city or its residents would be unduly endangered or subject to imminent harm by any delay, the Council may convene an emergency meeting without advance notice to discuss how to handle the emergency situation.

**200.04 Address.** The official address for the City shall be:

City of Norwood Young America  
310 Elm Street West  
Norwood Young America, MN 55368  
*(Amended by Ord. 226, 1/24/2011)*

### Section 210 – Elections

**210.01 Date of Regular City Election.** The regular City election shall be held biennially on the first Tuesday after the first Monday in November of every even-numbered year.

**210.02 Terms of Mayor and Councilmembers.** After the first regular biennial election, the term for the office of Mayor shall be two years and the terms for the offices of Councilmembers shall be four years. The terms of office for the first biennial election held in November 1996 shall be as provided by Special Law Chapter 302 of the 1996 Legislature.

### Section 220 – Mayor and Councilmembers Salaries

**220.01 Mayors Salary.** The salary of the Mayor shall be \$300 per month.

**220.02 Councilmembers Salary.** The salary of each Councilmember shall be \$200 per month.

**Section 230 – City Administrator**

**230.01 Purpose.** In order to provide the City with a more efficient, coordinated, responsible and responsive municipal government, the position of City Administrator shall be hereby established.

**230.02 Scope.** The City Council shall provide policy guidance and general direction to the City Administrator who shall serve as the Chief Administrator Officer of the City. The Administrator shall be responsible for the administrative direction of all departments and offices of the municipal government, subject only to statutory and/or municipal code or ordinance limits which may apply. It shall be the intent of this Section that the City Administrator shall have clear authority to administer the day-to-day operations of the municipal government, subject only to the restrictions noted above.

**230.03 Appointment.** The City Administrator shall be appointed by the City Council. The City Administrator shall be chosen solely on the basis of his or her training, experience and executive and administrative qualifications. *(Amended by Ord. 244, July 8, 2013)*

**230.04 Duties.** In addition to the general duties and responsibilities set forth in this Section, the City Administrator shall:

- A. Be responsible for preparation of the annual City budget in accordance with the guidelines as may be provided by the City Council, and in coordination with all department heads;
- B. Keep the Council informed of the financial condition of the City. Recommend action as appropriate, prepares and implements financial guidelines;
- C. Keep informed concerning current developments in the field of municipal administration, and from time-to-time submit recommendations or suggestions to improve the municipal government;
- D. Keep informed concerning State and Federal legislation affecting the City, and submit appropriate reports and recommendations to the City Council;
- E. Keep informed concerning the availability of State and Federal funds for local programs, and assist department heads and the City Council in procuring the funds;
- F. Be responsible for the employment, training, direction and supervision of all personnel assigned to the Municipal Government, and for making recommendations to the City Council on appointments and promotions of personnel;
- G. Be responsible for the administrative direction and supervision of all employees of, consultants to, and vendors doing business with the City;
- H. Serve as the personnel officer for the Municipal Government. As such, he or she shall keep complete and up-to-date personnel records, to include specific job descriptions for all City employees, recommend salary and wage scales for City employees not covered by collective bargaining agreements, develop and enforce standards of performance by City employees, assure that all City employees have proper working conditions, work closely with department heads to promptly resolve any personnel problems or grievances, and act as the City's representative in conducting collective bargaining negotiations;
- I. Work closely with all department heads to ensure that such personnel and other City employees receive adequate opportunities for training to improve their knowledge and skills, and act as the approving authority for all requests by City employees to attend conferences, meetings, training schools, etc. pertaining to their employment;

- J. In coordination with the Mayor, prepare the agenda for all meetings of the City Council, together with such supporting data as may be required. Nothing in this Section shall be construed as to give the City Administrator authority to limit or in any way prevent matters from being considered by the Council;
- K. Act as purchasing agent for the City and be responsible for making all purchases in accordance with the approved municipal budget. The Administrator shall have the authority to sign purchase orders for budgeted routine services, equipment and supplies for which the cost shall not exceed one thousand dollars. All claims resulting from orders placed by the City shall be audited for payment by the Council. The Administrator shall negotiate contracts for any kind of merchandise, materials, equipment or construction work for presentation to the Council;
- L. Perform all duties as prescribed by the job description and such other duties as may be prescribed by law or required by ordinance or resolution adopted by Council, including attending all meetings of the Council and such other boards, commissions, and committees as assigned by the Council, and performing all statutory duties of the City Clerk except as otherwise assigned by this Code or action of the Council.

### Section 240 – Fire Department

**240.01 Fire Department.** The Norwood Young America Fire Department created shall be hereby established.

**240.02 Size.** The Norwood Young America fire department shall be limited to a full complement that shall not exceed 45 members. Any person at least eighteen years of age and capable of passing the required physical requirements adopted by the City shall be eligible for membership by voluntary enlistment in the fire department. The new members shall be elected by a majority vote of the members of the fire department, subject to the approval of the election by the City Council. Each new member shall serve a one year probation period. At the end of the probation period, the City Council shall give final approval to the new member. Each firefighter shall be required to pass a periodic physical test in order to remain eligible to serve on the department.

**240.03 Appointment of Fire Chief and other Offices.** The fire chief shall be elected by a majority vote of all fire department members and shall be approved by the City Council. The fire chief shall hold his or her office for the full term of one (1) year unless removed from office within the period by the City Council for cause. The department may also appoint the following officers:

- A. Two Deputy Chiefs
- B. Treasurer
- C. Secretary

**240.04 Duties of Fire Chief.** The following shall be the duties of the fire chief:

- A. See that all equipment of the fire department be kept in a fit condition for use at all times;
- B. Manage and control the department during times of fire or any public emergency for which the department shall be called upon to act;
- C. Investigate and recommend to the City Council such additional ordinances or amendments to existing ordinances, as he or she may deem necessary for safeguarding life and property against fire;

- D. Require teachers of public, private and parochial schools and educational institutions to have nine (9) fire drills per year, and to keep all doors and exits unlocked during school hours.
- E. Other duties that shall be delegated by the City Council from time-to-time.

**240.05 Power and Authority of Chief.** The fire chief shall have the following powers and authority.

- A. The fire chief shall have the power and authority to appoint such subordinate officers as he or she may deem advisable and to clothe them with authority to act for and in his or her place during his or her absence or disability.
- B. The fire chief or any other officer in command shall have the power to call upon any bystander to assist in fighting fires and such person so called upon shall render such assistance as ordered by the officer.
- C. The fire chief shall have the authority to dispatch such equipment and firefighters to other communities when there shall be a mutual aid agreement in effect. At no time, however, shall the fire chief dispatch such equipment and firefighters that he or she cannot afford adequate protection for this City.

**240.06 Relief Association.** The fire department shall have the authority to organize a relief association, elect the association's president and any other officers, adopt a constitution and by-laws not inconsistent with any laws or ordinances or resolutions adopted by the City Council, and to do all things necessary to promote the welfare of the fire department.

### **Section 250 – Planning Commission**

**250.01 Establishment of Commission.** The planning commission for the City shall be hereby established. The commission shall be the City planning agency.

**250.02 Composition.** The planning commission shall consist of seven (7) members. Members of the commission shall reside within the city. *(Amended by Ord.157, 1-12-04)*

- A. All members shall be appointed by the City Council and may be removed by a three-fifths vote of the Council. *(Amended by Ord.157, 1-12-04)*
- B. Of the planning commissioners first appointed, two shall be appointed for a one year term, two shall be appointed for a two year term, and three shall be appointed for a three year term. All terms shall expire on January 1 of the appropriate year. Their successors shall be appointed for terms of three years, expiring January 1 of the appropriate year. Both original and successive appointees shall hold their offices until their successors shall be appointed and qualified. Every appointed member shall before entering upon the discharge of his or her duties take an oath that he or she shall faithfully discharge the duties of his or her office. Compensation shall be set by resolution of the City Council. *(Amended by Ord.157, 1-12-04)*

**250.03 Organization, Meetings, Etc.**

- A. The commission shall elect a chairperson from among its appointed members for a term of one year; and the commission may create and fill such other offices as it may determine. A commission member shall act as secretary of the planning commission.
- B. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. Expenditures of

the commission shall be within amounts appropriated for the purpose by the City Council. The commission shall submit to the City Council a monthly report of its work during the preceding month. *(Amended by Ord. 108, 5-27-1997)*

**250.04 Powers and Duties of the Commission.** The planning commission shall be the planning agency and shall have the powers and duties given such agencies generally by Minnesota Statutes § 462.351 – 462.364. It shall also exercise the duties conferred upon it by this Section.

*(Amended by Ord. 108, 5-27-1997)*

**250.05 Zoning Ordinances; Public Hearings.** No zoning ordinances, subdivision ordinances, or amendments thereto 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 § 462.357, Subdivision 3. Public hearings shall be conducted pursuant to the procedure listed in Section 250.05, Subd 1 through Subd. 8 below.

**Subd. 1 Chairperson Shall Explain the Procedure to be Followed.** Before opening the public hearing, the chairperson shall explain the procedure to be followed before the hearing begins. The chairperson shall explain that the hearing is a formal procedure, that everyone will be given an opportunity to participate, and that comments should be germane and concise. If many people share the same viewpoint, the chairperson shall encourage the appointment of a spokesperson to avoid repetitive testimony.

**Subd. 2. Open the Public Hearing.** The chairperson shall indicate that the public hearing is opened.

**Subd. 3. Staff Presentation.** City staff shall identify the subject property, describe the nature of the application, present the zoning and planning issues, and explain the action to be taken by the planning commission, board of appeals, or city council. The commission, board, or council members should ask the staff questions to ensure that they fully understand the information presented. City staff shall entertain questions from the applicant, general public or other interested parties about the information presented.

**Subd. 4. Applicant Presentation.** The applicant shall have the opportunity to present his or her case, including but not limited to factual information to demonstrate the proposal's compliance with the city's comprehensive plan, zoning and/or subdivision standards. The planning commission, board of appeals, or city council shall ask the applicant whatever questions they have about the proposal. The public shall have the opportunity to ask questions of the applicant.

**Subd. 5. Statements from the Public.** The chairperson shall ask for statements from the public in support of the application. The chairperson shall then seek statements from the public in opposition to the application. The chairperson shall encourage the presentation of factual evidence for public consideration.

**Subd. 6. Conclude the Public Hearing.** After all evidence has been received and everyone has been given opportunity to be heard, the chairperson shall conclude the public hearing.

**Subd. 7. Discussion.** Upon conclusion of the public hearing, the planning commission, board of appeals, or city council shall discuss the proposal.

**Subd. 8. Action.** The planning commission or board of appeals shall make a recommendation to the city council on the application. If the hearing is before the city council, the council shall either deny or approve the application. The matter may also be continued for further consideration.

*(Amended by Ord. 186, 1-8-2007)*

**250.06 Plats: Approval.** Any plat of land submitted to the Council for approval shall be referred to the planning commission for review and recommendation. *(Amended by Ord. 108, 5-27-1997)*

**250.07 Board of Appeals and Adjustments.** The planning commission shall serve as the Board of Appeals and Adjustment for the City. The decisions of the Board on matters within its jurisdiction shall be advisory to the Council. Following the hearing, the Board shall make its order deciding the matter and shall serve a copy of such order upon the appellant or petitioner by mail. The Board shall at the same time submit a copy of its decision to the Council which shall have final authority to approve, reject, or modify the decision of the Board. *(Amended by Ord. 108, 5-27-1997)*

### **Section 255 – Economic Development Commission**

**255.01 Establishment of Commission.** The economic development commission for the city shall be hereby established. *(Amended by Ord. 115, 7-27-1998)*

**255.02 Composition.** The economic development commission shall consist of nine (9) members: two (2) City Council members, one (1) Planning Commission member, one (1) representative of the Chamber of Commerce, and five (5) members of the local community representing, but not limited to, local business and industry. Members of the commission shall reside or be employed within the city. *(Amended by Ord. 226, 1-24-11) (Amended by Ord. 256, 2-9-15)*

- A. All members appointed by the City Council may be removed by a three-fifths vote of the Council. *(Amended by Ord.157, 1-12-04)*
- B. All terms shall expire on January 1 of the appropriate year. The City Council member, Planning commission member and representative of the Chamber of Commerce shall be appointed annually. All other commissioners shall be appointed for a term of three years. Of the five commissioners serving terms of three years, no more than two terms shall expire in the same year. Both original and successive appointees shall hold their offices until their successors shall be appointed and qualified. Every appointed member shall before entering upon the discharge of his or her duties take an oath that he or she shall faithfully discharge the duties of his or her office. Compensation shall be set by resolution of the City Council. *(Amended by Ord.157, 1-12-04)*

#### **255.03 Organization, Meetings, Etc.**

- A. The commission shall elect a chairperson from among its appointed members for a term of one year; and the commission may create and fill such other offices as it may determine. A commission member shall act as secretary of the economic development commission.
- B. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. Expenditures of the commission shall be within amounts appropriated for the purpose by the City Council. The

commission shall submit to the City Council a monthly report of its work during the preceding month.

*(Amended by Ord. 115, 7-27-1998)*

**255.04 Duties and Responsibilities of the Commission.** The duties and responsibilities of the economic development commission shall be as follows:

- A. Advise the City Council on matters concerning commercial and industrial development within the city.
- B. Assist the City with preparations and advice regarding economic development marketing plans, programs, and strategies.
- C. Help to coordinate economic development efforts with various groups active in the city.
- D. Aid and advise the City Council and Planning Commission regarding the orderly development of areas suitable for commercial and industrial development.
- E. Recommend to the City Council and Planning Commission policies and actions regarding commercial and industrial expansion, development, and attraction.
- F. Develop long and short-term strategies for commercial and industrial development within the city.
- G. Review proposed development proposals.
- H. Assist in the preparation and implementation of plans for business retention.
- I. Perform other duties, functions, and studies as directed by the City Council.

*(Amended by Ord. 115, 7-27-1998)*

### **Section 256 – Parks & Recreation Commission**

**256.01 Establishment of Commission.** The parks and recreation commission for the City shall be hereby established. *(Amended by Ord. 144, 10-22-2001)*

**256.02 Composition.** The parks and recreation commission shall consist of seven (7) members: one (1) City Council member, one (1) Planning Commission member, one (1) representative from School District 108, and four (4) members of the local community. Members of the commission shall reside or be employed within the city. *(Amended by Ord.157, 1-12-04)*

- A. All members shall be appointed by the City Council and may be removed by a three-fifths vote of the Council. *(Amended by Ord.157, 1-12-04)*
- B. All terms shall expire on January 1 of the appropriate year. The City Council member, Planning Commission member and representative of School District 108 shall be appointed annually. All other commissioners shall be appointed for a term of three years expiring January 1 of the appropriate year. Of the four commissioners serving terms of three years, no more than two terms shall expire in the same year. Both original and successive appointees shall hold their offices until their successors shall be appointed and qualified. Every appointed member shall before entering upon the discharge of his or her duties take an oath that he or she shall faithfully discharge the duties of his or her office. Compensation shall be set by resolution of the City Council. *(Amended by Ord.157, 1-12-04)*

**256.03 Organization, Meetings, Etc.**

- A. The commission shall elect a chairperson from among its appointed members for a term of one year; and the commission may create and fill such other offices as it may determine. A Commission member shall act as secretary of the commission.
- B. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. Expenditures of the commission shall be within amounts appropriated for the purpose by the City Council. The commission shall submit to the City Council a monthly report of its work during the preceding month. *(Amended by Ord. 144, 10-22-2001)*

**256.04 Powers and Duties of the Commission.** The parks and recreation commission shall be the park and recreational planning and maintenance advisory agency for the City of Norwood Young America. The duties of the commission are as follows, but not exclusively:

- A. Advise the City Council in park acquisition, development and abandonment matters.
- B. Advise the City Council in regard to recreational programming.
- C. Recommend to the City Council rules and regulations for use of any park, recreational or leisure facilities.
- D. Maintain the City of Norwood Young America Comprehensive Parks Plan.
- E. Consider proper names for park and recreation areas and make such recommendations to the City Council.
- F. Conduct studies and investigations as specifically directed or delegated by the City Council.
- G. Represent the City Council at appropriate meetings.
- H. Review special requests for use of recreational facilities for the City Council.

*(Amended by Ord. 144, 10-22-2001)*

### **Section 257 – Safety Committee**

**257.01 Establishment of Committee.** The Safety Committee for the city shall be hereby established.

**257.02 Purpose.** The purpose of the Safety Committee shall be to promote safety and health in the workplace and to eliminate work place hazards that may cause any injury or illness.

**257.03 Composition.** The Safety Committee shall consist of five (5) members: one (1) City Council member, one (1) representative of the Administration staff, one (1) representative of the Public Works Department, one (1) representative of the Public Utilities Department, and the City Administrator.

**257.04 Organization, Meetings, Etc.**

- C. The committee shall elect a chairperson from among its appointed members for a term of one year; and the committee may create and fill such other offices as it may determine. A committee member shall act as secretary of the Safety Committee.
- D. The committee shall establish a regular meeting schedule.

**257.05 Duties and Responsibilities.** The duties and responsibilities of the Safety Committee shall be as follows:

- J. Review the results of work place safety inspections to identify and analyze hazards.

- K. Review accident and injury reports to identify and analyze hazards.
- L. Review and act upon safety and health related concerns, suggestions, and needs communicated by employees and supervisors.
- M. Review work place hazard assessments.
- N. After conducting safety reviews suggest and document better work practices, repairs, safety training and communication.
- O. Conduct semi-annual walk-through safety inspections.
- P. Identify and communicate specific safety and health related needs and improvements to the employer, supervisors, and employees.
- Q. Administer “A Workplace Accident Injury Reduction Program (AWAIR)”.  
*(Amended by Ord. 260, 4-27-15)*

### **Section 260 Civil Defense**

**260.01 Adoption of Plan by Reference.** In the case of emergencies or natural disasters, the City shall follow the Civil Defense Plan adopted from time to time by the Council as found in the Appendix to this Code.